

DESIGN AND ACCESS STATEMENT PLANNING SUPPORTING STATEMENT

location	Land Adj to 15 Burton Royd Lane, Kirkburton, Huddersfield, HD8 0TU.
application	Outline for Erection of Detached Dwelling.
client/applicant	Mr & Mrs I Barraclough.
job number	25/1229.
date	September 2025.

Ltd
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INTRODUCTION

This statement has been prepared in support of a planning application for the erection of a single dwelling on a vacant parcel of land located between existing residential properties on Burton Royd Lane, Kirkburton. The proposal seeks to deliver a high-quality family home that integrates sensitively with its setting and makes efficient use of underutilised land.

The site has historically been left vacant and unmanaged, contributing little to the character of the local environment or to the aims of Green Belt policy. The proposed development would represent sustainable infill within a clearly defined residential frontage, constituting what is widely referred to as “grey belt” development.

The site area amounts to 0.07 hectares.

LOCATION

The site is located to the North of Burton Royd Lane in the village of Kirkburton, a civil parish and ward of Kirklees. The site is approximately 3.9 miles to the South East of Huddersfield town centre and a short walk from the Kirkburton and Highburton village centres.

Highburton and Kirkburton have an array of amenities with hairdressers, shops, pubs, church, schools, butchers’ shop, supermarket, dentist, doctors surgery, library, etc, etc. These are all within walking distance of the application site.

Burton Royd Lane is located just off the junction of Linfit Lane, Moor Lane and Paddock Road. There is a bus stop just 25meters up Paddock Road from the junction of Burton Royd Lane/Paddock Road.

The application site is currently a vacant land plot that is laid to overgrown grass with a high level of vegetation. The site is bounded by dry stone walls and a hedgerow to the North. These boundary treatments follow the built form of the neighbouring properties to the East and West.

The site is flanked by two immediate dwellings to the East, 23 & 25 Burton Royd Lane, and a series of other separate dwellings to the West, 9-15 Burton Royd Lane.



The Kirklees Local Plan allocates the site within the Green Belt. The application site does not fall within the Kirkburton/Highburton conservation areas.

There are no nearby listed buildings. The nearest being 118 Paddock Road some 285meters to the South West of the application site and the former water mill at Manor Farm some 400meters to the North West of the application site. This application has no impact on the setting of these listed buildings.

Existing access to the land is afforded through an existing opening within the dry-stone wall from Burton Royd Lane and is currently used as such.

Burton Royd Lane is an unadopted road. The proposals have no impact on the nearby public rights of way Kir/236/10.

PROPOSALS

The use of the site will become a single, detached 4-bedroom dwelling with associated vehicle parking and outdoor amenity space.

Please note this application is an outline planning application for access and layout only. Other matters will be subject to a reserved matters application.

APPEARANCE

The following materials are proposed:

Walls	-	Coursed natural stone.
Roof	-	Natural stone slate
Rainwater Goods	-	Upvc guttering & downpipes.
Windows & Doors	-	Upvc windows with composite/Powder Coated Aluminium Doors.

All the above materials match those used on adjacent/nearby dwellings and are prevalent in the immediate locality.

MEANS OF ACCESS

The access will be provided from Burton Royd Lane via an existing vehicular access point.

LAYOUT

The proposed site plan indicates the layout and relationship to the other adjacent properties.

SCALE

The proposed dwelling has been carefully designed to ensure it sits seamlessly within the site and does not present an overbearing impact on other adjacent properties.

THE PROPOSALS

The proposals are to construct one detached, 4-bedroom dwelling within an existing enclosed land plot to the North of Burton Royd Lane.

The applicant has been involved in the design and intends to build this, subject to approval, as a self-build/custom build property for the family.

The site as existing naturally delineates between public and private spaces with no need for further design-based interventions to do so.

In relation to Chapter 5 of the KMC House Builders SPD, principle 2 alludes to:

“Taking cues from the character of the built and natural environment within the locality. Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details. Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”

When viewing the site it provides its own cue. It presents between other built properties as if something is missing or that something has been removed. We believe that the proposals do illustrate how landscape opportunities have been used by developing this underused and negative green space.

Whilst the application is outline, it is intended that the dwelling would have a pitched, gabled roof and would be constructed using coursed natural stone with a natural stone slate roof covering to match the scale and local character of the locality.

The dwelling would be set back from the Southern boundary with a small amount of access and amenity space afforded to the front/front/principal elevation to reflect the same built line of the adjacent properties to either side of the plot which is highlighted within chapter 5.2 of the KMC House Builder SPD which states:

“The building line is a general line of development formed by the main façade of buildings as they face on to the street. Consideration should be given to the existing building line and how new development, particularly on infill sites, can provide a continuation of the building line.”

This is also in line with Principle 5 which states that *“Buildings should be aligned and set-back to form a coherent building line and designed to front on to the street, including corner plots, to help create active frontages. The layout of the development should enable important views to be maintained to provide a sense of places and visual connections to surrounding areas, and seek to enable interesting townscape and landscape features to be viewed at the end of streets, working with site topography.”*

The indicated parking and turning area, on the proposed block plan retains an element of openness retaining the glimpsed views Northwards. It's also important to note the application site has a mature hedge to the Northern boundary that partially restricts open/distant views from Burton Royd Lane.

There also further design decisions based upon this principle regarding the orientation of views and outlook explained further in the statement.

Parking for 3 No. private vehicles is proposed to the Southwest of the plot which is to be accessed from an existing opening within the boundary dry-stone wall, the opening is to be widened to enable easier access/egress. The parking will run parallel to the neighbouring property to the West, No 15, to maintain the visual context of an area for vehicle use.

The parking spaces will be set back from the access point to such a point that sufficient space is available to arrive and depart the property in a forward gear when using a vehicle.

The footprint of the proposed dwelling, as indicated, forms an 'L' shape extending to the Northeast of the site.

The dwelling will be offset from the boundary to the neighbouring property to the East and due to the angular change of the rear boundary, the formation of the 'L' shape allows the proposed dwelling to achieve high levels of internal visual amenity over the adjacent green space to the North without impeding on the neighbouring property. This is again in line with KMC House Builder SPD Chapter 6 and more so of Principle 6 which states, *"Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking."*

The form also provides the proposed dwelling with greater privacy to the rear garden space and added protection from adverse weather conditions.

The proposed dwelling has been designed in response to the existing neighbouring properties and construction constraints to provide an opportunity to produce a new dwelling on neglected/underused land that is respectful of the surrounding environment.

The layout and external amenity space has been designed to focus habitable spaces to the North and South where no adjacent dwellings are found.

The offset of the property allows the existing boundary treatment to the North to be maintained. The Northern boundary is unkempt, but the mature hedgerow can be enhanced as part of the proposals to improve the green infrastructure of the site.

PLANNING HISTORY -

[2001/93365](#)- Outline for Erection of Detached Dwelling with Garage and Alterations to Highway – **Refused**

[2006/92544](#) - Outline Application for No 1. Detached Dwelling with Garage. – **Refused**.

[89/60/02778](#) - Outline Application for Detached Dwelling. – **Refused**.

The 2001 planning application was appealed and dismissed.

The most recent 2006 planning application, some 19 years ago, refused the application based on the following conditions;

(1) The site lies within an area which has received approval as Green Belt within which it is intended that new development be severely restricted. The proposal would not take the form of natural infill or rounding off of an existing settlement and as such the development proposed is neither appropriate in the Green Belt nor are there any special circumstances why it should be permitted in this case and is therefore contrary to Policies D8 and D13 of the Kirklees Unitary Development Plan.

(2) The application site is located in a rural area and access by a substandard lane, which is deficient in width, surfacing, pedestrian provision, vehicle turning facilities and visibility out on to Linfit Lane. As a result the proposals would generate additional traffic on a substandard access, to the detriment of highway and pedestrian safety and contrary to Policy T10 of the Kirklees Unitary Development Plan.

(3) The proposals would allow this Greenfield site to be developed prior to currently identified Brownfield sites and would prejudice the presumption in PPG3 Housing that Brownfield sites should be developed before Greenfield sites.

It's important to note that Burton Royd Lane has had vehicle passing points constructed, by others, since the above planning applications which can be seen on the site and location plans of this application.

The above applications also pre-dated the recent changes to the NPPF and local plan policies. As such, the requirement for development to form an infill development within an existing settlement or village no longer exists.

ASSESSMENT OF PROPOSALS AGAINST GREEN BELT / GREY BELT

NPPF & Grey Belt Definition and Requirements

Since the latest NPPF, "grey belt" is defined in the glossary / policy 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 the Green Belt purposes under **paragraph 143 (NPPF)**.

Specifically these are:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging;
- (c) to assist in safeguarding the countryside from encroachment;

- (d) to preserve the setting and special character of historic towns;
- (e) to assist in urban regeneration by encouraging the recycling of derelict land.

Also, grey belt excludes land where policies relating to areas or assets of particular importance (footnote 7 of the NPPF) provide a strong reason for refusing or restricting development — e.g. SSSIs, irreplaceable habitats, Local Green Spaces, heritage designations.

The four criteria that must be satisfied under paragraph 155a) for development on grey belt land to be **not inappropriate**:

- (a) The proposed development utilises grey belt land.
- (b) The development would not fundamentally undermine the purposes of the remaining Green Belt when considered as a whole.
- (c) There is a demonstrable unmet need for the type of development proposed.
- (d) The site is in a sustainable location.

The Existing Land

The first requirement is that the land is either previously developed land or land that does not strongly contribute to the purposes of the Green Belt. In this case, while the site may not meet the NPPF definition of previously developed land but it is clear that it makes only a very weak contribution to the Green Belt purposes. The land sits directly between other established dwellings on Burton Royd Lane and is visually and physically contained by residential curtilages and existing boundary treatments. It has been long-vacant and under-utilised, providing no agricultural or recreational function. In effect, it reads as part of the existing built frontage and continual form and therefore does not contribute meaningfully to the openness or continuity of the wider Green Belt. The site can also not be easily seen from any orientation other than from Burton Royd Lane due to the significant levels of surrounding shrubbery and vegetation.

Unrestricted Sprawl

The specific purposes of the Green Belt under paragraph 143 of the NPPF, the proposal does not undermine the aim of checking unrestricted sprawl. The dwelling would not extend the settlement boundary or project-built form into open countryside but would instead represent the logical completion of an established row of houses. The site has existing significant boundary treatments that already follow the existing form of the adjacent dwellings thus creating restrictive plot in terms of size, the plot boundary expanses do not extend further than what already is found on Burton Royd Lane. Finally, the land has no role in preserving the setting or special character of a historic town, given that it is neither prominent in wider views nor associated with any designated heritage assets. The site also does not safeguard countryside from encroachment, since it is enclosed within the built fabric of the street and does not open out onto the wider rural landscape.

Planning Practice Guidance published 27 February 2025 pertaining to Green Belt, sets out the considerations which inform the judgements on what level of contribution the site/land makes to the Green Belt purposes. The areas with the closest proximity to the site are Kirkburton and Highburton (villages), respectively 0.6 and 0.9 miles the South and West with further villages (Lepton, Emley, Shelley & Skelmanthorpe) circa 1.5 – 2.5 miles away. The site is located within a row of existing residential properties, which could be defined as rural ribbon of development. The site is not directly adjacent, or near these larger built-up areas which are considered the village centres therefore the site makes a weak contribution to purpose (a) – to check the unrestricted sprawl of large built-up areas. The land does not form a gap between towns, as such has a weak contribution to purpose (b) – to prevent

neighbouring towns from merging into one another. Similarly, the land does not form part of the setting of a historic town therefore makes no contribution to purpose (d) – to preserve the setting and special character of historic towns. Therefore, we contend, that the land does not strongly contribute to any of the purposes in Paragraph 143 (a), (b) or (d) of the NPPF, nor do any exclusions under footnote 7 apply. This indicates that the site can legitimately be considered as “grey belt” land under the new NPPF provisions.

The development would also not undermine the wider Green Belt when considered as a whole. The infill of a small gap between other dwellings will have negligible effect on the spatial or visual openness of the Green Belt, and the integrity of the surrounding landscape designation would remain intact. The proposal represents a one-off completion of the street frontage rather than the start of a larger incursion, and therefore the purposes of the remaining Green Belt would be unaffected.

With regards to the “*demonstrable unmet need for the type of development proposed*” in relation to paragraph 155 (b), Kirklees currently has a 3.96-year housing land supply, which falls below the required five-year supply. The 2022 Housing Delivery Test results also indicate under-delivery with only 67% of required housing being delivered. This shortfall should be a material consideration of the assessment of this proposal. We contend this supports the principle of development on Grey Belt land. The proposed development positively contributes to addressing the housing need within Kirklees through the delivery of a new family sized dwelling. As indicated within this outline application, the proposal is to develop a single family dwelling, despite it being a self-build project it directly contributes towards the local housing supply and will free up the applicants current property which is aligned with the identified need for family homes.

The council’s most recent Strategic Housing Market Assessment (SHMA, 2016) identifies a need for dwellings of this type, it is acknowledged that the Local Plan is currently under review and that work has commenced to update the SHMA. In the absence of more recent/up to date published evidence, the 2016 SHMA remains a relevant consideration. The proposal offers a modest but valuable contribution to housing need in a district with a shortfall in general supply. Taking this into account we contend that there is a demonstrable unmet need for the type of development proposed.

With regards to sustainability, the application site is located within just under a mile from Kirkburton and just over half a mile of Highburton, a short drive or a circa 10-22minute walk. Both Kirkburton and Highburton provide good access to local facilities and amenities including, but not limited to, primary (x2) and middle schools, shops, butchers, pubs, restaurants, doctors, dentists, hairdressers, supermarket, church, etc, etc. The application site is also within a short walk from bus stops on Paddock Road which link the site to the villages. Further bus services within Kirkburton/Highburton link the area to wider towns with services to Huddersfield and Wakefield. The nearby bus stop on Paddock Road also provides a school bus service to/from Shelley College. Whilst families may be reliant on the use of private vehicles for most day-to-day journeys, the site is within walking distance to all required local amenities, furthermore the proposed development relates to a single dwelling and associated trip generation would be minimal. Taking into account the sites semi-rural setting, the site proximity to a good number of local facilities and services, and the limited scale of development, we contend that the site is located in a accessible and sustainable location for the purposes Paragraph 155c of the NPPF.

ASSESSMENT OF PROPOSALS

The Council has a presumption in favour of sustainable development as outlined in Local Plan Policy LP3 and paragraphs 7-14 in the NPPF. Paragraph 8 in the NPPF states that sustainable development is achieved through economic, social and environmental objectives that include,

“ensuring that sufficient land of the right types is available in the right places at the right time to support growth; ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations”.....”to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

Paragraph 125 on the NPPF (National Planning Policy Framework) states;

“125. Planning policies and decisions should

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively”

Kirklees Local Plan Policy, LP3 (Delivering Growth and Sustainable Development - Location of new development) states;

“2) Development will be permitted where it supports the delivery of housing and employment growth in a sustainable way, taking account of the following criteria;

..... d. ensuring delivery of housing and jobs in smaller settlements to meet local housing and employment needs”.

The application site is located on vacant and unmanaged land, contributing little to the character of the local environment or to the aims of Green Belt policy. The proposed development would represent sustainable infill on Grey Belt land within a clearly defined residential frontage.

The proposals offer delivery of housing within a smaller settlement on land that has existing boundaries which do not allow or provoke sprawl into the Green Belt.

HOUSING SUPPLY

Paragraph 61 in the NPPF (Delivering a sufficient supply of homes) states;

“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed”

Paragraph 72 states;

“.....planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of: a) specific, deliverable sites for years one to five of the plan period”

The following paragraph, Para.73 states;

“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly”

This paragraph goes on to state; local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”

We contend that this proposal presents a development on a suitable site, that will benefit the local community and provide housing on unassigned land.

The principle of development, in terms of sustainable development and housing supply, is therefore considered to be acceptable in that it complies with paragraphs 7-14 and the aims of Chapter 5 in the National Planning Policy Framework.

LOCAL PLAN POLICY

Local Plan Policy LP24 (Design) states;

“Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.

Proposals should promote good design by ensuring;

a. *the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;*

b. *they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;*

c. *extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;*

d. *high levels of sustainability, to a degree proportionate to the proposal, through:*

- i. The re-use and adaptation of existing buildings, where practicable;*
- ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;*
- iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;*
- iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;*
- v. providing charging points to encourage the use of electric and low emission vehicles;*
- vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;*
- vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate;*
- viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.*

e. *the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;*

f. *the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;*

g. *any new open space is accessible, safe, overlooked and strategically located within the site and well integrated into wider green infrastructure networks;*

h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;
i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and
j. the provision of public art where appropriate.”

The KMC Housebuilders Design Guide SPD also sets out what the Local Authority considers to be good, high-quality residential design through a number of factors.

The relevant principles in relation to this scheme in terms of design and visual amenity are as follows:

- Principle 2 – Context
- Principle 5.2 – Built form and the building line
- Principle 9 – Home Design
- Principle 7.8 – Street Design
- Principle 7.9 – Parking
- Principle 8.1 – Materials and Detailing
- Principle 8.2 – Windows and Doors
- Principle 8.3 – Rooflines

The proposed development is for a two-storey, detached dwelling with associated parking and garden space.

We contend that the design of the dwelling, specifically considering the materials and neighbouring properties, is sympathetic in nature, and in keeping with the local character of the street scene in relation to the older stone properties. We consider a differing property material would cause visual harm to the location. Please note this is an outline application with reserved matters which would be addressed subsequently.

The dwellings to the East of the proposed property have a linear frontage, a definitive building line, which these proposals follow.

Three off street parking spaces are afforded to the 4-bed property.

The existing shrubbery and green space, particularly to the North boundary further offsets any perceived harm on the surrounding properties. The landscaped areas soften the overall appearance of the development. This also harmonises with other existing boundary treatments found in the local vicinity of the site.

Given the above, we consider, that the proposals are acceptable in relation to design and visual amenity and comply with Local Plan Policy LP24, paragraph 130 in the NPPF and the relevant Principles in the Kirklees Housebuilders Design Guide.

RESIDENTIAL AMENITY

Principle 6 in the Housebuilders Design Guide SPD states; *“Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.”*

Principle 16 (Internal Space Standards) and Principle 17 (Outdoor Space) in the SPD are also relevant in relation to residential amenity.

The dwelling will be offset from the boundary to the neighbouring property to the East and due to the angular change of the rear boundary, the formation of the ‘L’ shape allows the

proposed dwelling to achieve high levels of internal visual amenity over the adjacent green space to the North without impeding on the neighbouring property.

The orientation of openings will focus mainly on the North and South, to which there are high levels of existing green space and no other built structures such as the neighbouring properties. The openings to side elevations will be minimal, serving non habitable spaces or high-level obscure windows – all subject to a reserved matters application.

The existing boundaries are of significant stature and the positioning of the property within the site in connection with this ensures that there will be no overlooking, overshadowing or negative impact on either number 23, or 15. The sun path and space separation indicates that the proposals will result in a minimal loss of light to the adjacent properties.

The form also provides the proposed dwelling with greater privacy to the rear garden space and added protection from adverse weather conditions.

The guidance also states; *“for a new dwelling located in a regular street pattern that is two-storeys or above, there should normally be a minimum of a 2 metre distance from the side wall of the new dwelling to a shared boundary.”*

The proposed dwelling is around 21m from No23 and around 19m from no. 15. Meets this requirement by some margin.

In relation to the residential amenity for future occupants, the proposed dwelling would benefit from a good level of outdoor amenity space. This is relative to the size of the proposed dwelling and the three off-street parking spaces. The location of the dwelling would provide it with an amicable outlook over undulating green space to the North and South.

The proposed development we contend, complies with Principles 6, 16 and 17 in the Housebuilders Design Guide SPD, policy LP24 in the Local Plan and paragraph 130 in the NPPF.

HIGHWAYS

Three off-street parking spaces are proposed directly to the South of the proposed dwelling. This follows the guidance within the Kirklees Highways Design Guide SPD.

Given the newly created vehicle passing areas (by others) along Burton Royd Lane, since the previous planning applications, we believe these provide a positive in relation to highways/access.

Burton Royd Lane has been improved over the years, significantly since the previous planning applications, and now provides a more appropriate surface to be used by domestic vehicles.

Kirklees waste already collect from other properties along Burton Royd Lane without any difficulty.

It's also important to note the direct and straight line of sight along the whole length of Burton Royd Lane to the site, giving clear visibility and promoting highway safety.

Despite the narrow width of Burton Royd Lane, it is possible to pass two vehicles in some areas. Furthermore, Burton Royd Lane is a very infrequently used road given it turns into a track/path beyond Royds Farm.

The abutment of Burton Royd Lane with Linfit Lane/Paddock Road is sufficiently wide enough to enable two vehicles to easily pass;



The speed limit in the locality is 30MPH, whilst no formal speed surveys have been undertaken its clear speeds are lower than this. The road layout assists with effective speed management.

Visibility splays are indicated on the accompanying OS location Plan. Whilst the front outshot/historic extension to No. 2 Linfit Lane partly obstructs the 43 m sight line to the North. A distance of 35 meters is still achieved given this sight obstruction, please note this is based on a 2.4m 'X' distance and not the reduced 2m as referenced in the manual for streets;

X distance

7.7.6 An X distance of 2.4 m should normally be used in most built-up situations, as this represents a reasonable maximum distance between the front of the car and the driver's eye.

7.7.7 A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered.

The area is **not** built up. Reducing the 'X' distance to 2 meters provides for a 40m visibility splay in the Northerly direction.

Furthermore, other residential properties off in the immediate locality have vehicular access to the highway network (4a Linfit Lane, 150 & 158 Paddock Road).

Significantly the KMC highways consultation on the planning application ([2010/92491](#)) for the erection of a detached garage commented; *“The existing parking area for no.158 Paddock Road is actually accessed off Moor Lane. There are currently a pair of large gates giving access to a hard standing area and a single garage, with adjacent greenhouse. It is proposed to remove the greenhouse and single garage and construct a double garage in their place. Whilst the location of the gates close to the highway and the lack of internal turning provision is not ideal, the proposals do not result in any change to the way the site is accessed or the number of vehicles that would utilise the site. The proposals are therefore considered acceptable from a highways point of view and it is not wished to resist the granting of planning permission.”*



Garage serving No 158

The removal of the existing greenhouse and single garage here with the erection of a double detached garage suggests an increase in vehicular movements to and from No. 158. The visibility splays for this proposal are significantly less than the visibility splays, as demonstrated achievable, on this application. Furthermore, the garage as indicated above does not have internal turning therefore vehicles need to either enter or exit in reverse gear. The roadside manual gates present waiting on the highway whilst opening and closing the gates.

The subject application site is currently underused but could be brought back into lawful use for example for smallholding purposes, this would result in vehicle movements to and from the site using the existing access. Please note the existing access arrangements to the site are existing and lawful.

The visibility splays to the South of the junction (looking up Paddock Road) are easily achieved. The sight lines looking Northerly (down Linfit Lane) are slightly substandard at 40meters (3 meters short). However, given the vehicles travelling up this road (Linfit Lane) have a good sight of the junction and the natural road inclination, we contend it would be unjust to refuse consent based on this.



Visibility looking South of the access



Visibility looking North of the access.

Overall, we contend the proposals do not pose a highway safety issue on the highway network sufficient to justify a refusal.

Notwithstanding this we are prepared to undertake a speed survey should the KMC highways dept deem this necessary to indicate the visibility splays are acceptable.

The application site is located within a sustainable location. The site is served by public transport (buses). Kirkburton and Highburton combined provide all the daily required services/amenities. The services and amenities include, but are not limited to, a post office, pubs, cafes, dentist, butchers, shops, doctors, schools, hairdressers, and supermarkets, etc.

The nearest bus stop to the proposed development is located on Paddock Road, a very short walk from the proposed dwelling.

The proposed dwelling will be designed, at reserved matters stage, to comply with Part M of the Building Regulations.

We contend the slight shortfall of sightlines looking Northerly from the Burton Royd Lane junction should be considered acceptable and have no detrimental impact on highway safety matters. Subject to KMC Highways agreement, the proposals accord with the aims of Chapter 9 in the NPPF, policies LP20, LP21 and LP22 in the Local Plan and the relevant guidance in the Kirklees Highways Design Guide.

OTHER MATTERS

TREES

No mature/high quality trees will be removed as part of the proposals.

CLIMATE CHANGE

A Climate Change Statement is submitted as part of the application. Climate change mitigation measures have been incorporated into the proposals. These include:

- Smart energy metering
- LED lighting to be installed
- Solar panels to the South facing roof slope
- Air Source heat pump
- Materials sourced locally where possible
- EV charging facilities to be installed to the dwelling
- Soft landscaping within the application site to help minimise surface water run-off

The proposed development would therefore have a positive impact on climate change and accords with Local Plan Policy RE1.

ECOLOGY

We contend that this small site (unmanaged grassland) has a limited ecological value.

Existing landscaping, specifically the boundary treatments are to be enhanced with added vegetation and green space. Ecology enhancements can be accommodated, at reserved matters stage, within the proposals such as bat and bird boxes and a habitat rich planting/landscaping scheme.

Whilst this application is an outline application, with some reserved matters, we contend the applicant's intentions will ensure an acceptable level of consideration with regards to biodiversity and therefore complies with Local Plan Policy LP30, Principle 9 in the Housebuilders Design Guide SPD and the aims of Chapter 15 in the NPPF.

The applicant has been involved in the design and intends to build this, subject to approval, as a self-build/custom build property. This meets the exemption from BNG (Biodiversity Net Gain). The site will consist of no more than 9 dwellings. The application site also has a site area less than 0.5 hectares.

CONCLUSION

The proposal for a new dwelling on land adjacent to 15 Burton Royd Lane represents a sustainable and logical form of development which makes efficient use of a long-vacant parcel of land, grey belt land. The site is visually enclosed and sits comfortably within an established residential frontage.

When assessed against the revised NPPF, the site can be properly regarded as "grey belt" land. It does not strongly contribute to the purposes of the Green Belt, it lies outside of any footnote 7 designations, and its development would not fundamentally undermine the remaining Green Belt when considered as a whole. The proposal also responds positively to the presumption in favour of sustainable development, delivering a modest addition to local housing supply in a sustainable location with ready access to services and infrastructure.

The scheme accords with relevant Kirklees Local Plan policies, including LP57 and LP24, through its scale, design and sensitive integration with the character of Burton Royd Lane. It also aligns with national planning objectives by re-using underutilised land, enhancing the appearance of the street scene, and contributing to regeneration and housing delivery.

Taken together, these factors demonstrate that the development is appropriate, proportionate, and beneficial, and should therefore be supported by the Council.

We trust the above is deemed acceptable justification to enable the Local Planning Authority to support this planning application.

Should any further information be required please don't hesitate to contact us.

It would be appreciated if you could contact Paul Matthews Architectural Ltd prior to drafting up your recommendation for determination.

APPENDIX A
SITE/PROPERTY PHOTOS



