

January 2026

PLANNING
STATEMENT
INCLUDING
DESIGN AND
ACCESS
ELEMENTS

**PLANNING STATEMENT -
BELL CABIN, LONG LANE,
EARLSHEATON, DEWSBURY**

Job 2840

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INTRODUCTION

1. This statement sets out the key planning matters relating to the erection of a single dwelling at the site known as the Bell Cabin situated on Long Lane in Earlsheaton Dewsbury. The report is prepared on the basis that the application in principle is a repositioning and redesign of a dwelling which has the benefit of a previous planning permission – 2022/90804 granted on 15th July 2023. This approval has commenced via the implementation, in part, of the approved access. Conditions have been discharged – see planning history below.
2. The report updates the planning policy position and other material factors which have occurred since the grant of approval. The most notable of these is the position on Green Belt policy as it relates to Chapter 13 of the NPPF. The details of this are set out in the section on planning policy.

SITE AND ITS SURROUNDINGS

3. The application site forms an area of land, which is set down significantly from Long Lane. The site is 7m below the adjacent land to the east and is bounded by Long Lane to the east and areas of scrub/trees to the north, west and south. A large area of playing fields occupies the area to the north-west. Residential properties lie very close on the opposite side of Long Lane. A textiles merchant lies to the south-west off Sands Road.

RELEVANT PLANNING HISTORY

4. Whilst there is a planning history to this site dating back to 2016 the most relevant permission on the site was application 2022/90804 for the erection of a dwelling, the formation of access and other associated operations. This was approved on 25th July 2023.
5. Since that application was approved a discharge of condition application was submitted and agreed. This application 2024/91496 dealt with conditions 3 (materials), 5, 6 (retaining walls), 8 (Ecological Impact Assessment), 9 (access ramp), 11 (Phase I Desk Study Report), 12 (Preliminary Risk Assessment), 13 (Phase II Intrusive Site Investigation Report). The dates of the decisions on this application are as follows:
 - a. 13th September 2024 – see [filedownload.aspx](#)
 - b. 11th February 2025 – see [filedownload.aspx](#)
6. The access, as approved, has already, in part, been implemented.

PROPOSAL

7. The application seeks planning permission for the erection of one dwelling. The proposed dwelling would be part single storey with an essentially two storey element which bridges a natural change in land levels with accommodation in the roof space comprising two bedrooms.
8. The access is a steep, single lane track which is set at an acute angle from Long Lane. As set out above, this has been partly implemented as part of planning permission 2022/90804.
9. Other associated operations proposed include mine shaft remediation and minor works to land levels to create the correct development platforms and access ramps.

Key Differences from Scheme Approved (2022/90804)

10. In essence the scheme for the site remains very similar to that previously approved except that the building has been repositioned to the north of that previously approved by 3.66m. The footprint is very similar to that approved.
11. However, the resulting repositioning has led to a new design to take into account the stepped change in land levels. This means that the front (southern) elevation appears as a two-storey element.
12. The access and retaining walls remain as previously approved.

PLANNING POLICY

National Planning Guidance

13. The National Planning Policy Framework (2019) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. Given that there is an extant planning permission on the site, by virtue of the construction of the approved access relating to planning permission 2022/90804, the most relevant aspect to consider is whether the changes impact in Green Belt terms. In essence Chapter 13 – Protecting Green Belt Land. A full assessment of current criteria is set out in the following paragraphs.

Kirklees Local Plan

14. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). The application site is located within the Green Belt as allocated on the Kirklees Local Plan (2019). The relevant Local Plan policies are:
 - LP1 – Presumption in favour of sustainable development
 - LP2 – Place shaping
 - LP3 – Location of new development
 - LP21 – Highways and access
 - LP22 – Parking
 - LP24 – Design
 - LP26 – Renewable and low carbon energy
 - LP28 – Drainage
 - LP30 – Biodiversity and geodiversity
 - LP31 – Strategic Green Infrastructure Network
 - LP33 – Trees
 - LP51 – Protection and improvement of local air quality
 - LP52 – Protection and improvement of environmental quality
 - LP53 – Contaminated and unstable land

Relevant Supplementary Planning Guidance / Documents

13. Relevant guidance and documents are:
 - Housebuilders Design Guide SPD (2021)
 - Biodiversity Net Gain Technical Advice Note (2021)

RELEVANT ADDITIONAL POLICY CONSIDERATIONS SINCE THE PREVIOUS GRANT OF PERMISSION IN 2023

A. Kirklees 5 Year Housing Land Supply & Annual Monitoring Report Position

14. The 2023 update of the five-year housing land supply (5YHLS) 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%).
15. As the Council is currently unable to demonstrate a 5YHLS 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.
16. This means that for decision making the NPPF requires that:

“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.”*

17. 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 this has to be balanced against any adverse impacts of granting the proposal.

B. NPPF - National Policy Changes on Green Belt

18. Changes were made to NPPF on 24th December 2024 which came after the grant of approval. New policy on Green Belts was set out in Chapter 13 – Protecting Green Belt Land. These are of relevance to this application.

19. Of relevance to this application in particular paragraphs 153 and 154.

20. Paragraph 153 states that:

‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

21. Paragraph 154 sets out the following exceptions.

‘Development in the Green Belt is inappropriate unless one of the following exceptions applies:

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

GREEN BELT CHARACTERISTICS OF AREA AND SITE

22. This site falls within the wider Metropolitan Green Belt around Dewsbury, the site itself is situated within a clearing with tree cover on three sides and a high bank/wall at the site frontage where it meets Long Lane. There is evidence of development on the site although some relates to past unauthorised activity. Overall, the development site is well contained within this well screened location and from most vantage points the site remains hidden from view.

23. Importantly, this site is at the very extremities of the Green Belt allocation where residential areas are located very close to the site on the opposite side of Long Lane.

DEMONSTRATION OF VERY SPECIAL CIRCUMSTANCES

24. Paragraph 153 of NNPF is clear that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

25. In this instance there are three very special circumstances (VSC), set out, below, which clearly outweigh the inappropriate nature of the development.

REASON 1 – VCS applied to the previous approval of the previous application 2022/90804

26. The planning committee decision which led to this application being approved set out that it believed there were very special circumstance to allow this type of development on this site. The VSC cited were landscaping (tree and shrub planting) on the wider application site and subsequent wildlife enhancement.
27. This reason alone was considered to have enough weight and was deemed special enough to approve the application. There are no material policy or site related matters which would mean this still cannot be considered a very special circumstance in its own right for this application. The officer's delegated report is attached as Appendix 1 with the relevant section of the report highlighted
28. However, this position has since been strengthened and there are now two further very special circumstances which add to the weight of case. These are considered below.

REASON 2 – The existence of a valid fallback position

29. A valid fallback position is a material consideration in the determination of this application. In this case there is already an approved similar permission in place with all conditions discharged and a material start on site via the access proposals.
30. The change in position and design of the proposed building is not considered to impact to any greater degree than that approved on the openness of the Green Belt. This is assisted by the secluded nature of the site which remains below the highway level on Long Lane and largely screened by trees on all sides.

REASON 3 – The Absence of a 5-year Housing Land Supply (5YHLS)

31. As set out in paragraphs 14-17 above a material change since the granting of permission on this site is that the Council can no longer demonstrate a 5YHLS. As such this becomes a very special circumstance which contributes to the support of this application.

CONCLUSION ON GREEN BELT MATTERS AND VERY SPECIAL CIRCUMSTANCES

32. The previous approval on this site for a single dwelling has set the standard for VSC in relation to this site. However, the position regarding VSC has strengthened by the inclusion of the fallback position and the lack of a 5YHLS within Kirklees.
33. Whilst the Landscape and Habitat matters were deemed to be sufficient in their own right to be VSC the combination of the three elements together is now much more compelling. As such the VSC's very clearly, in this instance, outweigh the inappropriate nature of the development.

DESIGN

34. The proposed dwelling reflects strongly the design considered acceptable in the earlier application. This revision takes advantage of the stepped nature of the site to introduce a two-storey element facing south. This takes advantage of the site's orientation and maximises the attractiveness of the site and its potential for a high-quality design.
35. In terms of Housebuilders Design Guide SPD (2021) all matters are complied with.

36. Materials chosen are as follows:
- a. Stonework
 - b. Slate Roof Tiles
 - c. Oak Timber Detailing
 - d. Heritage Colour Aluminium Windows / Doors
 - e. Sandstone Window / Door / Band Detailing
 - f. Vertical Zinc / Timber Cladding

ACCESS

37. The access will remain as that previously agreed as part of planning permission 2022/90804 and the discharge of condition application 2024/91496. Full details of the solution are set out in accompanying plans which reflect those submitted as the discharge of condition application stage including the setting out of suitable sight lines. The submitted plans clearly show that the full 2.4m x 43m visibility splay can be achieved in both directions, with drawing D4006 rev p01, indicating that the extent of existing wall within visibility splay to be reduced in height to maximum 0.90m.
38. The applicant has already received support, via the previous approval, to the fact that this site is in a sustainable location. It should be noted that the site is in close proximity to the Dewsbury to Otley Greenway which provides direct non-motorised links into Dewsbury itself. Local facilities such as shops, employment opportunities, health centres and schools are all located close to the application site including by non-motorised modes.

TREES/BIODIVERSITY

39. No further tree loss is proposed as a result of the modest changes being proposed.
40. Policy LP30 of the Kirklees Local Plan requires all developments safeguards and enhance the function and connectivity of the Kirklees Wildlife Habitat Network. Previous documents submitted as part of the Ecological Impact Assessment are resubmitted to deal with this aspect.

OTHER MATTERS

Coal Authority

41. Other associated operations proposed include mine shaft remediation and minor works to land levels to create the correct development platforms. Plans and documents are provided to show how this is being dealt with.

Retaining Walls

42. . Plans and documents are provided to show how this is being dealt with.

Land Remediation

43. Surveys, plans and documents are provided to show how this is being dealt with.

OVERALL CONCLUSION

44. This assessment successfully shows that there is sufficient basis on which to give a favourable recommendation to this application. The key conclusions are:
- a. The site falls within the Green Belt

- b. The original VSC of landscaping and wildlife enhancement remain valid
 - c. VSC are further reinforced because there is a clear back stop position and the Council cannot now demonstrate a 5YHLS.
 - d. All other technical matters can be resolved
 - e. The site is in a sustainable location a view supported by the previous application.
45. Overall, this statement successfully appraises this site against all the relevant criteria set out in Green Belt guidance and the remainder of the NPPF. It is our view the relatively minor adjustment to the position of the dwelling and design can be supported and should be viewed as a valuable addition to the Council's housing land supply which is currently deficient.

APPENDIX 1 – See Separate Document