



Planning Statement

RESIDENTIAL DEVELOPMENT FOR TWO DWELLINGS (PERMISSION IN PRINCIPLE)

LAND AT JAGGER LANE, DALTON, HUDDERFIELD HD5 0QY

**PREPARED FOR: A POGSON
PREPARED BY: TOM SHIELS MRTPI
CHECKED BY: JAMES ROBERTS MRTPI**

1.0 INTRODUCTION

This statement supports a planning application for Permission in Principle to establish the acceptability in policy terms of developing a parcel of land at Jagger Lane, Dalton, for residential purposes. It is proposed to erect two detached dwellinghouses.

The permission in principle (PiP) consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development (stage 1) from the technical detail of the development (stage 2). This application is for the 'permission in principle' (stage 1) only.

Under Article 5D of the Town and Country Planning (Permission in Principle) Order 2017 (as amended) an application for PiP requires only:

- a) a completed application form
- b) a plan which identifies the land to which the application relates, drawn to an identified scale and showing the direction North.
- c) the correct application fee.

The scope of matters which can be considered with Permission in Principle is limited to:

- **the location of the site**
- **the type of land use proposed**
- **the amount of development.**

The Location of the Site and Type of Land Use

The site comprises 'grey belt' land within the Green Belt and the Local Planning Authority (LPA) does not have a five-year supply of housing land. As such there is a demonstrable unmet need for the proposed development. The discussion below demonstrates that the

development would not undermine the purposes of the remaining Green Belt, and the site is in a suitable location for housing development. As such the proposal is a type of development that is not inappropriate within the Green Belt and accords with both the National Planning Policy Framework(NPPF) and Local Plan Policy.

The Amount of Development

This statement should be read alongside the supporting plan, which gives a broad indication of the location and footprint of the two dwellings proposed.

This statement will discuss the planning merits of the scheme as they relate to the 3 'in principle' matters above. All necessary technical reports will be provided at the technical details stage. It is anticipated that the LPA will adopt a progressive approach to this sustainable scheme.

2.0 SITE AND SURROUNDINGS

The application site is a parcel of land sited between existing development. The site plan is shown in Figure 1 below. It is located directly between two commercial sites with one currently in commercial use with the other having previously been used as a MOT garage and then for storage.

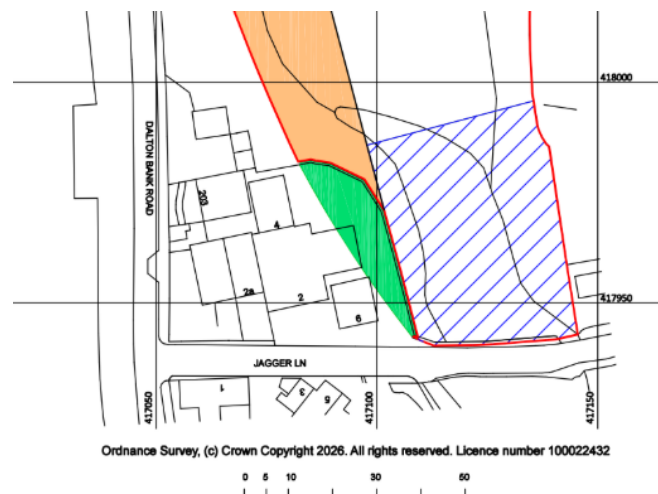


Fig 1: Site Plan

The site is bordered to the south by Jagger Lane which is accessed from Dalton Bank Road to the west. Dalton Bank Road links the site to the surrounding residential areas of Kirkheaton, Dalton and the nearby employment areas to the west, whilst also providing connections to the surrounding road network and agricultural land to the east which leads to further commercial development.

The site lies within the Green Belt, as does the surrounding area. To the west, the site adjoins a small industrial estate which includes warehouse buildings, open yards and areas of hardstanding. To the south is a row of existing residential properties arranged along a curved street, with houses set within relatively compact plots and rear gardens backing onto tree cover. Directly to the east lies a commercial building beyond this and to the north-east, there are open agricultural fields divided by hedgerows and tree belts.

A small belt of trees and vegetation creates a natural buffer between the industrial estate, the proposed residential properties, and the surrounding countryside. A low wall is in place at the front of the site adjacent to Jagger Lane. The wider land to the west is allocated as a priority employment area.

3.0 THE PROPOSAL

Permission in Principle is sought for residential development, consisting of two detached dwellings.

The indicative proposed site plan shows that the dwellings would be sited side by side in line with the adjacent existing commercial development. The front elevations would front on to Jagger Lane with an access created from Jagger Lane to serve the development. The overall positioning within the site, and the orientation of the dwellings would be similar to the building identified as number 6 to the west.

The site is effectively 'sandwiched' between the road and the existing development. It is a well contained site with the land rising beyond the dwellings screening the site from the wider area, and the proposed dwelling would be viewed strongly within the context of the existing development along Jagger Lane where views are possible. As a result, it would not result in a prominent development in the wider landscape and there would be no harm to the function of the wider Green Belt.

4.0 PLANNING HISTORY

There is no relevant planning history on the application site. A recent application approved by Kirklees Council directly to the east of the site is referred to within this report. Application reference 2025/62/90025/W was granted by Kirklees Council on 4 March 2025 for the erection of a detached dwelling.

5.0 ALLOCATION AND POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) as updated in July 2021 and the suite of documents comprising National Planning Practice Guidance (NPPG).

Allocations

The site lies within the Green Belt as identified by the Kirklees Local Plan 2019. The site is also within a Mineral Safeguarding Area, a Strategic Green Infrastructure Network and a Proposed Core Walk Cycle route run through the site. The following legislation, policy and guidance is considered relevant to the determination of this application:-

National

The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development.

LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this.

Kirklees Local Plan

The following policies are considered of relevance:

LP1 – Presumption in favour of sustainable development

LP2 – Place shaping

LP3 – Location of new development

LP7 – Efficient and effective use of land and buildings

6.0 ASSESSMENT

The revised NPPF is a crucial part of the Government's overarching agenda of delivering 1.5m new homes during this parliament. This is a central pillar of the 2024 election pledge and is a response to the well-publicised UK housing crisis. The NPPF places great importance on housing delivery across the UK and is accompanied by recent press releases ("back the builder's, not the blocker's") and written ministerial statements. All of these place heavy emphasis on the need to reform the planning system so that developments, most notably housing developments, can be delivered as quickly as possible.

The proposed level of housing that is expected to be delivered is extremely ambitious. To put it into context, the UK has not got close to delivering the amount of housing now proposed for over 45 years.

Applications for housing developments need to be viewed in this context and supported wherever possible.

One of the most significant changes in the revised NPPF in respect of Green Belt policy is the introduction of 'grey belt' land and its potential for redevelopment under paragraph 155 of the NPPF.

Paragraph 155 sets out that the development of homes should not be regarded as inappropriate where all of the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
- b. There is a demonstrable unmet need for the type of development proposed.
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

The NPPF defines 'grey belt' land as:

"land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."

Kirklees Council cannot currently demonstrate a five-year supply of deliverable housing sites and has experienced a significant shortfall in housing delivery, with the most recent Housing Delivery Test confirming delivery well below the required level. As such, there is currently an unmet need for new housing development and therefore criterion b) is met. The remaining criteria, a, c, and d are assessed below

Criterion a) Whether the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

In order to test whether the proposals would meet criteria a) of Paragraph 155, consideration needs to be given as to whether the site strongly contributes to Green Belt purposes a), b) or d) as set out in Paragraph 143 of the NPPF.

Green Belt purposes a), b) and d) are as follows:

- a) – to check the unrestricted sprawl of large built-up areas.

The application site is a small parcel of land that is contained on three sides by the public highway and commercial buildings to the east and west. The site to the west has planning permission for the erection of a dwelling granted under application reference 2025/62/90025/W. there is further residential development to the south along Dalton Bank Road. To the east is land in employment use and allocated for this purpose. The

site would provide two additional dwellings within an area that is already characterised by both residential and commercial development. The indicative layout shows the dwellings would be placed side by side between existing development and the dwelling which has planning permission creating essentially an infill development.

Because the site is well contained by Jagger Lane, screening and the existing development at both sides, it is essentially an infill plot and there would be no sprawl of the existing built-up area. As such, the site does not play any important role in checking the sprawl of large built-up area and does not strongly contribute to purposes a).

b) to prevent neighbouring towns from merging into one another

Dalton forms part of the wider Huddersfield urban area identified within the adopted Kirklees Local Plan. It is shown on the Huddersfield sub area diagram alongside other areas that form the built-up extent of the town. The site is located on the eastern edge of the Huddersfield urban area, close to Dalton and Kirkheaton.

The site lies on the edge of the Huddersfield urban area adjacent to existing development to the north at Dalton. The site does not sit within a strategic gap between separate settlements. Kirkheaton lies to the east. The land between Huddersfield and Kirkheaton remains extensive and defined by topography, woodland, and agricultural fields. The proposed development would not materially reduce the separation between neighbouring settlements or lead to their coalescence. It would therefore not result in neighbouring towns from merging into one another.

d) to preserve the setting and special character of historic towns

The site does not form the setting of a historic town, and does not strongly contribute to purpose d).

In conclusion, it is clear that the site comprises 'grey belt' land as defined by the NPPF. The site is well contained by the existing roads, industrial development and housing and so the

development of the site would not fundamentally undermine the purposes of the Green Belt across the plan area.

Criterion c) Whether the development would be in a sustainable location

In terms of the sustainability of the location for development, despite being within the Green Belt the site is not isolated or inaccessible. Jagger Lane leads on to Dalton Bank Road which has footpaths leading to the facilities of Dalton. Dalton provides a range of local services and facilities including local convenience shops, education provision, community uses and recreational spaces. There are also facilities and employment opportunities available in Huddersfield town centre, accessible by public transport with regular buses serving the bus stops to Huddersfield from Dalton. There are also numerous employment opportunities close by.

As such, the site is a wholly sustainable location for two dwellings.

Criterion d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157

The size of the site is below the threshold at which the 'Golden Rules' apply.

For the reasons set out above, the proposal comprises the acceptable use of 'grey belt' land and is not inappropriate development in the Green Belt as defined by paragraph 155 of the NPPF.

Following the significant changes to Green Belt policy as a result of the December 2024 revisions to the NPPF, the development is now acceptable in principle in the Green Belt.

Landscape Considerations

As the development is not inappropriate in the Green Belt as defined by paragraph 155 of the NPPF, no consideration of the impacts on Green Belt openness is applicable. However, it is fully acknowledged that the impact on landscape character remains a material

consideration and is relevant in terms of the 'location of the site' criterion that is considered when making a 'Permission in Principle' decision.

The proposed dwellings would sit comfortably alongside the existing commercial development on Jagger Lane and the new dwelling which has planning permission under application reference 2025/62/90025/W. The development would be seen in the context of the development to the east and west of Jagger Lane. The land levels of the site rise beyond the positioning of the proposed dwellings helping to screen views from the wider landscape.

The site is screened by some mature boundary trees on the western and eastern sides. Additional boundary landscaping can be provided via a landscaping scheme at the 'technical details' stage if necessary.

The development would respect and reflect the development pattern that has been established through the granting of planning permission for the detached dwelling consented to the east and the commercial development to the west. Consequently, there would be no harmful impact on the wider landscape character and so the proposal is fully compliant with the NPPF in this respect.

Other Considerations

Subject to appropriate design details at the technical matters stage, the proposed dwellings would have no adverse impact on the approved dwelling on the neighbouring land parcel.

Given the nature of the commercial operations to the west it is not considered that the proposal would give rise to conditions which would adversely the amenity of the proposed dwellings. This, and the design of the dwellings and its access will be dealt with at the technical details stage. The site measures less than 1,000 square metres and therefore falls within the exemption set out at 2b of Policy LP38 (Minerals Safeguarding). As such, there is no conflict with this policy.

It is noted that the site is recognised as Strategic Green Infrastructure Network. Paragraph 13.26 of the Local Plan states that Development proposals within the Strategic Green Infrastructure Network will not necessarily be prevented provided they do not conflict with other Local Plan Policies. This statement sets out how the proposal complies with the local Plan. A proposed Core Walking and Cycling Route is identified in this location, however an alternative route exists nearby using the established Public Right of Way network. The alignment shown on the Policies Map also crosses private land where no public access currently exists. In these circumstances, the proposed development would not prevent pedestrian or cycle movement within the wider area. The network of public rights of way can be seen in the following image:

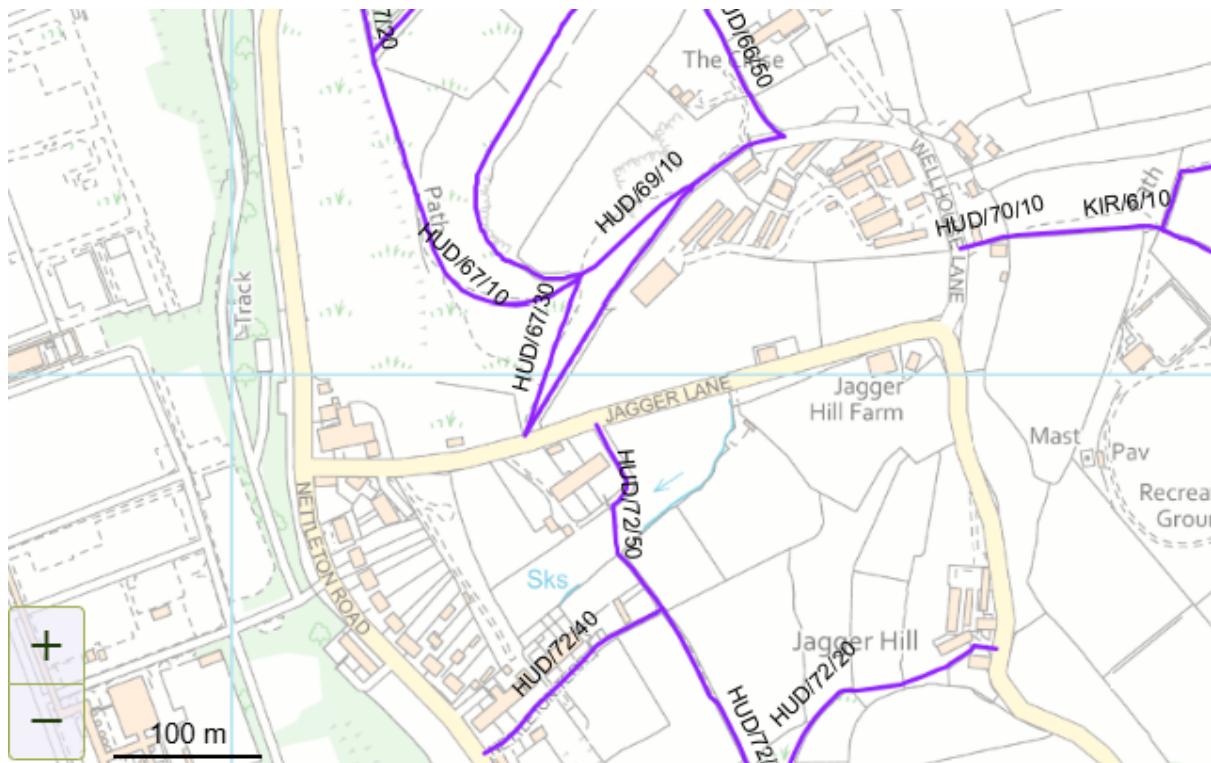


Figure 3: Public rights of way

Any application for technical details consent would also likely be supported by a Coal Mining Risk Assessment, Noise Impact Assessment, Land Contamination Assessment, Tree Survey and Hard and Soft landscaping scheme.

7.0 CONCLUSION

With regard to the three considerations in a Permission in Principle decision, the conclusions are as follows:

Location

For the reasons set out above, the proposal comprises the acceptable use of 'grey belt' land and is not inappropriate development in the Green Belt as defined by paragraph 155 of the NPPF.

Type of Development

The proposal would deliver much needed, good quality new homes, in a manner that is fully compliant with Green Belt policy. The proposal would have no adverse impact in respect of landscape.

Amount of Development

Two dwellings would fit comfortably in the site in line with the existing development there is enough space remaining within the site to enable the retention of existing trees and for additional sensitive landscaping, consistent with the character of the area.

The proposals are fully compliant with adopted policies within the Kirklees Local Plan and the guidance within the NPPF. The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.