

# DESIGN AND ACCESS STATEMENT PLANNING SUPPORTING STATEMENT

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location	80 Marsh Lane, Shepley, Huddersfield, HD8 8AP
application	Demolition of existing Dwelling/Annex and construction of 3 no. detached dwellings with associated access and parking
client/applicant	Mr M Wright, Mr C Wright & Miss E Wright
job number	25/1273
date	December 2025 Rev A 17/12/2025

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Ltd  
**PAUL MATTHEWS**ARCHITECTURAL

## ARCHITECTURE | PLANNING | DESIGN

Malkin Farm  
Brow Lane  
Holmfirth  
HD9 2RJ  
07946872499

[paul@paulmatthewsarchitectural.co.uk](mailto:paul@paulmatthewsarchitectural.co.uk)

[www.paulmatthewsarchitectural.co.uk](http://www.paulmatthewsarchitectural.co.uk)

Company Registration Number: 09898149 - Company Registered in England and Wales

## INTRODUCTION

This Planning & Design + Access Statement has been prepared in support of a full planning application for the demolition of the existing dwelling and annex at 80 Marsh Lane and the erection of three detached dwellings with associated access & parking.

This application is a self-build scheme for the three applicants as defined under self-build and custom Housebuilding Act 2015.

This statement should be read in conjunction with the other submitted documents accompanying this application.

The purpose of this document is to:

- Explain the site context and constraints.
- Set out the design rationale and how the proposal responds to that context.
- Demonstrate how the scheme accords with national policy (NPPF) and key Kirklees Local Plan policies, including LP1, LP7, LP11, LP21, LP22, LP24 and LP30.
- To illustrate there are no planning, highways, ecological or policy grounds upon which to resist the development and the scheme should therefore be supported and granted planning permission



## SITE

The site lies on the North-West side of Marsh Lane within the village of Shepley, approximately 0.5km West of the junction of Marsh Lane with the A629 Lane Head Road / Abbey Road South and 1km South-West of Shepley rail station.

The site area is 1675m<sup>2</sup>/0.167 hectares.

The site is located within a continuous line of predominantly detached and semi-detached dwellings along Marsh Lane.

To the rear is open farmland and Shepley Cricket Club.

The surrounding land is characterised by a mix of agricultural fields and scattered residential properties.

The site is not located within a conservation area, contains no listed buildings, and is outside any flood risk zones (Flood Zone 1).

The nearest Listed Building is No. 37 Cliffe Road, some distance from the application site.

The West boundary (nearest point) of the Shepley conservation area is circa 125 meters to the North-East of the application site.

The site itself occupies a very generous plot on the Northern side of Marsh Lane. It currently contains a detached brick built dwelling with a detached annex (capable of being occupied independently) set back from the highway, accessed via a formed driveway. The existing house is accompanied by domestic garden space to the front, sides, and rear, together with areas of hardstanding, ornamental planting, and boundary treatments typical of long-established residential curtilages. The land within the plot is generally enclosed by a mixture of fencing, hedging, and trees, several of which are positioned along the site boundaries and contribute to the sense of privacy and containment.

The former detached garage has previously been converted to a self-contained annex (residential accommodation).

The existing site plan shows a gentle slope across the plot, generally falling from the North-West towards the South-East, but without any notable level changes that would impose significant development constraints. The site therefore reads as a coherent and self-contained residential parcel consistent with the general pattern of development along this section of Marsh Lane.

To the West, the property adjoins further residential gardens associated with neighbouring dwellings of comparable scale and form. To the East, the site is bounded by an access track, leading to Shepley Cricket Club, with other residential properties on the East side of this access. To the North, the rear boundary of the site abuts open agricultural land, although this transition is softened by existing vegetation, including trees and shrubs recorded on the ecological and arboricultural surveys. These natural features help define the edge of the built settlement without creating an abrupt or exposed boundary. The presence of these rear gardens, together with the consistent building line along the road, mean that the site forms part of the recognised edge of Shepley rather than an area protruding into the open countryside.

The character of the surrounding built environment is distinctly residential, defined by two-storey detached and semi-detached homes constructed in a variety of traditional and more contemporary architectural styles. Stone is a particularly common material in the local vernacular, although brick and render also appear in several more recent developments. Roof forms are predominantly pitched, often finished in slate or concrete tiles, giving Marsh Lane a coherent townscape despite the architectural variety. Existing dwellings generally have generous frontages, landscaped curtilages, and established planting, offering an attractive and green residential setting. The site at No. 80 reflects these characteristics, contributing, in its current form, to the overall suburban aesthetic of the area.

In terms of connectivity, the site is well positioned within the village structure. Marsh Lane links to the A629 and other key local roads, providing convenient connections to Huddersfield, Holmfirth, and other surrounding settlements. Public transport accessibility is

particularly strong, with a bus stop located directly adjacent to the site frontage and offering regular services to nearby centres. Shepley Railway Station lies approximately 1.1kilometres to the North-East, within walking or cycling distance, and provides direct connections to Huddersfield, Penistone, Barnsley, and Sheffield. Footways to both sides of Marsh Lane create safe pedestrian routes to local shops, schools, services, and community facilities, reinforcing the site's sustainable residential credentials.

Shepley as a village provides local amenities including, but not limited to;

- Co-op store.
- Traditional pubs/restaurants (The Black Bull, Farmer's Boy, Sovereign).
- A library.
- Mobile post office.
- Health centre/doctors.
- Dentist.
- Methodist church.
- Multiple children's playgrounds
- Assorted service businesses such as physiotherapy, chiropody, dog walking and accountancy along with a few production businesses offering employment close by.
- Primary school (Shepley First School).
- Shepley Pre-school.
- Sports clubs (cricket, football, tennis, bowling).
- Petrol station.
- St. Paul's Church.
- Hairdressers.
- Boutique shop.
- Café.
- Beauty Salon.
- Takeaway.
- Village Hall.

Overall, the site forms part of an established residential environment within Shepley, characterised by its linear development pattern, landscaped domestic curtilages, and well-defined settlement edge softened by natural features. Its relationship with the surrounding built form, combined with its long-standing use as a residential plot and its accessible position within the village, provides a clear and robust context for the redevelopment proposals set out later in this statement.

## **PLANNING HISTORY**

There is only one planning application available through public access means for the site.

[2019/90737](#) - Erection of single storey link extension and alterations to detached garage to create dwelling forming annex accommodation – **Approved**

It is worth noting that under a recent approval ([2024/91202](#)), a substantially larger housing development was approved within the immediate locality.

## **DESCRIPTION OF PROPOSALS**

The proposed development comprises the demolition of the existing detached dwelling and annex at 80 Marsh Lane and its replacement with a carefully designed residential scheme consisting of three high-quality, high efficiency detached family homes for the three applicants. The proposals have been developed with close attention to the site's context,

the prevailing character of Marsh Lane, and the need to deliver a layout that is both efficient and sensitive to its surroundings. The result is a modest redevelopment of previously developed land that enhances the built environment while maintaining the established appearance of this part of Shepley.

The applicants have all been heavily involved in the design of the site and properties as this is a self-build scheme for the three applicants who will occupy the 3 proposed properties.

The scheme introduces three new detached dwellings arranged around a short, shared private driveway accessed directly from Marsh Lane via an upgraded and repositioned vehicular entrance. Plot 3, to the front of the application site, has been positioned to respect the existing building line along Marsh Lane, ensuring that the development integrates seamlessly with neighbouring properties. Although the dwellings follow a consistent architectural language and palette of materials, they have been individually designed to provide interest, architectural variety, and high standards of internal space and amenity.

Plot 1, located to the North-Western part of the site, accommodates the largest of the three dwellings: a spacious five-bedroom dwelling. This house has a well-articulated principal elevation towards Marsh Lane which will be evident from the street scene. It will be constructed from natural stone with pitched roof forms and architectural detailing that reflect the traditional character of the surrounding village. It benefits from a generous rear garden, a private driveway, and an integral garage positioned to reduce the visual prominence of parked vehicles.

Plots 2 and 3 are positioned towards the centre and Eastern portion of the site. These two dwellings both contain four-bedrooms and are of a similar overall scale and quality. These homes are aligned in a manner that maintains natural view/surveillance over the shared private driveway while avoiding excessive dominance or overshadowing of neighbouring properties. The dwellings enjoy private gardens, maintaining the soft settlement edge that characterises Marsh Lane. Plot 3 features an additional lower ground/basement level to respond to subtle changes in the site levels, allowing the building to sit comfortably within the landscape without increasing its perceived height when viewed from the road.

In terms of architectural style, all three dwellings show a contemporary variation of traditional local forms. Natural stone external material, slate roofing, well-proportioned window openings, and traditional detailing such as stone sills and lintels ensure that the new homes fit in the local vernacular. At the same time, the dwellings incorporate modern features including energy-efficient glazing, integrated solar panels and electric vehicle charging infrastructure, demonstrating a clear commitment to sustainable design.

The site access is improved through the creation of a new vehicular entrance with appropriate visibility splays, ensuring safe and convenient access for residents, visitors, and service/emergency vehicles. A shared private drive leads to each property, with sufficient turning space to allow vehicles to enter and leave the site in forward gear. Landscaping throughout the site has been carefully considered to enhance the development's appearance, retain the existing boundary vegetation where possible, and introduce new planting that reinforces the green and semi-rural character of Marsh Lane.



The Proposed Site Plan shows;

- A single upgraded vehicular access from Marsh Lane, leading to a short shared private drive.
- Plot 01 located to the North-Western side of the site with its principal elevation facing south towards Marsh Lane.
- Plots 02 and 03 set slightly deeper into the site, again presenting principal elevations towards Marsh Lane with garages/front doors orientated to provide active frontages to the shared drive.
- Generous rear gardens extending northwards to the field boundary, maintaining a soft settlement edge.

The layout maintains the lineage of development along Marsh Lane while allowing the new dwellings to sit comfortably within their plots, with clear front/back relationships, private amenity space and good separation distances to neighbouring dwellings.

- Separation to neighbouring properties is in keeping with, or better than, typical patterns on Marsh Lane. Existing and proposed boundary planting assists in screening and softening inter-visibility.
- The internal arrangements of the houses (as shown on the GA plans) orient principal living spaces and main garden areas away from direct overlooking of neighbouring private spaces where practicable.
- Garden sizes for each plot provide ample usable private amenity space for family occupation.

The scheme is therefore considered to secure a high standard of amenity for future and existing residents in accordance with KMC Policy LP24.

The proposed dwellings are two-storey homes with pitched roofs, consistent with the prevailing form on Marsh Lane. Ridge and eaves levels annotated on the site plan and GA drawings show new buildings sitting comfortably within the established roofscape:

- Roof pitches and overall heights reflect those of adjacent properties, avoiding over-dominance.
- Variations in building line, ridge level and orientation help to articulate the street scene rather than creating a uniform block.
- Plot 03's basement level is contained within the existing topography and does not add to perceived height from Marsh Lane.

The scale is considered appropriate to the plot size and village context and accords with the Local Plan requirement that development respects and enhances the character of the townscape (LP24).

The design has been consciously developed to reflect traditional local architecture, interpreted in a contemporary but sympathetic manner. The GA elevations specify:

- Walls: Natural stone facing to reflect local vernacular.
- Roofs: slates, matching the colour and texture prevalent along Marsh Lane.
- Openings: PVC/Composite windows and doors, with simple, well-proportioned openings.
- Details: Stone sills and lintels, chimneys and porches which follow the vernacular.

Solar panels are shown indicatively on roof slopes but are designed to integrate visually with the roof plane. EV charging points are located discreetly adjacent to garages, Rainwater harvesting will be discreetly located, mechanical Heat recovery systems to each property, high levels of insulation, and low levels of air leakage (all designed to build houses that are close to a Passivhaus design).

Each plot will be provided with an air source heat pump as noted on the proposed site plan, it is intended that the heat pumps will be low noise units, ensuring less than 42 dB(a) at neighbouring properties to eliminate noise issues.

The appearance is therefore firmly rooted in local character while delivering contemporary levels of performance and sustainability, consistent with Policy LP24 and the Housebuilders Design Guide SPD.

### **Trees & Vegetation**

The Existing and Proposed Site Plans show the seven principal existing trees (T001–T007), including silver fir, Lawson cypress, horse chestnut, ash, sycamore and holly.

The layout has been designed to:

- Retain key boundary trees wherever possible, particularly at the North-West and Eastern boundaries, maintaining screening to the field and to adjacent properties.
- Any additional removal will be limited to those trees necessary to facilitate development or to ensure long-term safety and stability, with compensatory planting indicated on the proposed plan.

An arboricultural report accompanies this application. This report thoroughly investigated the root protection areas and for trees over the boundary. The report confirms that the proposals do not negatively impact on any trees.

The PEA recognises the boundary trees as providing some ecological and visual value and recommends their retention where practicable.

A detailed planting scheme can be secured by condition, following the PEA recommendations to utilise native and wildlife-friendly species.

In broad terms the scheme will:

- Provide new tree planting within front gardens and along the shared drive to reinforce the green character of the street.
- Include mixed native hedgerows or good-quality fencing with shrub planting to boundaries.
- Use nectar-rich perennials, ornamental grasses and lawn areas within gardens to enhance visual amenity and biodiversity.

This approach supports Local Plan Policy LP30's objective to protect and enhance biodiversity and deliver net gains through good design.

### **Highways**

The proposed development benefits from a detailed and comprehensive highways appraisal undertaken by Paragon Highways, which provides authoritative evidence that the site can be safely and satisfactorily accessed from Marsh Lane. The assessment confirms that Marsh Lane is a two-way single carriageway road measuring approximately 8.2 metres in width, with continuous footways of around 2 metres on both sides, a factor which contributes positively to pedestrian safety and accessibility in the immediate vicinity. The road is subject to a 30mph speed limit, is well lit, and contains well-spaced driveways serving adjoining residential properties—clear indicators of the road's established function as a residential distributor with capacity to accommodate small, incremental increases in local traffic.

Paragon Highways undertook a visibility assessment in accordance with national and local highway design standards. Their findings confirm that visibility splays of 2.4m x 43m can be readily achieved in both directions from the proposed relocated site access, distanced from the nearby bus stop. This is significant because 43 metres is the recognised stopping sight distance for a 30mph road and the standard required by both Manual for Streets and the Kirklees Highway Design Guide. The achievement of these splays demonstrates that the proposed access meets all necessary safety criteria and will allow drivers emerging from the site to clearly view approaching traffic, while also being visible to vehicles travelling along Marsh Lane.

The access position closely reflects the existing arrangement, but its geometry, surfacing, and radii are improved to ensure modern compliance. The entrance will be sufficiently wide to accommodate two-way vehicle movement at low speeds and will allow for safe ingress and egress without causing delay or obstruction on the public highway. Paragon Highways explicitly confirms that the magnitude and nature of the proposed access improvements will result in *betterment* when compared with the existing informal access arrangement.

Paragon Highways have carried out a robust trip generation exercise using recognised industry database TRICS. Their assessment finds that three dwellings of the type proposed would be expected to generate approximately one to two movements during the peak AM and PM hours, equating to a negligible uplift compared with the baseline formed by the existing single dwelling on the site. In real-world terms, this represents around one additional vehicle movement in each peak hour—an increase so minimal that it would be imperceptible to road users and entirely within normal day-to-day fluctuations in traffic levels on Marsh Lane.

Given the modest uplift in movements, and the established function of Marsh Lane as a road serving a substantial number of dwellings, the development will have no discernible impact on the efficient operation of the highway network. Paragon Highways conclude that the

proposals do not result in any material change to traffic flow characteristics and therefore raise no concerns regarding capacity, congestion, or the overall function of the road.

Drawing together the evidence provided by Paragon Highways, the proposed development is demonstrably acceptable in highways terms. The access achieves full visibility compliance, Marsh Lane can comfortably handle the minimal increase in traffic, accident records indicate a safe local network, internal circulation is efficient, and the site benefits from strong pedestrian, cycle, and public transport connections. On this basis, the proposals fully satisfy the requirements of the NPPF and the Kirklees Local Plan in relation to highway safety, sustainable movement, and the provision of safe and suitable access for all road users.

### **Ecology**

A Preliminary Ecological Appraisal (PEA) was undertaken to establish the site's ecological baseline and to identify any potential constraints or opportunities associated with development. The PEA confirms that the site comprises domestic garden space, a dwelling, a detached annex and associated boundary vegetation, much of which is ornamental in character. As such, the site is generally of low ecological value, with no habitats that are considered rare, sensitive, or irreplaceable. The boundary trees and hedgerows, however, offer some ecological interest, particularly for nesting birds and foraging wildlife.

No statutory or non-statutory nature conservation sites are located within a range that would be directly affected by the proposals. Given the domestic and enclosed nature of the site, no meaningful ecological connectivity pathways would be interrupted by the development.

The existing dwelling and associated outbuildings were assessed for their potential to support roosting bats. The PEA concludes that the structures exhibit negligible suitability, with no evidence of bats recorded during the assessment. The trees within the site boundaries also lack features typically associated with bat roosts. As such, no further surveys are required in relation to bats.

Bird activity was recorded during the survey, particularly within boundary vegetation. To ensure compliance with wildlife legislation, vegetation clearance will therefore be avoided during the main nesting season where possible. If works must be undertaken during this period, a nesting bird check will be carried out immediately beforehand.

One notable finding of the PEA was the presence of variegated yellow archangel, an invasive non-native species. Its presence requires careful management and removal in accordance with recognised best practice, ensuring that plant material is disposed of correctly to prevent further spread.

Although the site is of relatively low ecological value, the development incorporates measures to minimise ecological disturbance and enhance biodiversity. These measures ensure that the scheme meets current policy expectations for ecological protection and aligns with the national aim of achieving measurable biodiversity net gain.

Key measures include:

- Retention of boundary trees and vegetation wherever practicable, maintaining screening and habitat value
- Installation of bat boxes or integrated bat bricks within new dwellings
- Provision of bird boxes
- Use of native or wildlife-friendly planting in soft landscaping proposals
- Sensitive lighting design to avoid unnecessary illumination of boundary habitats
- Controlled management and removal of variegated yellow archangel

The results of the ecological assessment demonstrate that the development will not give rise to adverse effects on protected species or habitats. With the inclusion of straightforward mitigation measures and targeted biodiversity enhancements, the proposals represent an opportunity to improve the ecological value of the site compared to its current condition. The scheme therefore fully accords with local and national planning policy requirements relating to biodiversity, ecological protection, and the delivery of net gain.

It's important to note the project is exempt from BNG. The applicants have had intensive input into the design. This project will be a self-build scheme for the three applicants.

The development is for fewer than 10 dwellings, with a site area of under 0.5 hectares and qualifies for the exemption under the Self-build and Custom Housebuilding Act 2015.

### **PRINCIPLE OF DEVELOPMENT**

This section assesses the principle of redeveloping 80 Marsh Lane for residential use against the relevant provisions of the Kirklees Local Plan and the National Planning Policy Framework (NPPF), with particular reference to policies relating to the efficient use of land, sustainable locations, housing delivery, and good design.

The application site comprises an existing residential dwelling and its associated domestic curtilage within an established residential part of Shepley. The proposed redevelopment replaces a dwelling and an annex with three detached family homes, representing a modest and proportionate intensification of residential use on previously developed land.

#### **Sustainable Location and Settlement Context (LP3 & LP7)**

Local Plan Policy LP3 directs new housing to sustainable locations that benefit from existing infrastructure, services, and transport links. The site lies within the built-up residential fabric of Shepley and is well connected to local services, schools, shops, public transport, and the wider highway network. A bus stop is located immediately adjacent to the site, and Shepley Railway Station is within walking and cycling distance.

Policy LP7 seeks to ensure the efficient and effective use of land, particularly previously developed land in sustainable locations. The application site is an existing residential plot containing permanent built form and hardstanding areas, its redevelopment represents an appropriate opportunity to make more effective use of land already committed to residential use. The proposed density is modest, reflects surrounding plot patterns along Marsh Lane, and remains fully compatible with the character of the area.

Housing Delivery and Mix Policy LP11 supports the delivery of a range of housing types and sizes to meet local needs. The proposed scheme delivers three family-sized dwellings, including four- and five-bedroom homes, which contribute positively to the local housing mix within Shepley. Small-scale developments of this nature make an important contribution to housing supply and are capable of being delivered quickly.

Although the proposal does not trigger an affordable housing requirement due to its scale, it nonetheless supports the Local Plan's wider objective of increasing housing choice and supply in sustainable settlements, the development of this site will, in turn, free up the applicant's current properties to the open market.

Policy LP24 requires development to be of high-quality design that responds positively to local character, ensures good living conditions, and respects neighbouring amenity. As set

out elsewhere in this statement, the proposed dwellings are two-storey houses with pitched roofs, natural stone materials, and proportions that reflect the established character of Marsh Lane.

The layout provides appropriate separation distances, generous private amenity space, and carefully orientated windows and gardens to minimise overlooking and overshadowing. The scale, massing, and appearance of the development are therefore fully consistent with the surrounding residential context and comply with the objectives of LP24.

The development has been informed by a detailed highways assessment prepared by Paragon Highways. Policy LP21 requires development to provide safe and suitable access for all users, and this is achieved through an upgraded access onto Marsh Lane with compliant visibility splays.

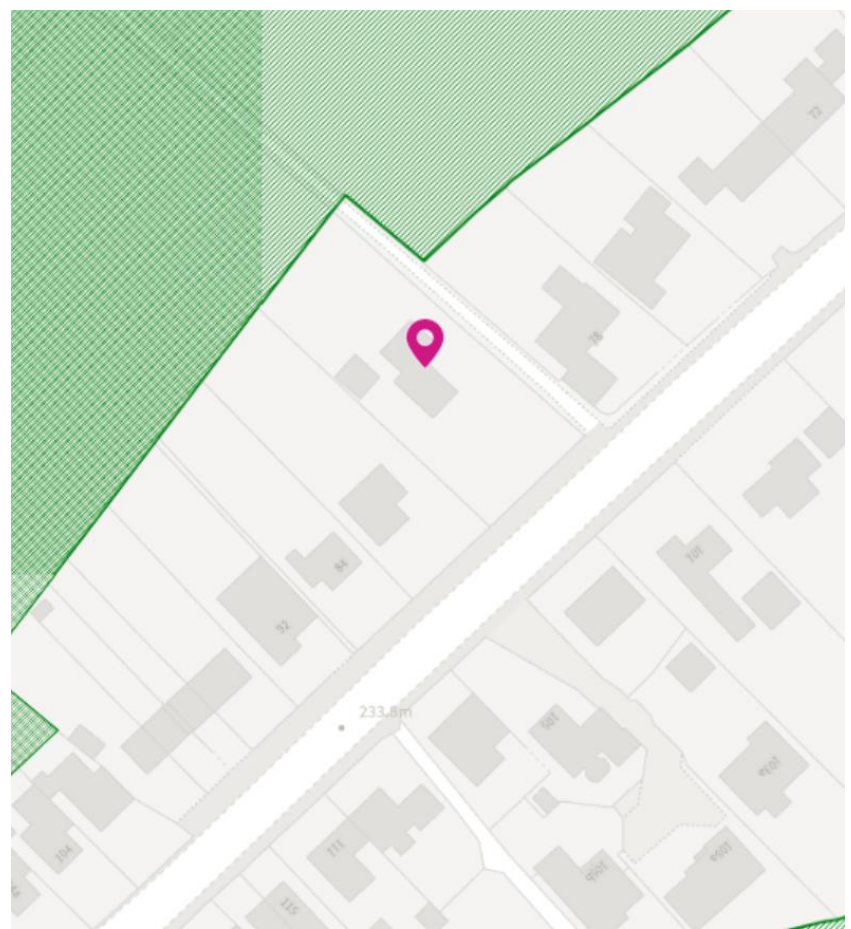
Policy LP22 requires appropriate levels of off-street parking to avoid highway safety and amenity issues. Each dwelling is provided with garage parking and generous driveway space, meeting or exceeding local parking standards. The site's excellent accessibility by foot, bus, and rail also aligns with LP20, which promotes sustainable travel choices.

The site lies within Flood Zone 1 and is not subject to known fluvial flood risk. Surface water and foul drainage will be managed in accordance with Policy LP27 and LP28, incorporating sustainable drainage principles where practicable. Detailed drainage arrangements can be secured through condition.

Policy LP30 seeks to protect and enhance biodiversity. The Preliminary Ecological Appraisal confirms that the site is of low ecological value, comprising domestic garden land and boundary planting. The scheme retains existing boundary vegetation where possible and introduces new planting, together with biodiversity enhancements such as bird and bat features. As a result, the development accords with LP30 and offers ecological enhancement over the existing situation.

When assessed against the development plan as a whole, the principle of redeveloping the site for three dwellings is clearly acceptable. The proposal represents an efficient use of previously developed land in a sustainable location, delivers additional family housing, respects local character, and raises no material concerns in terms of highways, drainage, ecology, or residential amenity. The development therefore accords with the spatial strategy and key policies of the Kirklees Local Plan.

It is important to note the application is not located within the Greenbelt. The Green Belt abuts the application site to the rear, North-West, boundary. The site is unallocated on the Kirklees Local Plan map;



## **POLICY CONTEXT**

The National Planning Policy Framework (NPPF) sets out the Government's overarching planning objectives and provides the policy tests through which development proposals must be assessed. The redevelopment of 80 Marsh Lane has been carefully shaped to align with these principles and demonstrates strong compliance across all relevant chapters of the NPPF, including sustainable development, good design, efficient land use, transport and accessibility and the natural environment.

Key NPPF provisions include:

- **Chapter 2** – Achieving sustainable development
- **Chapter 4** – Decision-making
- **Chapter 5** – Delivering a sufficient supply of homes
- **Chapter 6** – Building a strong, competitive economy
- **Chapter 8** – Promoting healthy and safe communities
- **Chapter 9** – Promoting sustainable transport
- **Chapter 11** – Making effective use of land
- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 15** – Conserving and enhancing the natural environment

The NPPF directs planning authorities to support efficient reuse of land, especially where it can deliver homes, reduce dereliction, and enhance visual and environmental quality.

Relevant policies include:

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP4** – Providing Infrastructure
- **LP7** – Efficient and Effective use of Land and Buildings
- **LP8** – Safeguarding Employment Land and Premises
- **LP11** – Housing Mix and Affordable Housing
- **LP20** – Sustainable Travel
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design
- **LP26** – Renewable and low carbon energy
- **LP27** – Flood Risk
- **LP28** – Drainage
- **LP30** – Biodiversity & Geodiversity
- **LP32** – Landscape
- **LP33** – Trees
- **LP35** – Historic Environment
- **LP43** – Waste Management Hierarchy
- **LP47** – Healthy, Active and Safe Lifestyles
- **LP49** – Educational and Health Care needs
- **LP51** – Protection and Improvement of Local Air Quality
- **LP52** – Protection and Improvement of Environmental Quality

Kirklees continues to face an acknowledged housing supply deficit, with recent housing delivery below target. The Council's monitoring identifies a shortfall against its five-year supply, reinforcing the need for sustainable housing proposals.

The Council has a presumption in favour of sustainable development as outlined in Local Plan Policy LP1 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 124 of the NPPF (National Planning Policy Framework) states;

*“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.”*

Shepley is classed as a large village on the fringe of open countryside; it is not a heavily built-up urban area. Despite the village's excellent commuter links, Shepley is known as a village for its "rural tranquility" surrounded by green belt land and rolling hills. As such we contend the application site can be deemed brownfield. Significantly, the High Court case of **Dartford Borough Council v Secretary of State for Communities and Local Government [2017] EWCA Civ 141** (and the other associated planning appeals leading to it) confirmed that a dwelling and its associated garden can be considered "**previously developed land**" (**brownfield**), but only if they are located **outside a "built-up area"**. Other case law also confirms this.

The application site at 80 Marsh Lane is an existing residential curtilage containing a dwelling, detached annex (capable of being occupied as a separate residential unit), garden, driveway/hardstanding and domestic landscaping. We therefore contend that the application site can be classed as previously developed land rather than greenfield.

Redeveloping this plot to deliver three new homes makes efficient use of land that is already committed to residential/built use, exactly the kind of brownfield intensification encouraged by Paragraph 124 of the NPPF.

Also, the proposal increases housing density on a sustainable, formed site, turning a single dwelling with an annex (capable of being occupied as a separate unit) into three, thus making "optimal use" of the land while retaining adequate gardens, amenity space, and respecting the site's constraints. This aligns with the NPPF's call for efficient, effective land use.

Paragraph 125 of the NPPF provides further emphasis on this by stating:

*“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;”.*

And;

*“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”*

Paragraph 126 provides evidence that the local authorities should be proactive in bringing forward suitable land by stating that:

*“Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.”*

Compliance with NPPF Paragraph 125 is also demonstrated through the reuse and sensitive development of under-utilised land that lies within a serviced settlement boundary. The proposals deliver multiple benefits, including increased housing supply, environmental enhancements, reuse of existing land, and the efficient integration of modern, sustainable homes into the local context. The development avoids any loss of open countryside and supports the NPPF’s clear steer toward prioritising brownfield sites and maximising land within settlements where it can be developed without causing substantial harm.

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 five years following the intended date of adoption”*

We contend that the proposals comply with NPPF Paragraph 72 by directing new housing to a sustainable, well-connected site within an existing settlement. The development uses established infrastructure, is close to services and public transport, and represents appropriate growth in a suitable location.

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

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect

areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Council's inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but must be balanced against any adverse impacts of granting the proposal.

Paragraph 73 of the NPPF 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"*

The development also aligns with NPPF Paragraph 73 because it provides deliverable, high-quality housing on a suitable and achievable site. By utilising previously developed land in a sustainable location, the proposals support a responsive local housing supply consistent with national policy.

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".*

Furthermore, and significantly, the Local Authority cannot currently demonstrate a five-year supply of deliverable housing sites and therefore, as noted above, Paragraph 11 of the NPPF is engaged and states;

*"11. Plans and decisions should apply a presumption in favour of sustainable development.*

*For plan-making this means that:*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

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.

The application site, we contend, is located on a previously developed land (Shepley not being a built-up area) and complies with Policy LP3 because they deliver new housing within an established settlement that benefits from existing infrastructure, services, and sustainable transport options. The redevelopment of previously developed land supports the Local Plan's spatial strategy by focusing growth in accessible, sustainable locations and reducing pressure on greenfield sites.

Kirklees Local Plan Policy, LP7 (Efficient and Effective Use of Land and Buildings) states;

*"To ensure the best use of land and buildings, proposals: should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value; should encourage the reuse or adaptation of vacant or underused properties; should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value; 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: developments should achieve a net density of at least 35 dwellings per hectare, where appropriate; higher densities will be sought in principal town centres and in areas close to public transport interchanges*

The development aligns with Policy LP7 by making efficient and effective use of an existing residential plot while respecting local character, context, and environmental constraints. The scheme increases housing provision at an appropriate scale, optimises land within the village boundary, and achieves a density that is both suitable and sensitive to the surrounding built form.

With regards to density, the Kirklees housebuilders design guide states *"Net development density is expected to achieve at least 35 dwellings per hectare, though higher densities are supported in areas in or adjacent to town centres which are well served by public transport and to secure more sustainable forms of development. Densities lower than 35 are only permitted in line with Local Plan Policy LP7. The location of the site is important in terms of the requirement for car parking provision, on-site open space provision and the type of housing required in the locality."* The site area, minus the shared access driveway, is approximately 0.15 hectares, this equates to 4.6 dwellings.

Policy LP7 states *"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;"* The sites shape restricts the design and density. We contend more than three dwellings would be inappropriate on this particular site. However, the proposals make a meaningful contribution towards meeting local housing need, including on a previously developed site. The application site is undoubtedly in an excellent location with regards to a *sustainable location*. It is also sited close to other residential properties which demonstrates that it is not an isolated development. We contend this, when considered as a whole, is not considered to significantly and demonstrably outweigh the benefits of delivering new housing in this location. This scheme achieves a density of 20 dwellings per hectare, which is below policy requirements. However, the policy allows for lower densities on the proviso that it is demonstrated that it is necessary to be compatible with the surrounding character. To achieve a higher density would require substantially smaller properties that would then be out of keeping in the locality. The lower density, we contend, is acceptable given the need for a modest scale of development that respects the character and openness of the surrounding locality.

Policy LP11 seeks to ensure that new housing developments contribute to a balanced mix of dwelling types and sizes that meet local needs. Affordable housing is required on larger schemes, subject to thresholds and viability considerations.

The proposal delivers three high-quality family dwellings comprising four-bedroom and five-bedroom homes. These dwellings contribute positively to the local housing mix within Shepley, where demand for family housing remains strong. Small-scale developments such as this play an important role in boosting overall housing supply and providing choice, particularly within established villages on the outskirts of more built-up areas.

The scale of the development falls below the threshold at which affordable housing contributions are sought. Nonetheless, the proposal accords with the broader objectives of LP11 by delivering market housing of an appropriate type and size in a sustainable location.

Policy LP24 requires development to be of a high standard of design that responds positively to local character and context, creates attractive places, and ensures good standards of amenity for future and existing residents.

The design of the proposed dwellings has been carefully informed by the established character of Marsh Lane and the wider village of Shepley. The scheme comprises of two-storey dwellings with pitched roofs, proportions and materials that reflect the prevailing residential vernacular. Natural stone, traditional roof forms and well-articulated elevations ensure visual compatibility with neighbouring properties.

The layout provides clear front and rear relationships, generous private amenity space for each dwelling, and appropriate separation distances to neighbouring properties. Window placement and garden orientation have been designed to minimise overlooking and protect residential amenity. As a result, the proposals fully comply with Policy LP24 by delivering a well-designed scheme that respects its context and provides a high-quality living environment.

LP20 promotes sustainable travel choices and development in locations well served by public transport and active travel routes.

LP21 requires development to provide safe and suitable access for all users and not to have a detrimental impact on highway safety or capacity.

LP22 seeks to ensure appropriate levels of parking provision in line with local standards.

The site occupies a highly sustainable location within Shepley. A bus stop is located immediately adjacent to the site frontage, providing regular services to surrounding settlements, and Shepley Railway Station is within walking and cycling distance. Continuous footways along Marsh Lane provide safe pedestrian access to local services, schools and community facilities, fully aligning with the aims of Policy LP20.

A detailed highways assessment prepared by Paragon Highways confirms that safe access can be achieved via Marsh Lane with compliant visibility splays of 2.4m x 43m in both directions. Traffic generation associated with three dwellings is minimal and will not materially affect the operation or safety of the local highway network, satisfying the requirements of Policy LP21.

Each dwelling benefits from an integral garage and generous driveway parking, providing at least four off-street spaces per plot. This level of provision accords with local parking standards for family housing and ensures that there will be no overspill parking on Marsh Lane, in compliance with Policy LP22.

Policy LP28 requires development to incorporate appropriate drainage strategies, including the use of Sustainable Drainage Systems (SuDS) where practicable, to manage surface water and foul drainage effectively.

Surface water and foul drainage will be designed in accordance with Building Regulations and the requirements of Yorkshire Water and Kirklees Council. Where feasible, SuDS measures such as permeable paving and controlled discharge will be incorporated to manage surface water run-off. Detailed drainage design can be secured by condition, ensuring full compliance with Policy LP28.

Policy LP30 seeks to protect existing biodiversity and geodiversity assets and to secure net gains in biodiversity through development where possible.

A Preliminary Ecological Appraisal confirms that the site is of low ecological value, comprising domestic garden land and boundary vegetation. No statutory or non-statutory ecological designations are affected, and no protected species constraints have been identified.

The proposals retain existing boundary trees and vegetation where practicable and introduce new planting and biodiversity enhancements, including bird and bat boxes and wildlife-friendly landscaping. These measures will result in an ecological improvement over the existing condition, fully aligning with the objectives of Policy LP30.

Policy LP32 seeks to ensure that development conserves and, where possible, enhances the character, quality and distinctiveness of the landscape. Development should respond positively to local landscape character, settlement form, topography and important landscape features, particularly at settlement edges.

The application site forms part of the established residential edge of Shepley along Marsh Lane, characterised by detached dwellings set within generous plots with landscaped gardens and boundary vegetation. Although the site adjoins open land to the North, it reads as a contained residential parcel defined by existing boundaries, mature planting and the consistent built frontage along the road.

The proposed layout respects the existing settlement form and does not extend development beyond the established residential curtilage. Built form is retained within the same curtilage as the existing dwelling, ensuring that the relationship between the village and the adjoining countryside is preserved. The scale and disposition of the dwellings, together with generous rear gardens and retained planting, maintain a soft and landscaped settlement edge rather than creating an abrupt transition to open land.

The proposals therefore conserve the local landscape character and respond positively to the site's edge-of-settlement context, in full accordance with Policy LP32.

Policy LP33 seeks to protect existing trees that make an important contribution to amenity, landscape character and biodiversity. Development should retain significant trees where practicable and incorporate appropriate mitigation and replacement planting where loss is unavoidable.

The site contains some boundary trees which contribute positively to visual amenity, screening and ecological value. The proposed development has been designed with careful regard to these trees, with the layout arranged to retain key specimens wherever practicable, particularly along the Northern and Eastern boundaries where they provide important screening to adjoining land.

Root protection areas have informed the layout and can be safeguarded during construction through appropriate arboricultural method statements secured by condition.

As a result, the proposals fully accord with Policy LP33 by protecting important trees and reinforcing the site's landscaped character.

Policy LP35 seeks to ensure that development conserves and enhances the significance of heritage assets and their settings. Proposals should respect local distinctiveness and ensure that the historic environment is not harmed.

The application site is not located within a conservation area and does not contain any listed buildings or other designated heritage assets. There are no known non-designated heritage assets on the site whose significance would be affected by the proposed development.

The surrounding area is characterised by predominantly modern and mid-20th-century residential development rather than historic townscape. The proposed dwellings adopt a material palette and architectural language that reflects local vernacular traditions, including the use of stone and pitched roofs, ensuring that the development sits comfortably within its wider context.

Given the absence of heritage assets and the sympathetic design approach adopted, the proposals will result in no harm to the historic environment and fully comply with Policy LP35.

#### **APPEARANCE**

The design has been consciously developed to reflect traditional local architecture, interpreted in a contemporary but sympathetic manner. The GA elevations specify:

The following materials are proposed:

Walls	-	Coursed natural stone to reflect local vernacular.
Roof	-	slates
Rainwater Goods	-	Upvc/seamless aluminium guttering & downpipes.
Windows & Doors	-	Upvc windows with composite/Powder Coated Aluminium Doors.

#### **MEANS OF ACCESS**

The scheme proposes to relocate the site access to enhance road safety for others and the applicants/future owners of the proposed properties. The short private drive leads to the three dwellings.

Paragon Highways confirm that:

- Visibility splays of 2.4m x 43m can be achieved in both directions, commensurate with the 30mph speed limit.
- The proposed arrangement is safe and suitable for the modest number of dwellings proposed.
- The local highway network does not suffer from any safety issues that would be exacerbated by the development. Over a five-year period, there have been no recorded personal-injury accidents within 250m of the site access.

The access design is therefore compliant with Policy LP21 and the Highway Design Guide SPD.

Each dwelling is provided with:

- An integral garage capable of accommodating two cars (along with bicycles), plus
- Generous driveway parking in front of each garage, resulting in at least four off-street parking spaces per plot.

This level of provision aligns with local guidance that 4+ bedroom dwellings should normally provide 3 off-street spaces, helping to prevent overspill parking on Marsh Lane and complying with Local Plan Policy LP22 and associated SPDs.

EV charging points are indicated for each plot, supporting a shift towards low-emission vehicles in line with national and local policy on climate change.

Dedicated bin stores and a collection point is indicated near the site entrance, allowing refuse vehicles to collect from Marsh Lane as they do for neighbouring properties, avoiding the need for large vehicles to enter the private drive or excessive dragging distance.

The drive length and geometry permit fire appliance access with reversing distances under 20m, in line with standard guidance (annotated on the site plan).

#### **LAYOUT**

The Proposed Site Plan shows;

- A single upgraded vehicular access from Marsh Lane, leading to a short shared private drive.
- Plot 01 located to the Western side of the site with its principal elevation facing South towards Marsh Lane providing a creative and active frontage to the relocated site entrance.
- Plots 02 and 03 set orientated to ensure privacy overlooking issues are not raised.
- All 3 proposed properties provide active frontages to the shared drive.
- Generous gardens predominantly extending Northwards to the site boundaries maintaining a soft settlement edge.

The layout maintains the linear rhythm of development along Marsh Lane while allowing the new dwellings to sit comfortably within their plots, with clear front/back relationships, private amenity space and good separation distances to neighbouring dwellings.

Whilst Kirklees Planning has no guidelines (proportion/area per dwelling) for external amenity space principle 17 of the KMC housebuilders design guide states *“All new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces.....”* Barnsley Planning guidance (**South Yorkshire Residential Design Guide**), the neighbouring planning authority, suggests *“Back gardens of houses should be appropriate to the size of the property, its orientation and likely number of inhabitants. Private gardens of two bedroom houses/bungalows should be at least 50 square metres; for three or more bedroom houses/bungalows, 60 square metres.”*

The proposed garden areas for this development wrap around the properties to make the most of direct sunlight. The areas far exceed the suggested areas by the neighbouring LPA along with the similar amenity guidelines within Harrogate and Leeds LPA's. We therefore

contend the proposed amenity space is relative to the proposed properties and provides good quality private external amenity space for each property.

Separation to neighbouring properties is in keeping with, or better than, typical patterns on Marsh Lane. Existing and proposed boundary planting assists in screening and softening inter-visibility.

The internal arrangements of the houses (as shown on the GA plans) orient principal living spaces and main garden areas away from direct overlooking of neighbouring private spaces where practicable. The internal layout/design exceeds the requirements of the National Space Standards.

### **SCALE**

The proposed dwellings are two-storey homes with pitched roofs, consistent with the prevailing form on Marsh Lane. Ridge and eaves levels annotated on the site plan and GA drawings show new buildings sitting comfortably within the established roofscape:

- Roof pitches and overall heights reflect those of adjacent properties, avoiding over-dominance.
- Variations in building line, ridge level and orientation help to articulate the street scene rather than creating a uniform block.
- Plot 03's basement level is contained within the existing topography and does not add to perceived height/massing from Marsh Lane.

The scale is considered appropriate to the plot size and village context and accords with the Local Plan requirement that development respects and enhances the character of the townscape (LP24).

### **DRAINAGE / FLOOD RISK**

The site is an existing residential plot in a built-up area and is not known to be affected by fluvial flood risk. Surface water and mains foul drainage is already on site and will be reused for the proposed development in accordance with Building Regulations and Kirklees/Yorkshire Water requirements, incorporating Sustainable Drainage System (SuDS) principles where feasible (e.g. permeable paving and controlled discharge).

### **CLIMATE CHANGE**

A formal climate change statement accompanies this application.

Climate change mitigation measures will be incorporated into the proposals. These include:

- Smart energy metering
- LED lighting to be installed
- Materials to be sourced locally where possible
- Local contractors to be preferred for the development (reducing carbon emissions)
- EV charging facilities to be installed to each dwelling
- Soft landscaping within the application site to help minimise surface water run-off
- Solar panels to each dwelling.
- Provision of ASHP to each dwelling.
- Rainwater harvesting

- Mechanical Heat recovery system to all 3 proposed dwellings
- High levels of thermal insulation
- Well sealed buildings with low levels of air leakage, closely designed Passivhaus design standards.

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

## **CONCLUSION**

The proposed redevelopment of 80 Marsh Lane represents a well-considered, sustainable, and policy-aligned scheme that makes effective use of previously developed land within an existing settlement.

The site is highly accessible, a sustainable location that benefits from established infrastructure, and lies in a location where new housing can be accommodated without adverse environmental or amenity impacts.

The design has been guided by a thorough understanding of the site's opportunities and constraints, resulting in three high-quality self-build dwellings that respect the character, scale, and built form of Marsh Lane while delivering meaningful improvements to the appearance and functionality of the site.

In terms of national planning policy, the development is fully consistent with the NPPF's overarching aims of achieving sustainable development and making efficient use of land. It satisfies Paragraphs 124 and 125 by intensifying an existing residential plot in a manner that safeguards living conditions, environmental quality, and local character. We contend there are no planning, highways, ecological or policy grounds upon which to resist the development and the scheme should therefore be supported and granted planning permission.

Highways and access considerations have been addressed comprehensively, and the conclusions of Paragon Highways provide clear and authoritative evidence that the site can be safely accessed. Visibility splays meet required standards, traffic generation will be minimal, and there is no accident history or network capacity issue that would be exacerbated by the development. The internal layout functions well, waste collection is safely accommodated at the site entrance, and the location itself supports sustainable travel choices through excellent pedestrian, bus, and rail connections.

Similarly, ecological concerns have been addressed thoroughly through detailed survey work. The site is of low ecological value, with no roosting bats, no sensitive habitats, and only straightforward mitigation measures required. Biodiversity enhancements, including native planting and new bird and bat features, will deliver net environmental improvements compared with the existing condition.

In summary, the proposals for 80 Marsh Lane fully comply with the relevant requirements of the NPPF and the Kirklees Local Plan, are technically robust, environmentally responsible, and deliver high-quality homes in a sustainable and appropriate location. There are no planning, highways, ecological, or policy grounds upon which to resist the development, and the scheme should therefore be supported and granted planning permission.

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 PHOTOS (Dec 2025)**

