

DESIGN AND ACCESS STATEMENT PLANNING SUPPORTING STATEMENT

location	Land to South of Marshlands House, Marsh Lane, Shepley, Huddersfield, HD8 8AY
application	Erection of Detached Dwelling and Associated Works
client/applicant	Mr & Mrs S Forster
job number	25/1210
date	January 2026

Ltd

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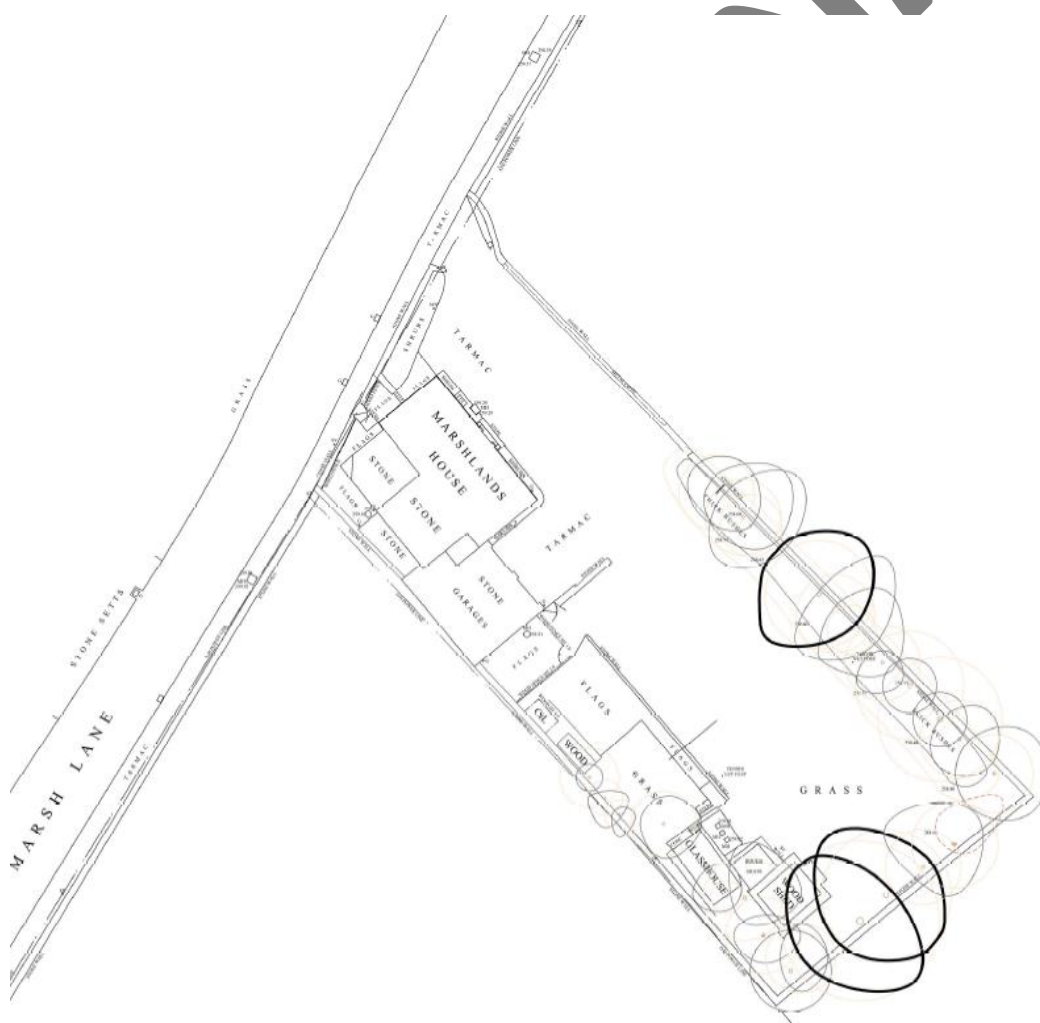
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INTRODUCTION

This Planning, Design & Access Statement has been prepared in support of a full planning application for the erection of a single detached dwelling within the residential curtilage of Marshlands House, Marsh Lane, Shepley.

The purpose of this document is to provide a clear and robust planning justification for the proposal, having regard to the specific characteristics of the Marshlands House site, the relevant development plan policies, national planning guidance, and the formal pre-application advice received from Kirklees Council. In particular, the statement explains how the proposals have evolved directly in response to the issues and principles identified through the pre-application process.

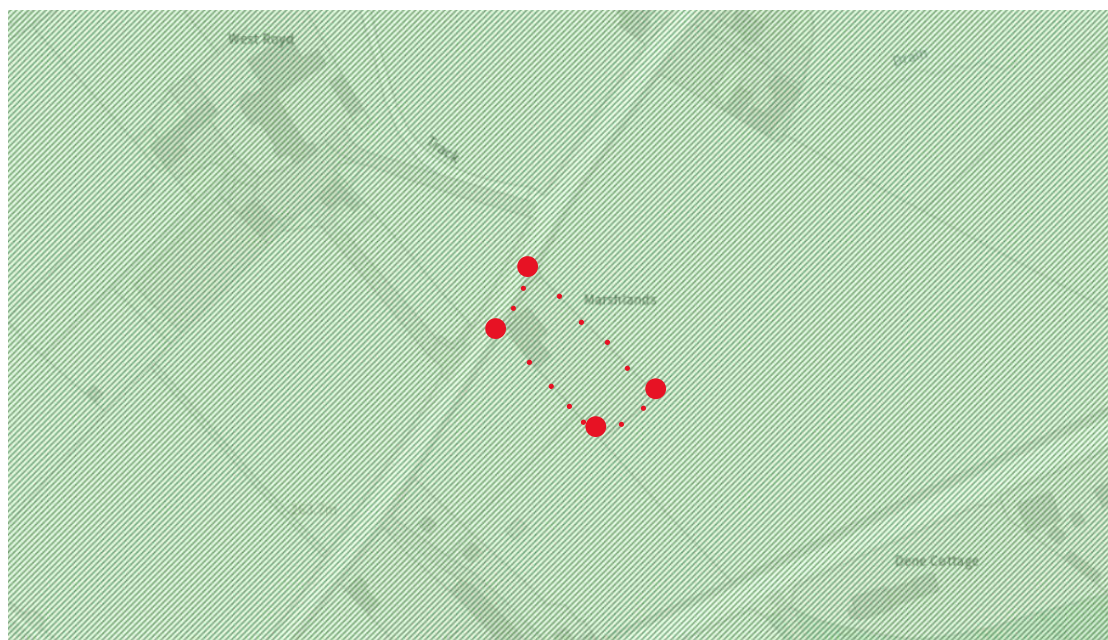
The statement should be read alongside the submitted drawings, Preliminary Ecological Assessment, Condition Assessment, Climate change statement, **Coal Mining Risk Assessment, Statutory Matrix, Arboricultural Report** and the previous Kirklees Council pre-application response. Together, these documents demonstrate that the proposal represents a carefully considered, sustainable and policy-compliant form of residential development.



SITE

The application site is located on the south side of Marsh Lane within the village of Shepley, approximately 2km south-west of Shepley railway station. Marsh Lane is characterised by a dispersed pattern of residential development, comprising predominantly detached dwellings set within generous plots, often screened by boundary walls and mature landscaping.

The site is situated within The Green Belt.



The proposed development site forms part of the established residential curtilage of Marshlands House, a substantial detached dwelling that has long been associated with the surrounding garden land. The site is not an isolated or open parcel of countryside; rather, it is clearly domestic in character and visually contained by existing physical boundaries.

The surrounding area displays a strong residential character, with development following a loose linear form along Marsh Lane, with some backland development evident. While open agricultural land lies beyond the defined curtilage boundaries, the immediate context of the site is formed by residential plots of comparable scale, depth and spatial arrangement.

As noted above, there is an established pattern along Marsh Lane of backland development where more recent dwellings are more positioned behind existing/original properties, this reflects the incremental evolution of development along Marsh Lane over time.

The site is enclosed by an existing stone boundary wall and established vegetation, which provide a strong sense of containment and limit views from the wider countryside. The land slopes gently but does not present abnormal ground conditions or level changes that would constrain development. Access is currently taken from Marsh Lane via a private driveway serving Marshlands House, and this arrangement informs the proposed access strategy.

The site lies outside any conservation area, contains no listed buildings, and is located within Flood Zone 1. These factors confirm that there are no heritage or flood-related constraints that would prevent sensitive residential development.

The site itself occupies a plot on the Southern side of Marsh Lane. It currently contains a detached dwelling set back from the highway, accessed via a private formed driveway. The existing house is accompanied by domestic garden space to the front and side 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, dry stone walls, hedging, and mature trees/shrubbery, several of which are positioned along the site boundaries and contribute to the sense of privacy and containment.

The Southeast, Southwest and Northeast boundaries of the site abut 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 other developments. Roof forms are predominantly pitched/hipped, often finished in slate or concrete tiles, giving Marsh Lane a coherent townscape despite the architectural variety. Existing houses generally have generous frontages, landscaped curtilages, and established planting, offering an attractive and green residential setting. The site at Marshlands House 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 circa 70m to the North East on Marsh Lane and a further bus stop located 400m to the South West off Penistone Road. These bus routes offer regular services to nearby centres. Shepley Railway Station lies approximately 2 kilometres to the Northeast, within walking or cycling distance, and provides direct connections to Huddersfield, Penistone, Barnsley, and Sheffield. Footways along 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.

[2013/90477](#)- Erection of single and two storey extensions— **Approved**

It should be noted this application follows on from a formal Kirklees pre-app, reference 2025/20443, dated 18/06/2025.

DESCRIPTION OF PROPOSALS

The proposal seeks full planning permission for the erection of a single detached dwelling within the Southern part of the residential curtilage of Marshlands House. The development represents a modest and carefully considered subdivision of an established domestic plot, rather than an expansion of development into undeveloped land. In this respect, the proposal accords with the overarching objectives of Kirklees Local Plan Policies LP1 and LP7, which promote sustainable development and the efficient use of land where it is appropriate to do so.

The site lies within the Greenbelt, but we contend, as the pre-app response suggests that this site could be considered as greybelt, further information relating to this is provided within this statement.

The proposed dwelling is two storeys in height and has been designed to reflect the scale, proportions and form of existing residential properties in the immediate area, including Marshlands House itself. The building footprint and overall massing have been deliberately restrained to ensure that the dwelling sits comfortably within the plot without appearing dominant or overbearing. This approach is fully consistent with Local Plan Policy LP24, which requires new development to respect local character, scale and form, and to integrate positively with its surroundings.

The siting of the dwelling has been carefully chosen to respect the established stone boundary wall that defines the southern edge of the residential curtilage. No development is proposed beyond this boundary, ensuring that the relationship between the built environment and the open countryside beyond remains unchanged. This is a critical design principle which directly responds to the Green Belt context of the site and accords with Local Plan Policy LP3 and national Green Belt objectives by preventing encroachment into the countryside.

The layout provides clearly defined private amenity space for both the existing and proposed dwellings. Marshlands House retains a substantial and functional garden area appropriate to

its size, while the new dwelling is afforded a well-proportioned private garden suitable for family occupation. The subdivision of the plot has therefore been undertaken in a manner that safeguards residential amenity and ensures that neither dwelling appears constrained or compromised. This directly accords with Policy LP24, which seeks to ensure high standards of amenity for both future and existing residents.

Vehicular access to the proposed dwelling is taken from Marsh Lane via the existing access arrangement serving Marshlands House. The access is to be subtly modified through minor realignment and the lowering of sections of the existing boundary wall in order to improve visibility splays and highway safety. Furthermore, the existing automated gate at the entrance is to be set back 5m from the highway to enable vehicles to pull off the highway as opposed to waiting on the highway whilst the gate opens/closes. These measures represent a clear improvement over the existing situation and ensure compliance with Local Plan Policy LP21, which requires development to provide safe and suitable access for all users, as well as Policy LP22 in relation to appropriate parking provision. Adequate on-site parking and turning space is provided so that vehicles can enter and leave the site in a forward gear, reducing any potential impact on highway safety or the free flow of traffic.

With regards to fire service access, given the property is over 45m from the highway, we intend to incorporate a domestic misting system, an acceptable approach on other recent Paul Matthews Architectural Ltd planning applications to satisfy West Yorkshire Fire Service.

The bin storage and waste collection from the existing property is unaffected. The proposed dwelling has its own bin storage provision. Bins would be presented at the entrance on collection day which currently exists for Marshlands House.

In architectural terms, the proposed dwelling adopts a form and appearance that draws from the local vernacular while incorporating modern standards of living and sustainability.

The use of natural stone facing, pitched roof forms and well-proportioned openings reflects the established character of development along Marsh Lane. This design approach responds positively to the guidance contained within Policy LP24 and the Housebuilders Design Guide SPD, ensuring that the development contributes to a coherent and high-quality streetscape.

Sustainability has been embedded within the proposals from an early stage. The dwelling is designed to achieve high levels of energy efficiency through modern construction methods, enhanced fabric performance and the incorporation of renewable technologies such as solar panels and an air source heat pump. These measures align with Local Plan Policy LP51 and the objectives of the NPPF in addressing climate change, reducing carbon emissions and promoting sustainable patterns of development.

Overall, the proposal represents a logical and sensitive evolution of the site that respects its residential context, maintains the integrity of the established curtilage, and delivers a high-quality family dwelling in accordance with the Kirklees Local Plan and national planning policy.

The layout has been informed by the established pattern of development along Marsh Lane, where dwellings are set within spacious plots and separated by landscaped boundaries. The proposed dwelling:

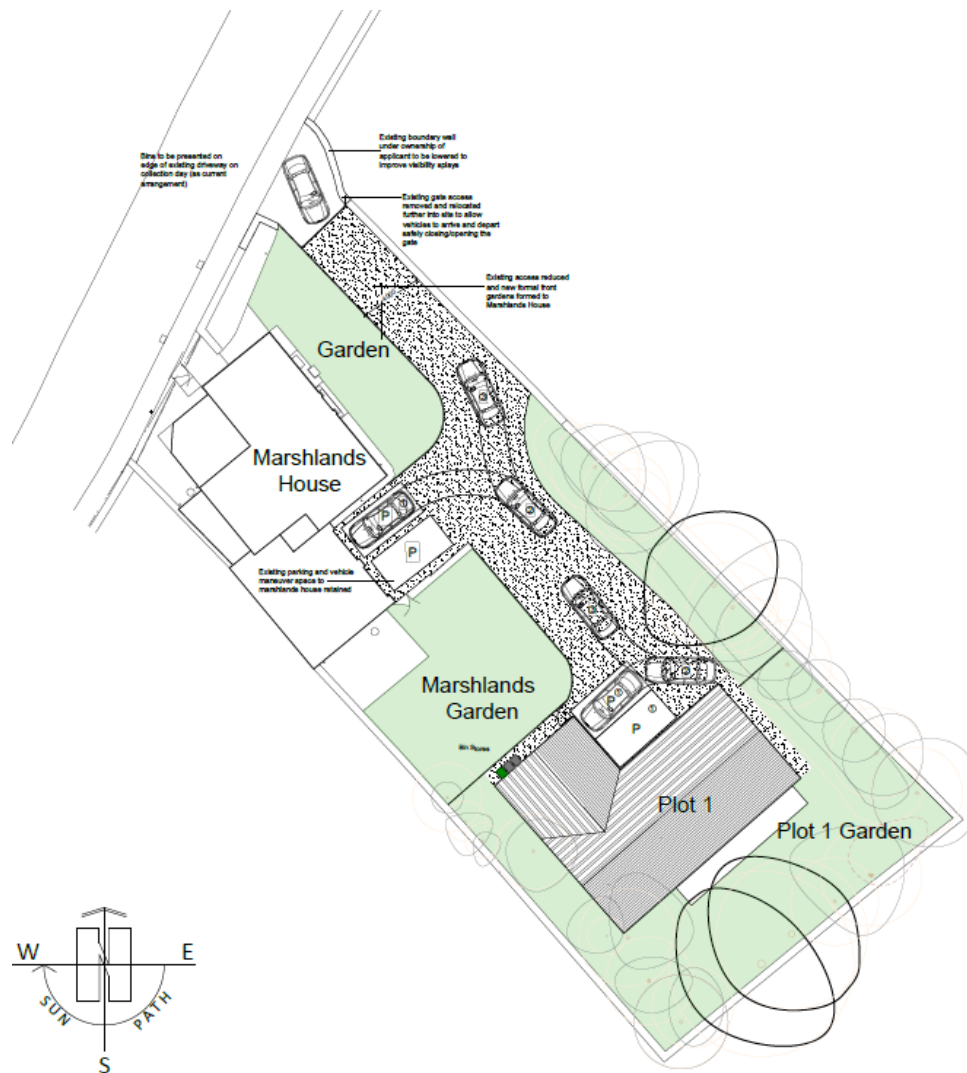
- Is positioned to minimise visual impact.
- Maintains appropriate separation distances.
- Preserves the openness of the wider Greenbelt beyond the defined curtilage.

The scale and massing are comparable to nearby dwellings and do not result in overdevelopment of the site.

The dwelling adopts a contemporary interpretation of traditional local architecture, drawing upon the material palette commonly found in Shepley and along Marsh Lane:

- Natural stone walling.
- Pitched roof with a stone slate roof covering.
- Simple, well-proportioned window openings to the predominant elevations.

This approach ensures that the development integrates successfully with its surroundings and complies with Local Plan Policy LP24.



The Proposed Site Plan shows: **25/1210/05 Proposed Site Plan**

Pre-Application Advice

Kirklees Council's pre-application response forms a central component of the planning justification for this proposal. The advice acknowledged that, whilst the site lies within the Greenbelt, the principle of a new dwelling within the residential curtilage of Marshlands House could be acceptable subject to a number of key considerations. These included a robust justification of Green Belt and 'Grey Belt' status, high-quality design, appropriate siting, safe access arrangements, and the avoidance of encroachment into the open countryside.

The current proposals have been developed directly in response to those matters. The siting of the dwelling remains wholly within the established curtilage and respects the existing stone boundary wall, ensuring that there is no physical or visual encroachment beyond the developed envelope of the site. This responds explicitly to the Council's concern regarding the protection of countryside and the preservation of Green Belt openness.

In terms of principle, the pre-application advice recognised that the site "*can be identified as grey belt land*", subject to appropriate evidence. This statement provides that evidence by demonstrating that the land performs weakly against the Green Belt purposes and is visually and functionally divorced from the surrounding countryside. The proposal therefore aligns with the Council's advice that development may be acceptable where it does not fundamentally undermine Green Belt objectives.

The design of the dwelling responds to the Council's emphasis on detailed design quality. The scale, massing and materials reflect local vernacular and ensure that the new dwelling reads as a natural component of the Marsh Lane streetscape rather than an intrusive addition. Separation distances, garden sizes and orientation have been carefully considered to safeguard residential amenity, consistent with Local Plan Policy LP24.

Highway matters raised through pre-application engagement have also been addressed. The proposal utilises an existing access point, with improvements to visibility and internal manoeuvring that represent a clear betterment over the existing situation. The proposed works to the entrance (lowering walls and setting the gate back) also enhances highway safety not only for the occupants of the proposed dwelling and Marshlands house but also other highway users. Traffic generation would see a minor increase but entirely consistent with the residential character of Marsh Lane.

Ecological matters raised through pre-application discussions are addressed through the submitted Preliminary Ecological Appraisal, which confirms that the site is of low ecological value and that appropriate mitigation and enhancement measures can be secured.

It's important to note that the proposed dwelling would be a self-build scheme for the applicant. All as defined under self-build and custom Housebuilding Act 2015.

Taken as a whole, the proposal represents a direct and positive response to the pre-application advice. It addresses the Council's concerns in a proportionate and evidence-based manner and demonstrates that the development is capable of being supported in principle and detail.

Highways

Highway and access considerations have been carefully assessed as part of the development proposals to ensure that the scheme provides safe and suitable access in accordance with national and local planning policy. The proposed dwelling is served via the existing vehicular access onto Marsh Lane, which already accommodates residential traffic associated with Marshlands House.

Marsh Lane is a residential road characterised by a dispersed pattern of private driveways serving individual dwellings. Despite the speed limit, in the location of access being a 50MPH zone we contend that traffic speeds are low and the road functions primarily as a local access route rather than a strategic through route. The modest nature of the proposal, involving a single additional dwelling, will result in only a negligible increase in vehicle

movements and will not have a material impact on the operation or capacity of the local highway network.

The existing access arrangement is to be retained and subtly improved through minor realignment and the lowering of sections of the existing boundary wall to enhance visibility splays. The existing gate is to be recessed further into the site to enable vehicles to pull off the highway as opposed to the current waiting on the highway for the gate to open/close.

The works will enhance highway safety and represent a clear improvement over the existing situation.

Sufficient on-site parking and turning space is provided within the site so that vehicles can enter and leave in a forward gear, reducing any potential conflict with other road users. The parking provision is appropriate to the size and type of dwelling proposed and accords with local standards. The layout ensures that parking and manoeuvring areas are discreetly accommodated and do not dominate the appearance of the site.

It's important to note that the pre-app response form Kirklees Planning stated, in the highway section *"The proposed new dwelling will intensify the use of the existing access; however, it is considered that the existing access is wide enough to provide for one new dwelling. It is unlikely that alterations would be required to the existing access."*

We therefore contend that the proposals provide safe and suitable access for all users and fully accord with the requirements of the National Planning Policy Framework, as well as Kirklees Local Plan Policies LP21 (Highways and Access) and LP22 (Parking).

Ecology

As noted above this development represents a self-build scheme for the applicant. All as defined under self-build and custom Housebuilding Act 2015. As such no Biodiversity Net Gain survey/report has been prepared as the proposals are exempt from BNG.

Notwithstanding this, a Preliminary Ecological Appraisal (PEA) has been undertaken, as recommended within the KMC Planning pre-app, to establish whether there are any ecological issues/protected species that may affect the proposed works. The appraisal confirms that the site comprises established domestic garden land associated with Marshlands House, together with minor built features and boundary vegetation. The habitats present are typical of residential curtilage and are of low intrinsic ecological value.

The principal habitats recorded include modified grassland (managed lawn), built areas and gardens, hardstanding and a small number of individual trees. These habitats are common and widespread, with the modified grassland assessed as being of poor condition due to regular mowing and domestic use. The trees present are generally of moderate condition and provide limited ecological value.

The PEA confirms that there are no statutory or non-statutory ecological designations within the vicinity of the site that would be affected by the proposals. The site does not form part of the Kirklees Wildlife Habitat Network and is not functionally connected to any designated sites. There is no suitable habitat on or adjacent to the site for badgers, water voles, otters, white-clawed crayfish or great crested newts, and the proposals will therefore have no impact on these species.

The existing buildings on site were assessed as having negligible potential for roosting bats, and the trees were found to contain no bat roost features. The surrounding landscape offers limited bat foraging potential. Some limited potential for nesting birds exists within

boundary vegetation, and vegetation clearance will therefore be undertaken outside the main nesting season where practicable, or subject to a precautionary check.

The proposals incorporate proportionate biodiversity enhancements, including the provision of bat bricks and swift nesting boxes within the new dwelling, together with the retention of boundary vegetation where possible/appropriate. The PEA also identifies the presence of an invasive non-native species, variegated yellow archangel, which will be appropriately managed and removed as part of the development.

Although the proposal is exempt from mandatory Biodiversity Net Gain requirements due to its self-build status, the development will maintain and modestly enhance the ecological value of the site. Overall, the PEA confirms that the proposals will not result in adverse ecological impacts and fully accord with Local Plan Policy LP30 and the relevant provisions of the National Planning Policy Framework.

PRINCIPLE OF DEVELOPMENT

Introduction and Purpose of this Section

This section sets out a comprehensive assessment of how the proposed development at Marshlands House aligns with the Grey Belt concept within national planning policy and the evolving approach to Green Belt land management.

Although the site is located within the Green Belt, its characteristics, land-use history, and relationship with the surrounding built environment indicate that it functions as low-value Green Belt and is therefore capable of being considered under the Grey Belt category for the purposes of planning decision-making.

The purpose of this assessment is to demonstrate that:

1. The site meets the national criteria for Grey Belt classification.
2. The development would not conflict with the five purposes of the Green Belt, and in fact performs *weakly* against them.
3. The proposals represent a sustainable, modest, contextually appropriate form of development that delivers public benefits with minimal, limited, or no harm to the openness or function of the Green Belt.
4. The development is capable of being regarded as “not inappropriate” when assessed under the emerging Grey Belt policy.

Green Belt and “Grey Belt” Context

The site lies within the designated Green Belt, as defined by the Kirklees Local Plan.

However, the Green Belt designation here covers a site that is already developed, containing permanent structures, hard landscaping, car parking, and associated infrastructure.

Understanding “Grey Belt”

The updated policy direction at national level recognises that land within the Green Belt is not uniform in character, sensitivity, or contribution to Green Belt purposes. While some areas provide strong, high-value Green Belt functions, others—particularly previously developed land (PDL), residential curtilages, redundant uses, or built-up edges—have limited openness or landscape value and do not contribute materially to preventing urban sprawl or settlement coalescence.

To address this variation, reforms to national policy introduce the idea of Grey Belt land:

- Green Belt land that is previously developed,
- Green Belt land that has deteriorated or has limited landscape / openness value, or
- Green Belt land that performs poorly against the core Green Belt purposes, especially those relating to sprawl, settlement separation, and the preservation of historic town character.

The new framework encourages *site-specific analysis*, meaning each land parcel should be examined individually rather than treated uniformly simply because it falls within the Green Belt boundary.

Under this revised interpretation, land which is categorised as “Grey Belt” is capable of being released for development or considered suitable for context-appropriate redevelopment where it delivers public benefits and does not cause substantial harm to the essential characteristics of the Green Belt—namely, openness and permanence.

This approach remains fully consistent with the national presumption that high-quality, sustainable development should be supported where harm to Green Belt functions is minimised and where existing land resources can be used more efficiently.

The NPPF (Paragraph 143) outlines five purposes of the Green Belt:

1. To check unrestricted sprawl of large built-up areas.
2. To prevent neighbouring towns from merging.
3. To assist in safeguarding the countryside from encroachment.
4. To preserve the setting and special character of historic towns.
5. To assist in urban regeneration by encouraging recycling of derelict and other urban land.

To check unrestricted sprawl of large built-up areas.

The first purpose of the Green Belt is to check the unrestricted sprawl of large built-up areas. The site does not form part of the edge of a major settlement; instead, it lies within the established village of Shepley, a village with a clear and well-defined built boundary. The development does not extend the settlement outward into open countryside, as it is entirely contained within the footprint of an existing residential curtilage. Redevelopment of the site simply provides scope for an additional dwelling in a configuration that respects the existing pattern of housing along Marsh Lane and therefore does not create or contribute to any form of sprawl.

To prevent neighbouring towns from merging.

The second purpose seeks to prevent neighbouring towns and settlements from merging. Shepley is a village not a town. It is geographically separate from surrounding settlements, and the application site is not located within any strategic gap or area of potential merging. Development of this site does not contribute to merging neighbouring towns. The proposal occurs well within the village’s built form and does not encroach upon any land that plays a role in maintaining these separations.

To assist in safeguarding the countryside from encroachment.

The third purpose relates to safeguarding the countryside from encroachment. The site is not open countryside; it is a long-established residential property with domestic gardens, hardstanding, and built features that have removed any rural or agricultural character. The

boundary of the site remains unchanged, and the proposals do not push built development into the surrounding open fields. The development respects the existing curtilage boundary in its entirety, ensuring that no countryside is taken, altered, or encroached upon. As such, the scheme preserves precisely the same relationship between the settlement, and the adjoining rural landscape as currently exists.

To preserve the setting and special character of historic towns.

The fourth purpose is to preserve the setting and special character of historic towns. Shepley is not a historic town in the sense recognised by Green Belt policy, nor does the site contribute to the setting of any designated or non-designated heritage assets whose character or significance depends on the openness of the land. Development within the site will therefore have no impact on the character or appreciation of historic townscapes or heritage assets.

To assist in urban regeneration by encouraging recycling of derelict and other urban land

The fifth purpose of the Green Belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land. In this respect, the development supports the purpose directly. Redevelopment of an existing residential plot within a defined settlement boundary aligns neatly with the principle of re-using previously developed land. We accept that gardens are not *normally* classed as PDL however, a garden outside a built-up area could be considered PDL if it meets the broader definition (land previously occupied by permanent structures). In this case the garden plot is currently occupied by permanent structures.

Developing PDL allows new homes to be delivered without the need to release additional greenfield sites, and therefore actively contributes to the national policy objective of prioritising regeneration and efficient land use over outward expansion.

Taken as a whole, the assessment clearly demonstrates that the site performs weakly against the Green Belt purposes that justify the designation. It neither prevents sprawl nor merging; it does not safeguard rural land from development nor protect any historic setting; and it supports the reuse of land already committed to residential use. The proposal therefore does not conflict with the fundamental aims of the Green Belt, and its redevelopment can be regarded as a logical, policy-compliant use of land that has limited strategic Green Belt value.

Assessment of the Site Against “Grey Belt” Criteria

“Grey belt” is increasingly recognised by both local authorities and national planning bodies as a material planning concept. It refers to land currently designated as Green Belt but which, due to existing development/use, has lost its essential openness and rural character, and thus performs only a limited Green Belt function.

Several key planning authorities (including Kirklees, Leeds, and Greater Manchester Combined Authority) have explored the concept as part of Local Plan reviews, defining a practical set of assessment criteria to identify “grey belt” parcels that may be suitable for release or redevelopment. These criteria are typically grouped under four broad themes:

1. Degree of Existing Development / Urbanisation
2. Contribution to Green Belt Purposes
3. Landscape and Visual Containment
4. Potential for Environmental Enhancement and Openness Restoration

We contend that this particular site meets each of these themes, as demonstrated below;

1. A site may be classified as “grey belt” where it contains substantial built form, hardstanding, or urban infrastructure inconsistent with open countryside character.

Application to Site:

- The site comprises of an existing dwelling with established boundaries reflective of all surrounding properties within the locality. The land has hardstanding’s, permanent buildings and infrastructure.

Conclusion:

The site exhibits the characteristics of a developed, urbanised parcel within the Green Belt, directly aligning with “grey belt” definitions used in strategic Green Belt reviews.

2. A site may be regarded as “grey belt” where its contribution to the five purposes of the Green Belt is limited or eroded by existing conditions.

Application to Site:

As noted above the site does not positively contribute to the 5 purposes of greenbelt.

Conclusion:

As noted above, ‘Understanding Green Belt’, the site performs weakly in relation to green belt purposes that justifies its classification.

3. Land may be “grey belt” where its boundaries, topography, and vegetation create a self-contained visual envelope, limiting wider landscape influence.

Application to Site:

- The site is enclosed by established boundary treatments on four sides.
- The land sits within an existing built street scene, reducing its prominence in the wider landscape.
- The sense of openness is not changed due to the site as existing being a dwelling and associated domestic curtilage. The existing boundaries will not be broken or expanded as a result of the proposed works.

Conclusion:

The site’s containment and visual enclosure confirm that it does not contribute to the perceived openness or continuity of the wider Green Belt. Its redevelopment offers an opportunity to increase the housing provision of the area within an existing developed pocket of land.

4. “Grey belt” redevelopment should demonstrate capacity to deliver environmental uplift, improving openness, biodiversity, and visual quality compared with the existing situation.

Application to Site:

- The proposed scheme will create opportunity to improve the ecological value of the site

Conclusion:

As noted within the PEA, 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.

5. Where previously developed Green Belt land is well-located relative to existing settlements and infrastructure, it is more appropriate for redevelopment.

Application to Site:

- The site is located immediately adjacent to Shepley, within walking and cycling distance of local services and bus routes.
- All the daily needs can be met within the Shepley village.
- The A629 provides strong access to surrounding villages, supporting sustainable transport connectivity.
- The site's location on the urban–rural transition edge makes it a logical infill and a sustainable expansion of the settlement boundary.

Conclusion:

The site's strategic accessibility and semi-urban location reinforce its suitability as "grey belt" land that can deliver homes efficiently without encroaching on genuinely open countryside.

The site satisfies all recognised indicators of "grey belt" land, meaning that it performs poorly as Green Belt and strongly as previously developed, visually contained land suitable for redevelopment. Its reclassification or redevelopment would therefore be consistent with NPPF Paragraph 154(g), redevelopment of previously developed land not having a greater impact on openness, NPPF Paragraph 124 – making effective use of land and Kirklees Local Plan Policy LP7 – efficient land use within sustainable settlements.

Accordingly, the proposal represents an appropriate and policy-compliant form of development within the Green Belt context and should be supported.

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 proposed development on 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, the natural environment, and the Green Belt.

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 13** - Protecting Green Belt Land
- **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.”

The application site at Marshlands House is an existing residential curtilage containing a dwelling, garden, driveway/hardstanding and domestic landscaping. We therefore contend that the site is previously developed land rather than greenfield. Redeveloping this plot to deliver a new dwelling makes efficient use of land that is already committed to residential/built use. exactly the kind of brownfield intensification encouraged by Paragraph 124.

Also, the proposal increases housing density on a sustainable, formed site, turning a single dwelling plot into two, 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 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 planning-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 Paragraph 125 of the NPPF is further evidenced by the proposed redevelopment of under-utilised land located within an established, serviced settlement boundary. The scheme delivers a range of benefits, including the provision of additional housing, environmental improvements, the effective reuse of previously developed land, and the delivery of high-quality sustainable home that responds sensitively to the surrounding context. Importantly, the proposal avoids any encroachment into the open countryside and aligns with the NPPF’s strong emphasis on prioritising brownfield land and optimising development opportunities within settlements where this can be achieved without resulting in significant 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.

The following paragraph, Para.73 states;

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

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

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."

Furthermore, and significantly, the Local Authority cannot currently demonstrate a five-year supply of deliverable housing sites and therefore 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 is located on a previously developed site and complies with Policy LP3 because it delivers 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, and the reuse of, undeveloped land so it may subsequently be developed. Housing density, where appropriate, 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 towns and villages 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.

DRAINAGE

Given the levels we propose to install a package treatment plant to deal with the foul drainage.

A Klargester BioDisc BA is proposed as indicated on the proposed block plan. This unit is a 6 population unit, more than capable of serving the proposed dwelling.

Both below ground surface and foul water drainage pipes will be located close to the perimeter of the proposed dwelling to prevent tree root damage. The connection into the existing soakaway drain will be made on the edge of the proposed driveway, again reducing the potential for impact on RPA's.

The property has an existing soakaway drain that passes through the North East boundary into the adjacent field. It is proposed to connect both the foul and surface water drainage into this existing drain that leads to a soakaway.

Naturally all proposed drainage works will be subject to Building Regulations approval and on-site inspection, testing and approval.

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:

<u>Walls</u>	-	Coursed natural stone to reflect local vernacular.
<u>Roof</u>	-	Natural stone slates, matching the colour and texture prevalent along Marsh Lane
<u>Rainwater Goods</u>	-	Upvc guttering & downpipes.
<u>Windows & Doors</u>	-	Upvc windows with composite/Powder Coated Aluminium Doors.

MEANS OF ACCESS

The means of access to the proposed dwelling has been carefully considered to ensure that safe and suitable access is achieved in accordance with national and local planning policy.

Vehicular access is taken from Marsh Lane via the existing access arrangement that currently serves Marshlands House, thereby avoiding the need for the creation of a new access point and minimising any change to the established streetscape.

The existing access will be retained and subject to minor improvements to enhance highway safety. These works include limited realignment, lowering of sections of the existing boundary wall to enhance visibility splays and setting the gated entrance further into the site.

The access is of sufficient width to accommodate residential traffic associated with the proposed dwelling and allows vehicles to enter and exit the site in a forward gear. This reduces the potential for conflict with other road users and represents a clear improvement over the existing situation. The means of access is therefore considered safe, convenient and appropriate to the scale of development proposed.

Overall, the proposed means of access satisfies the requirements of the National Planning Policy Framework and fully accords with Kirklees Local Plan Policy LP21, which seeks to ensure that development provides safe and suitable access for all users.

LAYOUT

The layout of the proposed development has been carefully considered to ensure that it responds appropriately to the characteristics of the site, the established pattern of development along Marsh Lane, and the guidance provided through pre-application feedback. The proposal represents a logical and well-structured subdivision of an existing residential plot, rather than a cramped form of development.

The proposed dwelling is positioned within the southern portion of the established residential curtilage of Marshlands House, maintaining a clear and legible relationship between the two properties. Adequate separation distances are retained to ensure that both dwellings benefit from a high level of privacy, outlook and residential amenity. The layout avoids back-to-back or tandem relationships and instead reflects the prevailing grain of development in the area, where properties are set within generous plots and separated by landscaped boundaries.

The arrangement of buildings and spaces ensures that the proposed dwelling reads as a natural extension of the existing residential environment, rather than an isolated or intrusive form of development. The siting respects the existing stone boundary wall, which continues to define the edge of the residential curtilage and the transition to open countryside beyond. No development is proposed beyond this established boundary, ensuring that the openness of the Green Belt is preserved.

Private garden space has been carefully apportioned to ensure that both the existing and proposed dwellings retain functional, usable and well-proportioned amenity areas. The layout ensures that garden areas are orientated to maximise usability while minimising overlooking between properties. This approach is consistent with the requirements of Local Plan Policy LP24, which seeks to secure high standards of amenity for future and existing residents.

SCALE

The scale of the proposed dwelling has been carefully considered to ensure that it sits comfortably within the existing residential context of Marshlands House and the wider pattern of development along Marsh Lane. The dwelling is two storeys in height, consistent with the prevailing scale of nearby residential properties, and does not introduce a visually intrusive form of development.

The overall footprint, ridge height and massing have been deliberately restrained to ensure that the building remains proportionate to the size of the plot and subordinate to the established character of the area. Adequate separation distances are maintained to adjoining boundaries and to Marshlands House, ensuring that the development does not appear cramped or overbearing and that residential amenity is preserved.

By limiting the scale of the dwelling and containing it wholly within the established residential curtilage, the proposal avoids any material increase in perceived built form when viewed in the context of the Green Belt. The scale of development is therefore considered appropriate, policy-compliant, and consistent with the requirements of Local Plan Policy LP24 and national Green Belt objectives.

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 foul drainage will be designed 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

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

- Smart energy metering
- LED lighting to be installed
- High levels of thermal insulation
- A fabric first approach also factoring in air leakage.
- Materials to be sourced locally where possible
- 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.
- Air source heat pump

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

CONCLUSION

This Planning, Design & Access Statement demonstrates that the proposed erection of a detached dwelling within the residential curtilage of Marshlands House represents a carefully considered and sustainable form of development that responds positively to both site-specific circumstances and the wider planning policy framework.

The proposal has been shaped directly by the physical characteristics of the site, the established pattern of development along Marsh Lane, and the detailed pre-application advice provided by Kirklees Council. It delivers a modest subdivision of an existing residential plot without extending development into open countryside or undermining the openness and purposes of the Green Belt. The development remains wholly contained within a clearly defined residential curtilage and therefore preserves the established settlement edge.

In design terms, the proposal achieves a high standard of layout, scale and appearance. The siting of the dwelling ensures appropriate separation distances, safeguards residential amenity, and provides generous private garden space for both the existing and proposed dwellings. The scale and massing of the building reflect the prevailing form of development in the area and avoid any sense of overdevelopment or visual dominance. The architectural approach draws from local vernacular traditions while incorporating modern standards of living and sustainability.

The development has been demonstrated to be acceptable in highways terms, utilising an existing access point with improvements that enhance safety and visibility. Adequate on-site parking and turning arrangements are provided, ensuring compliance with local highway standards and avoiding any adverse impact on Marsh Lane.

Ecological considerations have been fully assessed through the submitted Preliminary Ecological Appraisal, which confirms that the site is of low ecological value and that the proposals will not result in harm to protected species or designated sites. Proportionate mitigation and enhancement measures are incorporated, ensuring compliance with biodiversity policy objectives.

When assessed against the Kirklees Local Plan as a whole, the proposal accords with the objectives of Policies LP1, LP3, LP7, LP21, LP22, LP24 and LP30, as well as the relevant provisions of the National Planning Policy Framework. The scheme represents an efficient use of land, delivers a high-quality living environment, and balances development needs with environmental protection.

Overall, the proposal represents a logical, sensitive and policy-compliant form of development that mirrors the successful planning approach adopted elsewhere along Marsh Lane. It delivers clear planning benefits with no material harm arising. On this basis, it is respectfully submitted that planning permission should be granted.

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.