



**Design and Access Statement  
Incorporating Planning Statement  
210 Whitehall Road East  
Birkenshaw  
BD11 2LL**

## Introduction

This statement has been written by AKPlanning in support of planning application for the demolition of existing building and erection of a single dwelling at Whitehall Road East, Birkenshaw.

It will identify and address the relevant planning policies and any other planning matters.

## Site Location and Description

The aerial view and photos below and over show the site.



The site is on Whitehall Road East, Birkenshaw. It is currently occupied by a single dwelling and large outbuildings.

Whitehall Road runs east west, connecting to the M62 at Cleckheaton and Leeds to the east.

The site is 800m from Birkenshaw and a similar distance from Drighlington.

## The Proposal

It is proposed to demolish the existing traditional stone building and outbuildings and replace them with a new, contemporarily designed, new dwelling.

The new dwelling plans is shown in the visuals below.



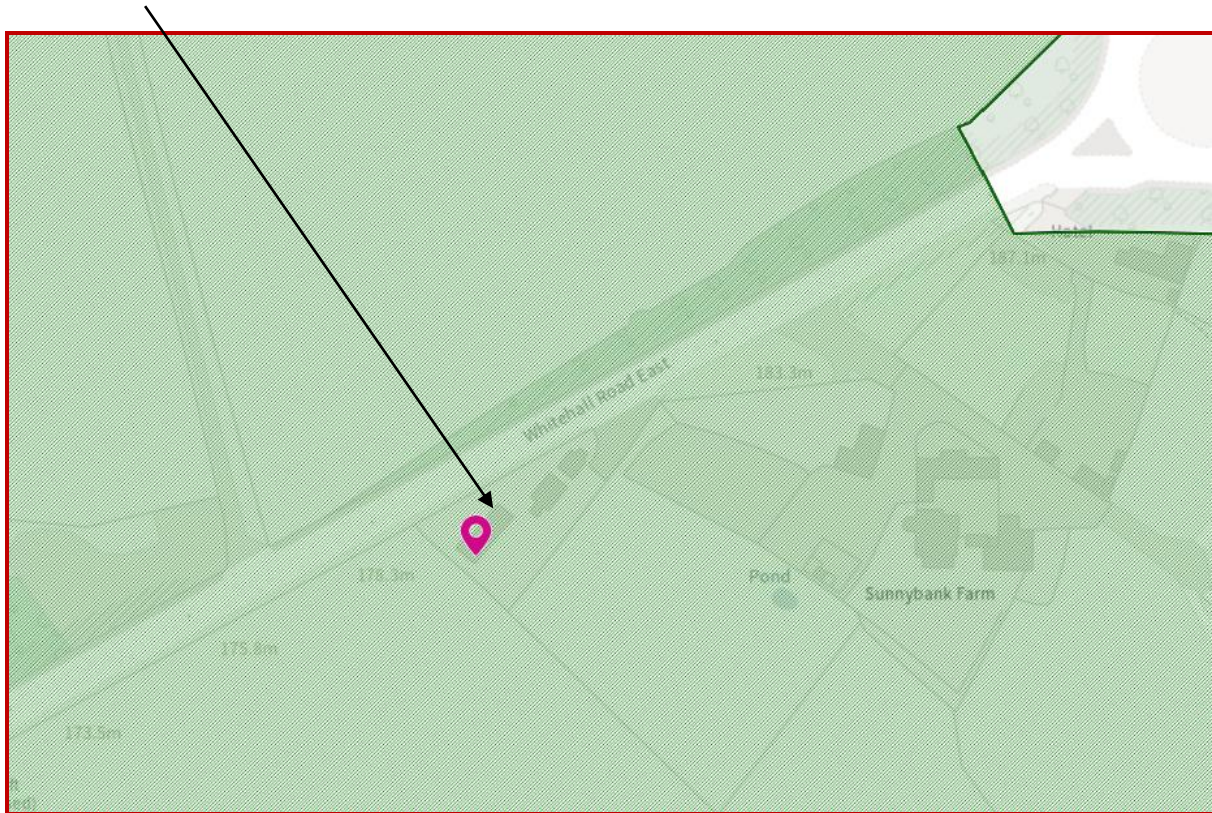
## Relevant Planning History

There is no relevant planning policy on the site.

A site adjacent the roundabout to the east obtained planning permission for a single dwelling in 2017 (reference 2017/94311)

## Planning Policy

The site lies within the green belt, as shown on the extract from the Local Plan below: -



The National Planning Policy Framework (NPPF) contains the following relevant policies: -

**153.** *When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness [55](#). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘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.*

**155.** *The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:*

*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 [56](#);*

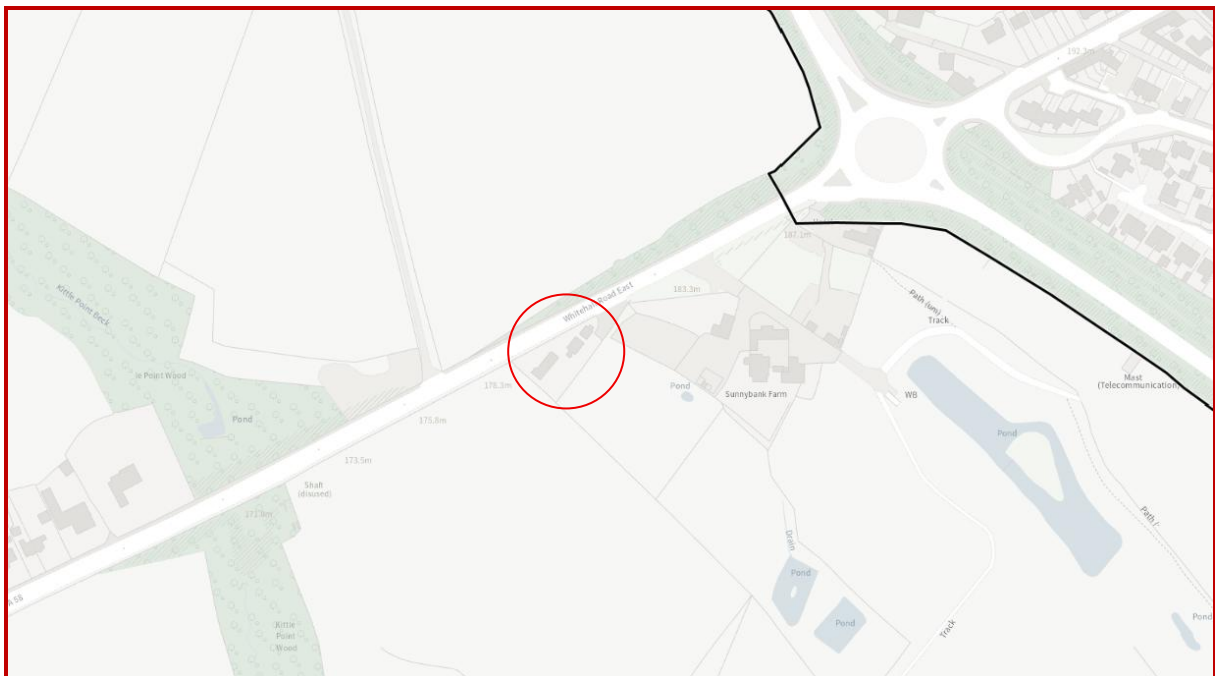
c. The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework] [57](#); and

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

### Consideration of Policy

In this section we will examine the requirements of paragraph 155.

- 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;



The site lies on the very edge of the green belt with residential and commercial buildings to either side. It is currently occupied by a single dwelling and outbuildings.

A replacement single dwelling, within an existing urban fabric, cannot be considered to FUNDAMENTALLY undermine the purposes of the Green Belt when taken as a whole.

*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*

The land is currently occupied by a dwelling. The definition of previously developed land is: -

*Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*



As such the site is previously developed land.

The second consideration of the definition of grey belt (*does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143*)

Paragraph 143 states: -

*143. Green Belt serves 5 purposes:*

*(a) to check the unrestricted sprawl of large built-up areas;*

*(b) to prevent neighbouring towns merging into one another;*

*(c) to assist in safeguarding the countryside from encroachment;*

*(d) to preserve the setting and special character of historic towns; and*

*(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Our comments are: -

(a) to check the unrestricted sprawl of large built-up areas;

The site is occupied by a dwelling and outbuildings, there is no sprawl.

(b) to prevent neighbouring towns merging into one another.

A large area of open land remains to the west and the site is already occupied by a dwelling; this development does not close that gap in any significant way.

(c) to preserve the setting and special character of historic towns;

There is no detrimental effect on any historic town.

We therefore believe that the site qualifies as grey belt and complies with paragraph 155 part (a).

Paragraph 155 part (b) states: -

*b. There is a demonstrable unmet need for the type of development proposed*

The February 2024 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement.

It is our conclusion that there is an unmet need for housing in Kirklees.

Paragraph 155 part c states: -

- c. The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework]

Paragraph 110 states: -

*110. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.*

Paragraph 110 only applies to significant development, this is an application for a single dwelling.

Paragraph 115 considers, in more detail, transport and design of streets; it states: -

*115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

*(a) sustainable transport modes are prioritised taking account of the vision for the site, 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 48 ; 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 through a vision-led approach.*

The site is on Whitehall Road East, a main thoroughfare. Drighlington and Birkenshaw, with all their services, are easily accessible.

### Design

The proposal is to replace an existing traditional stone building (with damaged stone and very little insulation) with a new contemporary design.

The existing building is well screened from the road, as will be the proposal as it is sited in a similar position (plan below indicates the relative positions).



As a result is in a stand-alone position in terms of design context. As such a modern dwelling is acceptable in this location.



With regards to residential amenity, the proposal is a long way from any other dwellings, they overlook open fields and the road.



Access is as existing and is safe.

## Conclusions

The site is grey belt and accessible. A new contemporary dwelling on this site will not detrimentally affect any streetscene or neighbours' amenities. It is our conclusion that the proposal complies with all planning policies and permission can be granted.

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**RTPI**

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