

Planning Statement_

Falledge Barn,
Falledge Lane,
Upper Denby,
HD8 8YH

**Conversion and Extension of Former Agricultural Buildings to Create Single Dwelling
(Self Build)**

November 2025_

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1.0 Introduction_

Background

- 1.1 Eight One Two Ltd have been instructed by Mr Marc Jebson to prepare and submit a detailed planning application for the following development, namely:

"Conversion and Extension of Former Agricultural Buildings to Create Single Dwelling with access and associated works at Falledge Barn, Falledge Lane, Upper Denby (Self Build)."

- 1.2 This statement will address the relevant national and local planning policies that deal with the principle of the proposed development, and the pertinent planning matters associated with the scheme. This will be addressed as set out below:

Section 2 - Application Site Context
Section 3 - Planning History
Section 4 - Relevant Planning Policy – National Planning Policy Framework
Section 5 - Relevant Planning Policy – Kirklees Development Plan
Section 6 - Other Material Considerations
Section 7 – Conclusions

Principle of Development

- 1.3 The National Planning Policy Framework is supportive as a matter of principle of the efficient and effective use of land and buildings, and the delivery of new homes to meet identified needs, especially when such delivery is associated with the conversion of existing buildings.
- 1.4 It is our view that the development subject of this application is compliant with the core principles of local and national planning policy. Further, that there are other material considerations which also weigh in favour of the grant of consent, and we would therefore kindly request that this application be approved without delay.

Submitted Documentation

- 1.5 This application is supported by the following documents and drawings:

- As existing and as proposed elevations;
- As existing and as proposed floor plans;
- Proposed site plan;
- Location Plan;
- Drainage Plan;
- Bat Survey;
- Planning Statement; and
- Climate Change Form

2.0 Application Site Context_

- 2.1 The application site is located within the Green Belt on the outskirts of the settlement of Upper Denby.
- 2.2 The site currently comprises of a two storey vacant former agricultural building, with an adjacent single storey pitched roofed agricultural structure located to the west. The property is noted to benefit from vehicular access via a long private driveway off Falledge Lane, which is shared by the application site and a small number of additional properties. The site is noted to benefit from additional landholdings to the east, with long views over the surrounding countryside.
- 2.3 The site has historically been in use as an agricultural holding, but it is understood that the collection of buildings in this location have not been in use by the farm for some time. All other buildings within the existing cluster are understood to be private residential properties with gardens and garaging.
- 2.4 As set out above, the site is noted to be in a fairly isolated location. However, it is well located for access to the main highway network including the A629, and the local facilities available within both Upper Denby and Ingbirchworth, both of which are accessible on foot. In addition, it is noted that there is a bus stop for local bus services at the site entrance. Additional bus services can be located in walking distance of the property on Huddersfield Road, with access to overground rail services in Shepley.
- 2.5 From a review of the Historic England mapping service, it is noted that the property is not listed and there are no other known heritage assets in close proximity which would need to be considered in relation to the determination of this application. The site is also not understood to be located within a conservation area.
- 2.6 From a review of the Environment Agency flood map, the site is not understood to be located within an area of flooding. However, drainage and water management from the site have been addressed within the application documentation and shown to be acceptable.
- 2.7 We are not aware of any Tree Preservation Orders relevant to the application site.
- 2.8 From a review of the Kirklees Council Proposals Map, the site is noted to be located within the designated Green Belt, within a Biodiversity Opportunity Zone, a Strategic Green Infrastructure Network, and within a Mineral Safeguarding Area.

Proposed Development

- 2.9 The development subject of this application comprises the conversion of two existing former agricultural buildings, alongside the erection of a single storey glazed extension to create a single dwelling, with secure access, car parking and areas of amenity space and landscaping to service the needs of the development.

- 2.10 The existing structures were shown and accepted to be capable and suitable for conversion when the recent prior approval was granted (for the second time) in 2024 (see section 3 for further details), and whilst minor alterations are now proposed as part of this scheme, including the proposed link extension, none of the proposed physical alterations are deemed to be disproportionate to the original building, to result in harm to the character of the original structures, and will have no greater impact on the openness of the Green Belt or neighbour/visual amenity than the original buildings or previously approved arrangement.
- 2.11 The application site already benefits from a vehicular access point and the scheme will have no greater impact on the highway network than the previously approved development. The development has been designed and laid out to ensure that the amenities of both existing and proposed occupiers are protected.
- 2.12 Given the nature of the proposed use and the justification set out within this report, the scheme as submitted is deemed to be acceptable as a matter of principle.

3.0 Planning History_

- 3.1 Having reviewed the planning history for the site, attention is drawn to the provisions of the following applications, all of which support the use of the application site for residential purposes as a matter of principle:

Application Ref: 2018/92255

Description of Development: Prior Notification for change of use from agricultural building to one dwelling with associated building operations

Decision: Withdrawn

Application Ref: 2021/93434

Description of Development: Prior Notification for change of use from agricultural building to one dwelling with associated works

Decision: Prior Approval granted

Date of Decision: 21st October 2021

- 3.2 Application reference 2021/93434 is noted to have been granted subject to a number of conditions including that all works are carried out in accordance with the description contained in the notification, and the need for works to commence within 3 years (so by 20th October 2024), the installation of an electric vehicle recharging point, the submission of details relating to drainage and a package treatment plant to be approved prior to commencement of works, and other conditions relating to contamination/coal mining and noise (hours of construction).

- 3.3 It is accepted that the above application has not been implemented and therefore expired. However, the consent has recently been renewed as follows:

Application Ref: 2024/92646

Description of Development: Prior Notification for change of use from agricultural building to one dwelling with building works

Decision: Prior Approval granted

Date of Decision: 8th November 2024

- 3.4 Application reference 2024/92646 was once again approved subject to conditions and remains extant and therefore represents a viable fall back position in the determination of this further scheme. This prior approval is therefore in our view a material consideration in the determination of this further proposal.

4.0 Relevant Planning Policy and Legislation – National Planning Policy Framework_

- 4.1 The development subject of this detailed application needs to be assessed against the provisions of the Development Plan which comprises the Revised National Planning Policy Framework and the adopted Kirklees Development Plan. This section of the report will focus on the national planning policy position, with local policies addressed at Section 5.

Revised National Planning Policy (NPPF) December 2024

- 4.2 The Revised National Planning Policy Framework was last updated in December 2024, and sets out the Government's planning policies for England, and how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF is a material consideration in the decision-making process, and a summary of paragraphs considered material to the evaluation of this proposed development read as follows:

Section 2 - Achieving Sustainable Development

"Paragraph 8: *Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective—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 10: *So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development."*

"Paragraph 11: *Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

- c) approving development proposals that accord with an up-to-date development plan without delay; "*

"Paragraph 12: The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

Section 4 - Decision Making

"Paragraph 39: Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

"Paragraph 48: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."

Section 5 - Delivering a Sufficient Supply of Homes

"Paragraph 61: 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, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community."

"Paragraph 73: Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;
- b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing;
- c) use tools such as area-wide design assessments, permission in principle and Local Development Orders to help bring small and medium sized sites forward;

- d) 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; and
- d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes;
- e) work with developers to encourage sub-division of large sites where this could help to speed up the delivery of homes.

“Paragraph 78: Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or
- c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

Section 8 – Promoting Healthy and Safe Communities

“Paragraph 96: Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-

designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

- c) enable and support healthy lives, through both promoting good health and preventing ill health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”

"Paragraph 98: To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services."

Section 9 - Promoting Sustainable Transport

"Paragraph 109: Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

- a) making transport considerations an important part of early engagement with local communities;
- b) insuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, contribute to making high quality places;
- c) understanding and addressing the potential impacts of development on transport networks;
- d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, – for example in relation to the scale, location or density of development that can be accommodated;
- e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and
- f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure - including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains."

"Paragraph 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; 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."

"Paragraph 116: 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, following mitigation, would be severe, taking into account all reasonable future scenarios."

"Paragraph 117: Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations."

Section 11 - Making Effective Use of Land

"Paragraph 124: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

"Paragraph 125: Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- 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 (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs - where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. A condition of simultaneous development should not be imposed on an application for multiple extensions unless there is an exceptional justification"

"Paragraph 129: Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places."

Section 12 - Achieving Well-Designed Places

"Paragraph 131: Advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

Section 13 – Protecting Green Belt Land

"Paragraph 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. 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."

"Paragraph 154: Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);
- g) limited infilling or the partial or complete redevelopment of previously developed (including a material change of use to residential or mixed use including residential, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not cause substantial harm to the openness of the Green Belt.
- h) other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i) mineral extraction;
 - ii) engineering operations;
 - iii) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv) the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order."

"Paragraph 155: The development of homes, commercial and other development in the Green Belt should also 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 demonstrable unmet need for type of development proposed;
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below."

4.3 **Summary:** The scheme as proposed seeks to secure planning consent for the conversion and extension of the original barns, and the delivery of a suitable and sustainable residential scheme. The site will deliver a much needed new home, with good internal and external amenity standards for proposed residents. The scheme delivers on site car parking to service the needs of the development, with site access remaining as per the existing arrangement in order to ensure that there is no severe impact on the highway network or highway safety, as per that assessed and found to be acceptable in the recently approved prior approval.

4.4 The proposals represent the conversion, and non disproportionate extension of existing structurally sound buildings in the Green Belt, and the proposals are therefore deemed to be

wholly acceptable and compliant with the provisions of the National Planning Policy Framework as a matter of principle.

- 4.5 Whilst the scheme proposes new development, the element of new building is in reality very limited in scale and nature, proportionate to the existing built development context, has been designed to respect and reflect the character of the existing site, and to ensure that the amenity of neighbouring residents are unaffected. The scheme seeks to secure an effective and efficient use of the original buildings, and is of a design, quality, scale, form and use of materials deemed suitable and appropriate in this setting. The proposals in our view will not result in any disproportionate additions within the Green Belt, nor result in harm to the character, appearance or openness of the Green Belt, and certainly not to a degree that justifies refusal of this application, particularly when factoring in the viable fall back position of the recently approved Class Q Prior Approval. The scheme does therefore represent an appropriate form of development within the Green Belt.
- 4.6 We understand from the Kirklees Interim Housing Position Statement to Boost Supply dated October 2023 that the Council can only demonstrate 3.96 years supply of deliverable housing sites. The latest Housing Delivery Test dated December 2024 also confirms that the Council has continued to fall below the required levels of housing delivery over the preceding three year period, and there is therefore a clear presumption in favour of sustainable development. Given that the Council are not therefore understood to be able to demonstrate a five year supply of housing land indicates that the Council should be seeking to support and promote schemes such as that proposed which will assist in delivering new homes, in suitable locations as a matter of principle, especially on sites which have previously benefitted from consent and found to be suitable and appropriate for the use proposed.
- 4.7 It is clear for the reasons set out above that the development subject of this detailed application is in accordance with the paragraphs and requirements of the National Planning Policy Framework as a matter of principle. Therefore, in line with the provisions of the Framework, we would kindly request that the Council seek to support the development as currently proposed, and to work with us towards a timely and positive determination of this application.

5.0 Relevant Planning Policy – Kirklees Development Plan _

- 5.1 The Development Plan currently comprises of the Kirklees Local Plan (adopted February 2019), and the provisions of a number of Supplementary Planning Documents.
- 5.2 It is understood from a review of the local authority Proposals Map that the site subject of this application is located within the designated Green Belt, within a Biodiversity Opportunity Zone, a Strategic Green Infrastructure Network, and within a Mineral Safeguarding Area.
- 5.3 Included below is a list of the adopted key determinative development plan policies of relevance to the assessment of this application:

Kirklees Local Plan (2019)

- Policy LP1 – Presumption in Favour of Sustainable Development;
- Policy LP2 – Place Shaping;
- Policy LP3 – Location of New Development;
- Policy LP7 – Efficient and Effective Use of Land and Buildings;
- Policy LP11 – Housing Mix and Affordable Housing;
- Policy LP20 – Sustainable Travel;
- Policy LP21- Highways and Access;
- Policy LP22 – Parking;
- Policy LP24 – Design;
- Policy LP26 – Renewable and Low Carbon Energy;
- Policy LP28 – Drainage;
- Policy LP30 – Biodiversity and Geodiversity;
- Policy LP32 – Landscape;
- Policy LP52 – Protection and Improvement of Environmental Quality;
- Policy LP57 - The Extension, Alteration or Replacement of Existing Buildings in the Green Belt; and
- Policy LP60 – The Re-use and Conversion of Buildings in the Green Belt.

- 5.4 Given the nature of development being proposed within this scheme, particular attention is drawn to the provisions of policy LP7 which is noted to read as follows:

“Policy LP7 - To ensure the best use of land and buildings, proposals:

- a. should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value;
- b. should encourage the reuse or adaptation of vacant or underused properties;
- c. should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value;
- d. will allow for access to adjoining undeveloped land so it may subsequently be developed.

Housing density should ensure efficient use of land, in keeping with the character of the area and the design of the scheme:

- a. developments should achieve a net density of at least 35 dwellings per hectare, where appropriate;
- b. higher densities will be sought in principal town centres and in areas close to public transport interchanges
- c. lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs;
- d. more detailed density requirements may be set out in area actions plans, neighbourhood plans, supplementary planning documents and development briefs, where appropriate."

- 5.5 **Comment:** The development subject of this application seeks to secure planning consent for the effective and efficient use of existing buildings within an area deemed compatible with residential uses. The scheme will deliver much needed new homes given the current under provision within Kirklees, and within a suitable location. The site has previously benefitted from consent via the prior approval process for the conversion of the structures, and as such it is our view that the use of the buildings as now in situ is acceptable as a matter of principle.
- 5.6 The scheme now subject of this application, given the proposed scale and layout is not felt to result in harm to the amenities of neighbouring properties, and no greater impact on the wider local environment than the existing and originally approved arrangement. The site benefits from sufficient land to deliver outdoor amenity space to meet the amenity needs of the proposed residents, without resulting in harm or a lack of amenity space associated with the existing dwelling.
- 5.7 The site is therefore deemed to be suitable and appropriate for the scale and form of development proposed. The proposal is therefore deemed to be consistent with the provisions and principles of Policy LP7.
- 5.8 In addition to the policy detailed above, given the sites location within the Green Belt, attention is also drawn to the provisions of Policies LP57 and LP60 which read as follows:

"Policy LP57 - Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that:

- a. in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;
- b. in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;
- c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and

d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting."

"Policy LP60 - Proposals for the conversion or re-use of buildings in the Green Belt will normally be acceptable where;

- a. the building to be re-used or converted is of a permanent and substantial construction;
- b. the resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings;
- c. the design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety."

- 5.9 **Comment:** The requirements of Policy LP57 are noted, and the scheme as proposed is deemed to be compliant with the key principles, in that the scheme only seeks to include provision of a small single storey link extension, which is clearly not disproportionate to the original structures. The minor window and fenestration changes to the original barn are clearly not material and result in no greater visual harm, nor harm to the openness of the Green Belt, nor neighbour amenity than the originally approved development, or existing arrangement, given that the extension will be sited behind an existing boundary wall, between existing structures and will not be visible outside of the application site.
- 5.10 The proposal will have no greater impact or result in greater harm on the openness of the Green Belt than the existing layout of development and will not result in any significantly greater levels of hardstanding and built development on site than that existing or recently approved within the prior approval. In relation to the matter of design and proposed use of materials, as shown on the application drawings, the structures will remain much as per the original arrangement, but with physical improvements in materials and appearance to enhance the appearance of the site, and to improve the visual amenity of the existing buildings. The proposals will have no greater harm on the openness of the Green Belt than the existing position.
- 5.11 In response to the provisions of the policy LP60, it is clear that the existing structures are of a permanent and substantial construction, as evidenced by the recent prior approval application. With the changes now proposed within this further application not being disproportionate to the scale of the existing buildings, nor the wider site or local context.
- 5.12 The scheme is therefore deemed to be consistent with the provisions of the adopted Local Plan.

Other Relevant Policy Documents

- 5.13 In addition to the adopted planning policies referred to above, there are noted to be a number of adopted Supplementary Planning Documents in Kirklees. These documents include the Affordable Housing and Housing Mix SPD (March 2023), Quality Space SPD (June 2021, House

Extensions and Alterations SPD (June 2021), Open Space SPD (June 2021) and the Highway Design Guide SPD (November 2019).

- 5.14 The scheme is not felt to contradict or undermine the provisions of other supplementary planning documents.

Kirklees Local Plan Review

- 5.15 Following the lapse of five years since the adoption of the current Local Plan and given changes nationally and locally including in relation to planning policy, the outcome of the pandemic and the lack of housing land supply, Kirklees Council are noted to have taken the decision in October 2023 to undertake a full review of the Local Plan. It is noted that the Council have previously undertaken an early engagement survey, which closed for comments on the 28th February 2025. The Plan review does therefore remain at an early stage in the plan making process and is not therefore deemed to be currently determinative to the provisions of this application.

Development Plan Summary

- 5.16 For the reasons set out above, it is our view that the development subject of this application represents an acceptable and appropriate form of development given it relates to the conversion and minor extension of existing structurally sound buildings in the Green Belt. The scheme will secure the effective and efficient use of existing buildings with extensions of a scale, form and design which will remain proportionate to the original buildings. The nature and scale of use will also be commensurate with the wider local area and with the use and character of adjacent properties. The development does not result in harm to the openness of the Green Belt, the visual amenity of the local area, highways, nor negatively impact upon neighbouring residential amenity.
- 5.17 The development is therefore deemed to be compliant with the provisions of the Development Plan when read as a whole, and there is therefore a legitimate expectation that the Council will be supportive of the scheme as a matter of principle.

6.0 Other Material Considerations _

6.1 Section 70(2) of the 1990 Act requires that the authority, in dealing with the application, shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. It has been demonstrated above that the proposed development is in accordance with the relevant provisions of the Development Plan, including national and local plan policy. In addition to this, material considerations exist that weigh further in favour of the development, including:

- **Sustainable Development:** The scheme as submitted represents a sustainable form of development given it comprises of the effective and efficient use of existing buildings. The proposed design of the scheme has been developed to respect the character, form and use of materials of the original buildings, and to ensure the protection of the privacy and amenity of the proposed residents, neighbouring residents and the visual amenities of the street scene. The site is well located for access to key services, facilities and public transport connections, and through the reuse of existing structures will help to deliver a new home without significant demands being placed on natural resources.
- **Character of the Area:** The application site is located within an area characterised by residential uses. The development is therefore deemed to be consistent with the use and character of the locale and will not harm the amenities or character of the local area.
- **Site History:** As detailed within earlier sections of this statement, the site benefits from a Class Q Prior Approval, approved in November 2024. This remains extant and implementable, and as such represents a viable fallback position which weighs heavily in favour of this further application. In our view the scheme as now submitted results in no greater harms on the openness of the Green Belt, neighbour amenity or the character of the local area than the previous approval.
- **Housing Provision:** The National Planning Policy Framework sets out a need for local authorities to deliver the homes that people need in the right locations. The Framework further requires the application of the tilted balance and a presumption in favour of sustainable new homes, particularly when local authorities have a plan in excess of five years in age. In this case, the Kirklees Local Plan was five years old as of the 27th February 2024. Furthermore, the Council are understood to not be able to demonstrate a viable supply of five years worth of housing land as evidenced once again within the Government's published Housing Delivery Test in December 2024. This proposal seeks to secure consent for the delivery of a single dwelling on a site recently approved for the same use, and whilst only delivering one dwelling, is still deemed to be a material consideration weighing in favour of the development,

given it will assist the council to meet its identified housing needs within a policy compliant development.

- 6.2 As such, whilst we remain of the view that the development proposed is compliant with the policies, provisions and principles of the Development Plan when read as a whole, there are also a number of clear material benefits to the development which also tip the balance in favour. There is therefore a legitimate expectation that consent will be granted for this application.

7.0 Conclusions_

- 7.1 It has been demonstrated throughout this submission that the development subject of this application accords with the relevant statutory duties and the Development Plan when read as a whole. The proposed development is acceptable in principle, by virtue of the provisions of the National Planning Policy Framework and the Kirklees Development Plan. Furthermore, there are other material considerations which further weigh in favour of the grant of consent, and these have been dealt with in detail above.
- 7.2 Section 70(2) of the Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where an application accords with the relevant Development Plan and material considerations are in favour, applications should be determined positively. As such, based on the above principles, we would therefore kindly request that the Council seek to support this proposal in principle, and to work with us on a positive determination.
- 7.3 Should you require any further information in advance of validation of the application, or during the assessment process, please do not hesitate to contact us.