8 Greenfield Mount
Wakefield
WF2 0TJ
E. alex@ascplanning.co.uk
W. www.ascplanning.co.uk

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Applicant: Mr. S. Lo
Site: 5 Barnsley Road, Flockton, Wakefield, WF4 4DN.

PLANNING STATEMENT

1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by ASC Planning Consultants Ltd on behalf of Mr S. Lo ('the Applicant') in support a full planning application for a replacement dwelling and associated works at no 5 Barnsley Road, Flockton.

1.2 This brief Statement (as a minor development) is submitted to assist the Local Planning Authority in there understanding of and assessment of the proposals.

1.3 The proposed replacement dwelling is to be undertaken as self-build development as defined within the Housebuilding Act 2015 (as amended), contained in section 1(A1) and (A2) of that Act. The applicant's immediate family is to occupy and reside at the property as their main residence.

1.4 The Statement should be read in conjunction with the following plans and documents submitted as part of the application:

- Application Form
- CIL Form 1
- Site Location Plan - Dwg no.
- Existing Site Plan – Dwg no.
- Proposed Site Plan – Dwg no.
- Demolition Plan – Dwg no.
- Proposed Floor and Elevation Plans – Dwg no.
- Climate Change Statement
- Phase 1 Land Contamination and Coal Mining Risk Assessment (one Document) (RB Geotechnical).
- Biodiversity Net Gain Small Sites Metric

2.0 SITE LOCATION AND CONTEXT

2.1 The site (red line boundary) measures approximately 0.475 hectares (ha) and comprises a detached bungalow dwelling, associated outbuildings, garden and hardstanding access, driveway and parking area. Included as Appendix A are site photographs which illustrate the existing dwelling and buildings. The site lies to the west of Flockton, to the northern side of Barnsley Road as illustrated by the following aerial image.

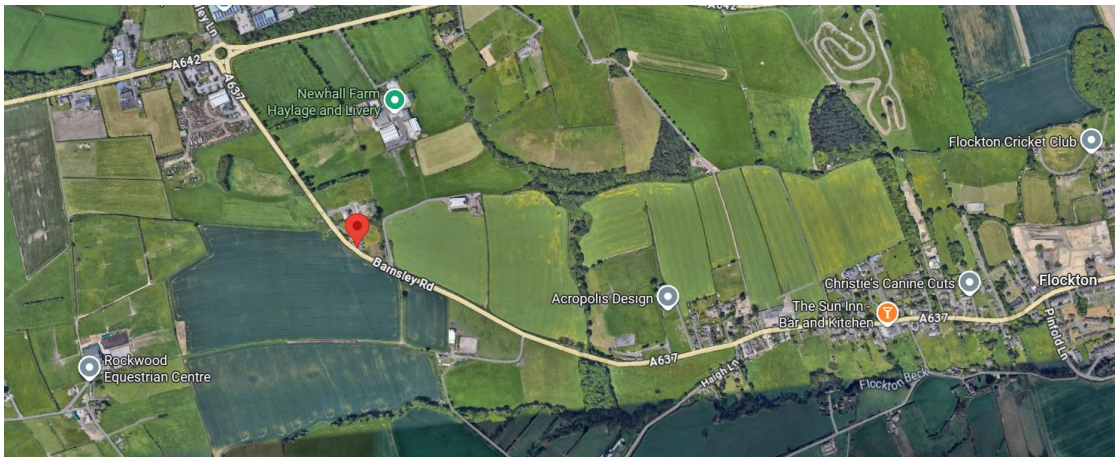


Image 2.1: Site Location (Google Maps)

2.2 There is only one immediately neighbouring property, no.1 Barnsley Road to the north-west, which is also owned by the applicant. The surrounding area is predominantly rural and agricultural with some farm buildings and properties. The site lies within the Green Belt. The site topography varies from approximately 203m above ordnance datum to approximately 206m AOD.

2.3 There are currently two vehicular and pedestrian accesses from the adopted highway (Barnsley Road) to the property.

2.4 The site is not within a conservation area, nor are there any listed buildings or non-designated heritage within close proximity to the site. There are no public rights of way that cross the site or site boundaries. The site lies within Flood Zone 1 (lowest risk of flooding), and within a Coal Mining Development High Risk Area. There are also no ecological designations within the site or in close proximity, no watercourses, and no protected trees or mature trees that would be subject to any effects.

3.0 PLANNING HISTORY

3.1 A search of the Councils' Public Access System illustrates the following site planning history:

- 88/62/01481/C4 - Erection of extension to form bedrooms and bathroom ad erection of porch. Approved 16.06.1988.

3.2 The following image illustrates the site (in 1988), the associated buildings and gardens.

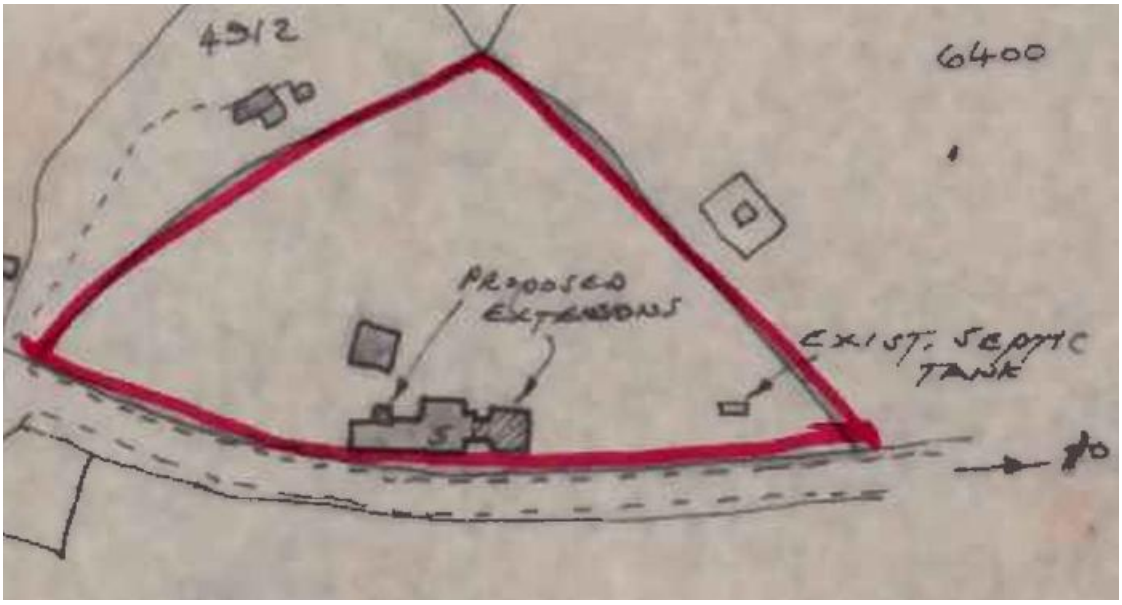


Image 3.1: Application 88/62/01481/C4

3.2 A search of the neighbouring planning history (no.1 Barnsley Road) illustrates the following relevant permission (similar scale dwelling approved):

- 2012/62/91938/E - Erection of dwelling and detached garage with first floor hobby room. Approved 17.08.2012.

4.0 LEGISLATION AND PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority (LPA) to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

4.2 The statutory Development Plan for Kirklees is the Kirklees Local Plan (KLP). The KLP was adopted on 27 February 2019 and comprises the strategy and policies document, allocations and designations document and associated proposals map. Supplementary Planning Documents (SPDs) are also a material consideration and provide guidance to support the implementation of development plan policies.

4.3 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

4.4 The policies of the Local Plan (and Supplementary Planning Documents/Guidance) and National planning policy and guidance, where relevant, are referenced and addressed within the relevant sections of the report below.

4.5 An extract of the KLP Proposals Map (Kirklees Council) which shows the location of the site and key designations is illustrated below.

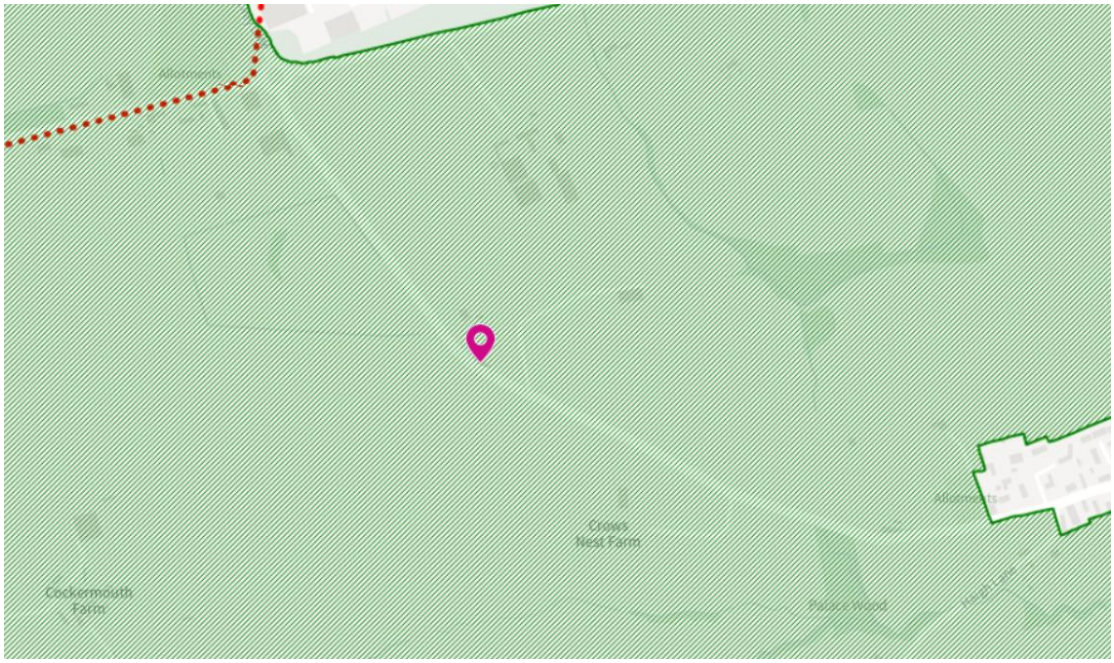


Image 4.1: KLP Proposals Map (Kirklees Council)

4.6 As illustrated, the Proposals Map confirms that the site is not allocated, however it does lie within the Green Belt.

5.0 THE PROPOSALS

5.1 The proposals are for the demolition of the existing dwelling and associated ancillary detached garage and outbuildings and replacement with a modern two-storey dwelling. The proposed replacement dwelling is to be sited away from the road frontage within the site (partly on an area of existing hardstanding). The relocation is illustrated by the following image (Proposed Site Plan showing demolition, Dwg no. 15 Neil Bowen Architects).

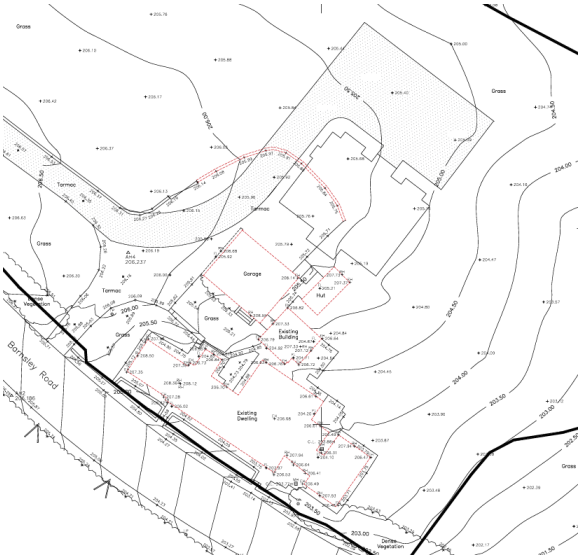


Image 5.1 Proposed Replacement Dwelling Layout

5.2 The exiting access from Barnsley Road at the north-western corner of the site is to be utilised, with the other existing central access (on the bend) to be blocked up with

traditional stone to match the existing boundary. The proposed layout follows a general building line from the neighbouring no.1 Barnsley Road and consolidates the development centrally within the site (with the existing property sprawling across a large part). The set-back will improve the general openness from the street and improve living conditions for occupiers.

5.3 The proposals will create an attractive contemporary two-storey four-bedroom dwelling, with a gross internal floor area measuring approximately 311m^2. The proposed dwelling, design and appearance is illustrated by the following image.



Image 5.2: Proposed Floor and Elevation Plans (Dwg no. 2543-1, Neil Bowen Architects)

5.4 The proposed dwelling has a gable roof design with three front gable projections, with a maximum ridge height measuring approximately 9.0m and eaves height measuring 5.65m. Materials imitate the neighbouring no.1 Barnsley Road. The property will also benefit from the existing large private garden, with space for bin storage away from the site frontage, and electric vehicle charging will be provided in accordance with policy and building regulations.

5.5 The siting of the proposed dwelling is such that it will not affect any trees or hedgerows within the site or to the site boundaries. The removal of the existing property and buildings will be replaced by planting (grass/vegetation).

5.6 The proposals follow a similar and almost identical approach to that taken at the applicant's neighbouring property no.1 Barnsley Road.

5.7 Taking into consideration the site character and location, and proposals, the main issues for consideration are addressed below.

6.0 ASSESSMENT

Principle of Development

6.1 The fundamental aim of Green Belt policy in the National Planning Policy Framework (the Framework) is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the Framework sets out the five purposes that the Green Belt Serves, with these being: " 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."

6.2 Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 clarifies that "Development in the Green Belt" should be regarded as inappropriate unless an exception applies.

6.3 Policy LP57 (The extension, alteration or replacement of existing buildings) of the KLP is relevant insofar as it relates to replacement dwellings. Exception 'd' to Paragraph 154 of the Framework also relates to replacement dwellings/buildings, provided the new building is in the same use and not materially larger than the one it replaces. However, Exception 'g)' to Paragraph 154 of the Framework is also relevant to the proposals and relates to the partial or complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.

6.4 The existing dwelling and buildings to be demolished have an overall footprint measuring approximately 300m^2. The proposed dwelling has an overall footprint measuring 160m^2, a reduction in 40m^2. The existing dwelling and outbuildings have a total volume measuring 858m^3. The proposed dwelling has a total volume measuring 1,140.22m^3. However, it should be noted that the existing dwelling could be subject to future development under permitted development, such as rear dormers, further single storey rear extension and additional outbuildings within the curtilage that would be of a similar volume to that proposed. Overall, in considering the scale of the proposed dwelling in relation to the existing dwelling, it is considered to comprise a replacement dwelling that is not materially larger than the one it replaces.

6.5 The proposals will consolidate the existing dwelling and outbuildings to one central position within the site (previously developed). In the context of the Framework the proposals would not cause substantial harm to the openness of the Green Belt, and visually would create a more open site, especially when viewed from the public domain along the Highway. Furthermore, the proposals would not result in a greater impact on the openness in terms of the size or treatment of outdoor areas, curtilage or access.

6.6 It is also considered that the site could be assessed and considered as 'Grey Belt' land as defined within paragraph 155 of the Framework. The site is previously developed and does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. There is a demonstrable unmet need for the type of development proposed as Kirklees are unable to demonstrate a five-year housing land supply. Furthermore, as a replacement dwelling, the residential use of the site is existing and established. The site is sustainably located in this regard, with a pedestrian footpath to the frontage, bus stop opposite the site and a short distance from surrounding villages and towns in accordance with paragraphs 110 and 155 of the Framework.

6.7 Overall it is considered that the principle of the development accords with the policies of the KLP and Framework.

Design, Character and Appearance

6.8 Policy LP24 of the Kirklees Local Plan is relevant and states that proposals should promote good design by ensuring that: "*(a) the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.*"

6.9 Section 12 of the Framework relates to "Achieving well-designed places" developments to function well and add to the overall quality of the area, to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character (while not preventing or discouraging appropriate innovation or change), optimise the potential of the site, and to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

6.10 The existing property and outbuildings are tired and of little architectural interest. The existing property fronts the main highway and sprawls north into the site as illustrated below.



Image 6.1 Existing Site Layout

6.11 The proposals are described above; however, it is considered that the proposed dwelling would create an attractive contemporary dwelling that is entirely in keeping with the

neighbouring no.1 Barnsley Road to the north and its rural location. Additional landscaping to the front of the site in replacement of the demolished dwelling will also serve to create a more attractive frontage from the public domain.

6.12 The proposals are considered to represent good design in accordance with the KLP, SPDs and the Framework.

Neighbour Amenity

6.13 Policy LP24 (b), sets out that proposal should promote good design by, amongst other things, minimising impact on residential amenity of future and neighbouring occupiers.

6.14 The proposed dwelling far exceeds the recommendations within the Technical housing standards – nationally described space standard (2015) and all rooms are served by windows allowing for a good standard of outlook and natural light.

6.15 The location of the site, siting of the proposed dwelling and distance to any neighbours is such that there is no potential for harmful effects on any neighbours.

Highway Safety and Parking

6.16 KLP Policies LP21 (Highways and access) and LP22 (Parking) seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that 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.

6.17 The site is already in use by a single residential dwelling, and this would not change as a result of the development. The proposals utilise an existing access, and would close-up the central access, which is located on the bend. Overall, the arrangement would be an improvement to the current situation. Parking for at least four vehicles is to be provided with space for turning and manoeuvring such that vehicles can egress in forward gear.

6.18 The proposals are considered a to accord with Policies LP21 and LP22 of the KLP, advice within the Kirklees Highway Design Guide SPD, and Section 9 of the Framework

Ecology, Biodiversity and Trees

6.19 Policy LP30 (Biodiversity and Geodiversity) of the KLP requires that proposals protect Habitats and Species of Principal Importance. Furthermore, Biodiversity Net Gain (BNG) came into effect for minor sites on 02 April 2024. There is a requirement to replace the loss of a habitat whilst delivering at least 10% biodiversity net gain.

6.20 Policy LP33 (Trees) of the KLP seeks to ensure that developments do not directly or indirectly threaten trees or woodlands of significant amenity, and proposals should normally retain any valuable or important trees where they contribute to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks. Proposals also need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction.

6.21 Paragraphs 187, 193, 194 and 195 of Chapter 15 of the Framework are also relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species.

6.22 The proposed dwelling and works are sited away from any hedgerows or trees at the site boundaries and as such there is no potential for effects. Included as part of the application is a Small Site Metric for BNG. However, the proposals are for a self-build property to be constructed by the applicant and occupied by immediate family. As such the proposal are exempt from mandatory net gain. However, it is considered that subject to landscaping condition, with planting to replace the demolished dwelling, the proposals would result in overall an improvement, nonetheless.

6.23 Overall, it is considered that the proposals would accord with the aforementioned policies of the KLP, the relevant paragraphs of the NPPF and the legislation and regulations.

Land Stability and Contamination

6.24 KLP Policy LP53 (Contaminated and unstable land) aims to ensure that development on contaminated or unstable land is safe and does not pose a risk to human health or the environment. It requires appropriate assessments to identify contamination or land instability and mandates that effective remediation or mitigation measures are put in place. Development will only be permitted where it can be demonstrated that these issues can be sustainably addressed to safeguard future occupants and the surrounding environment.

6.25 Paragraphs 196 and 197 of the Framework aim to ensure that land is safe and suitable for development by requiring thorough consideration of ground conditions, including risks from contamination, land instability, and past activities such as mining. Developments must include appropriate mitigation or remediation measures, ensuring that, as a minimum, land is no longer classifiable as contaminated under environmental legislation. Adequate site investigations must be undertaken by qualified professionals to inform decision-making, and the responsibility for delivering a safe development lies with the developer and/or landowner.

6.26 The application is accompanied at Phase 1 Land Contamination Assessment and Coal Mining Risk Assessment which illustrated that the proposals can undertaken safely and that the site is suitable.

Flood Risk and Drainage

6.27 KLP Policies LP27 (flood Risk) and LP28 (Drainage) aim to ensure that new development is directed away from areas at highest risk of flooding and that it incorporates sustainable and safe drainage solutions. LP27 focuses on managing flood risk through a sequential, risk-based approach, requiring development to avoid vulnerable flood zones where possible, incorporate site-specific flood risk assessments, and include mitigation measures to ensure safety and no increase in flood risk elsewhere. LP28 promotes the use of Sustainable Drainage Systems (SuDS) to manage surface water run-off, protect water quality, and ensure long-term drainage maintenance. Together, the policies seek to reduce flood risk, safeguard water infrastructure, and promote environmentally responsible site management.

6.28 The Framework (Planning and flood risk, paragraphs 170 – 182) also seeks to ensure that development is directed away from areas at risk of flooding and applications which could affect drainage on or around the site should incorporate sustainable drainage systems to

control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal.

6.29 The flood risk is illustrated by the following image (Flood Map for Planning (Gov.uk)).

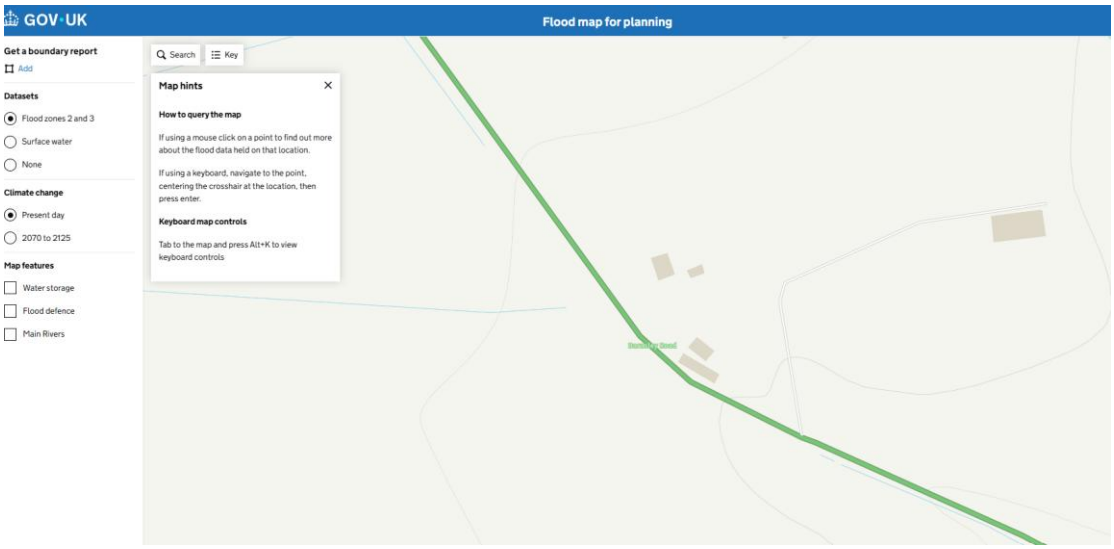


Image 6.1: Food Risk

6.30 As illustrated, the proposed dwelling is located within Flood Zone 1 (Low Probability) land having a less than 0.1% annual probability of river or sea flooding. The site is also outside of any area at risk of surface water flooding.

6.1 The proposals are intended to be designed utilising sustainable urban drainage systems (SuDs) which the stated policies. It is considered that should any further detail be required, this can be controlled and requested through the appending of planning conditions to any decision notice, however typically the drainage could be considered under building regulations.

Other Matters

6.32 With respect to the Community Infrastructure Levy as an application for self-build development the proposals are considered to be exempt.

7.0 CONCLUSION

7.1 For the reasons outlined above it is considered that the proposed replacement dwelling (demolition and erection of a new dwelling) would comprise appropriate development within the Green Belt, which would not contradict the purposes of including land within it.

7.2 The proposals would create an attractive contemporary dwelling that would improve the general openness and character of the site and area, wholly in keeping with the neighbouring no.1 Barnsley Road. The replacement of the existing property would also have sustainability benefits (see Climate Change Statement) with a modern property to high standards.

7.3 It is considered that all other technical matters have/can be addressed by suitably worded conditions where necessary.

7.4 The proposals are considered to constitute sustainable development which is in accordance with the Local Development Plan.

APPENDIX A – SITE PHOTOGRAPHS

















