Planning Statement

REPLACEMENT DWELLING

56 GREENHILL BANK ROAD, NEW MILL, HOLMFIRTH, HD9 1ER

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1.0 INTRODUCTION

This statement has been prepared to support a full planning application for the replacement of the existing dwelling at 56 Greenhill Bank Road with a new dwelling.

The proposal represents the utilisation of Grey Belt land and would provide for an unmet need (housing) in the area. The development would not fundamentally undermine the purposes of the remaining Green Belt and is in a sustainable location. Given the scale of development, the need to meet the “Golden Rules” would not apply.

The proposal also comprises the redevelopment of previously developed land 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 Local Plan policy.

The new dwelling has been sensitively designed in order to respect and reflect the existing grain and pattern of development in the locality and the rural landscape setting of the site.

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 the existing detached dwelling house and its associated residential curtilage at 56 Greenhill Bank Road.

The site lies on the western side of Greenhill Bank Road, to the south of the built-up area of New Mill.

The existing dwelling is a two storey, twentieth century building of limited architectural merit. The dwelling sits mid-way in an informal ribbon development of houses of varying size, age and appearance on the western side of the highway, with open land to the east and west.

Due to the topography of the area, the houses all sit at a higher level than Greenhill Bank Road. The land then continues to rise to the west of the application site, creating the sense of the houses being set into the valley side.

The site lies within the Green Belt.

3.0 THE PROPOSAL

Full planning permission is sought for the replacement of the existing dwelling with a new detached dwelling. The key elements of the proposal are as follows:

- The proposal would result in the utilisation of Grey Belt land to provide a new dwelling. The proposal would provide for an unmet need given the LPA's lack of 5-year housing supply and would meet all other policy tests relating to Grey Belt land.
- The scheme comprises the redevelopment of previously developed land that would not cause substantial harm to Green Belt openness.
- The position and arrangement of the proposed dwelling reflects the existing grain and pattern of development in the locality.
- The height of the new dwelling has been limited to ensure it follows the existing pattern, and would be slightly lower than the existing dwelling that it would replace.
- The dwelling has also been very carefully designed to reflect and respect the surrounding rural landscape.
- The 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.
- All elements of the redevelopment are contained within the existing defined residential curtilage, and there would be no encroachment at all into the surrounding undeveloped land.

4.0 PLANNING HISTORY

A search of the LPA's online records shows the only planning history for the site being application 2023/92696 for a certificate of lawfulness for proposed two storey rear extension, single storey side extension to form garage and lean to and 3 garden rooms to form gym, office and play room. Given that this application related to the question of whether works amount to permitted development, and not to any planning merits, it is of no relevance to the assessment of the current application.

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.

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
LP59 – Brownfield sites in the Green Belt

Holme Valley Neighbourhood Development Plan

The following policies are considered of relevance:

Policy 1 – Protecting and Enhancing the Landscape Character of Holme
Policy 2 – Protecting and Enhancing the Built Character of the Holme and Promoting High Quality Design
Policy 11 – Improving Transport, Accessibility and Local Infrastructure
Policy 12 - Promoting Sustainability
Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

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.

Paragraph 155 of the NPPF states that development in the Green Belt should not be regarded as inappropriate where:

a) The development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
b) There is a demonstrable unmet need for the type of development proposed (footnote 56).
c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework (footnote 57).

Annex 2 of the NPPF defines Grey Belt as:

"For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development".

The LPA cannot currently demonstrate a five-year housing supply, and have also reported an under-delivery of new housing in recent years. As such, there is currently an unmet need for new housing development and criterion a) is currently engaged.

To determine whether or not this site comprises 'grey belt', consideration should first be given to where or not the land strongly contributes to purposes (a), (b) or (d) set out in Paragraph 143 of the NPPF.

Green Belt purposes a), b) and d) are as follows:

a– to check the unrestricted sprawl of large built-up areas. The site does not play any important role in checking the sprawl of large built up areas, and does not strongly contribute to purpose a).

b- to prevent neighbouring towns from merging into one another. Again, the site does not strongly contribute to purpose b).

c– to preserve the setting and special character of historic towns. The site does not form the setting of a historic town and does not strongly contribute to purpose c).

The site clearly constitutes Grey Belt land and the proposal would not harm the general function of the Green Belt. It is also in a sustainable location and would deliver a dwelling to meet an unmet need.

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

In this instance, the development clearly comprises the redevelopment of previously developed land as it involves the replacement of an existing dwelling with a new dwelling, with all elements of the development contained within the existing defined residential curtilage. As such, the development proposal is to be considered against paragraph 154 (g) of the NPPF.

Under the last iteration of the NPPF, the redevelopment of previously developed land was not inappropriate providing that it would not have any greater impact on openness. This like-for-like requirement has now been abolished. Instead. Paragraph 154 part (g) now allows for the redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.

Due to the change in the threshold of appropriateness for redevelopment of previously developed land in the revised NPPF, the requirement set out in local plan policy LP59 for the extent of the existing footprint to not be exceeded is now out of date.

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 previously developed sites in the Green Belt. There is no longer any policy requirement for arbitrary volumetric calculations between the existing and proposed developments. A new development that is larger than the existing development is policy compliant up until the point where the substantial harm threshold is crossed. A legal opinion on the implications of the change in threshold for paragraph 154 (g) developments and is submitted separately.

In this instance, the proposed dwelling is larger than the existing dwelling. However, there are several factors that dictate that the proposed dwelling would not breach the substantial harm threshold.

As clearly articulated on the accompanying street scene drawing below, the height of the proposed dwelling is lower than the existing building:

Furthermore, the roof height very clearly and comfortably follows the step in roof heights between the two neighbouring dwellings.

It is clear, therefore, that the increase in building size is delivered through additional width and a below ground level basement area, and not through any increase in height.

The site is already well contained by the existing buildings to the north and west. As such, the increase in width of the building within the application site only has a very moderate impact on openness. As the proposed site plan shows, generous space between the site boundaries and the neighbouring buildings is retained:

Given the proposal involves a dwelling of increased width in a well-contained plot that already contains a dwelling, with neighbouring buildings to either side, the impact on spatial openness is no more than moderate.

The position of the proposed dwelling would mean it is always viewed in conjunction with the existing buildings along Greenhill Bank Road, and it continues the existing arrangement of buildings being set up from the road level, and into the valley side. The continuation of the rising topography to the west further mitigates the visual impact.

From close range views (for example, from Greenhill Bank Road), the site already has a very limited sense of visual openness due to the arrangement of buildings above the road level, as well as boundary walls and sloping garden land. This creates the sense of land that

is contained by both built and natural forms. From further range views, such as from the A616 to the west, the rising topography behind the site provides a very strong backdrop that prevents any sense of the Greenhill Bank Road buildings 'sky lining'. This is articulated by the image below:

As such, the site is not particularly sensitive to the impacts of additional built form. Furthermore, this image also demonstrates that the width of the buildings is not a particularly crucial factor in the impact on openness. The widest existing buildings still sit comfortably in the rising topography and amongst the existing loose ribbon development of buildings.

As such, whilst there would also be some additional impact on visual openness, this would also be moderate, and not substantial.

Overall, taking into account both spatial and visual considerations, the impact of the development on Green Belt openness would be moderate. This is, therefore, an acceptable form of redevelopment as it would not cause substantial harm to openness.

A number of recent and relevant appeal decisions confirms that the assessment of the impact on openness as set out above is sound.

Appeal reference APP/J1535/W/24/3345568 considered the issue of whether substantial harm to Green Belt openness would be caused by the introduction of a dwelling house on a site that does not contain any existing buildings. The Inspector noted:

"The site is largely devoid of any buildings or structures, but includes an area of hardstanding comprising the foundations of the former building and is enclosed by timber fences. Consequently, any new buildings would have a significantly greater impact on the

spatial openness of the Green Belt than the existing development. Nevertheless, the single-storey dwelling would have a modest footprint and would have a low ridge height. Whilst the dwelling be more visible than the existing development at the site, the presence of the neighbouring properties and the established hedgerow to the rear of the site would limit the visual effect on the openness of the Green Belt.

The dwelling would be located within the context of the surrounding development, which is enclosed from the surrounding open fields by a hedgerow and mature trees. While the development would be visible from outside the site, the proposal would be largely visually contained and would not unacceptably impact the function and purpose of the Green Belt. Accordingly, although the proposal would harm the openness of the Green Belt, the adverse effects would be moderate. The proposal would therefore accord with Paragraph 154 g) of the Framework."

Bearing in mind that this was for a site that did not contain any existing buildings, there is clearly scope for replacing the existing building at the current application site without resulting in substantial harm to openness.

On a larger scale, appeal reference APP/N0410/W/24/3348677 considered whether 95 assisted living units and a 75-bed care home on a sports pitches site would result in substantial harm to openness. The Inspector acknowledged that there was no doubt that the proposed development would have a greater impact on openness than the existing situation, but stressed that, following the December 2024 changes to the NPPF, the new criterion is that it should not cause substantial harm to openness, rather than having no greater impact on Green Belt openness. In considering whether the substantial harm threshold would be breached, the Inspector noted that:

"The scheme would appear well-contained within the wider Wilton Park site. The A355 with its roundabouts and adjacent bund provides a very clear dividing line between the appeal site and the countryside. The appeal scheme's perceived effect on openness would therefore not be that of a new development encroaching into open countryside.

The layout of the scheme, consisting of five residential blocks enclosing a landscaped courtyard, residents' lounge and access, would be compact rather than sprawling. The traditionally designed buildings of two, three and four storeys, though taller and more extensive than the terraced houses, would still be of relatively modest height. Their varied architectural form and concealed flat roofs would help to limit their visual bulk and hence their impact on openness.

Views of the scheme would be most evident from the A355, from north and south of the site. However, the impact on openness would be contained; blocks of woodland limit longer views of the site. The effect of the scheme on openness from these positions would be moderate.

The scheme would have some effect on openness when seen from within Wilton Park to the east, but this would be limited by planting within the proposed parkland. In any case, the site would clearly be perceived as connected with the overall development of Wilton Park. Again, the impact here would only be moderate."

These decisions clearly reflect the significance of the changes to the NPPF in respect of proposals that are appropriate in the Green Belt provided they do not result in substantial harm to openness, and the high threshold that substantial harm entails.

The proposal is an appropriate form of development in the Green Belt as defined by paragraph 154 (g) and paragraph 155 of the NPPF, and fully complies with local plan policy LP59 in so far as that policy remains up to date. The principle of development is wholly acceptable and policy compliant.

Design and Landscape

As well as being sensitive to openness to ensure the substantial harm threshold is not breached, the proposed dwelling has also been carefully designed to reflect and respect the rural landscape setting of the site. The proposed dwelling is of very high-quality design, with the form, detailing and materials creating an attractive contemporary dwelling with clear references to the rural landscape. The contrasting materials between ground and first floor, as well the standing seam roof extending around the upper floors of the side elevations,

embed the building into the sloping topography of the natural landscape and are both recessive and reflective of the settling. The a-symmetric roof line maintains a low-profile building with subtle references to a traditional agricultural building.

The existing dwelling is of little architectural merit, and there would be no detriment to the character or visual amenity of the locality through its loss. The existing buildings in the locality are varied in terms of scale, form and appearance, and there is no sense of uniformity. As such, the proposed replacement dwelling would sit very comfortably within the grain and pattern of the existing built form, as well as the surrounding natural environment.

The application site is within Landscape Character Area 7 - River Holme Wooded Valley. Key landscape characteristics of the area are:

- Glimpsed views towards the wider landscape through gaps between built form.
- Views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth.
- Stone boundary walls are common features.
- A network of Public Rights of Way (PRoW) crosses the landscape including a section of the Barnsley Boundary Walk, the Kirklees Way and the Holme Valley Circular Walk.

The identified key built characteristic of the area includes settlements characterised by a close association between built form and landscape. The design of the proposed dwelling is rooted in the association between built form and the surrounding landscape, and clearly reflects and respects the landscape character area in which the site lies.

The proposed building would form an appropriate piece of rural architecture that 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 complaint with policies LP24 and LP32 of the Local Plan, Policies 1 and 2 of the Neighbourhood Plan, and section 12 of the NPPF.

Transport and Accessibility

The proposed dwelling would utilise the existing access point that serves the existing dwelling. There would be no material increase in traffic generated by the site. Sufficient off-street parking will be retained in the basement garage and external driveway.

As such, 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 would ensure no overbearing impacts to or overshadowing of the existing neighbouring dwellings. The window arrangement would ensure the outlook from the new dwelling is onto its garden space, and there would be no harmful overlooking to the neighbouring properties.

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

The existing dwelling is in daily use and provides no roosting or nesting opportunities for bats and birds. The site is clearly defined residential curtilage, and contains only ornamental trees and shrubs that are of little ecological value. There would be no adverse impact on protected species and ecology interests as a result of the development.

The development is a self-build project, and is therefore exempt from statutory Biodiversity Net Gain requirements.

The proposal is fully policy complaint in this respect.

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 high-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.