

# Planning and Design Statement

Land adj to – Ash House, Dunford Road, Holmfirth, West Yorkshire HD9 2SJ

Applicant – Mr Baylis

Prepared by Scandia-Hus Ltd

January 2026



## 1.0 INTRODUCTION

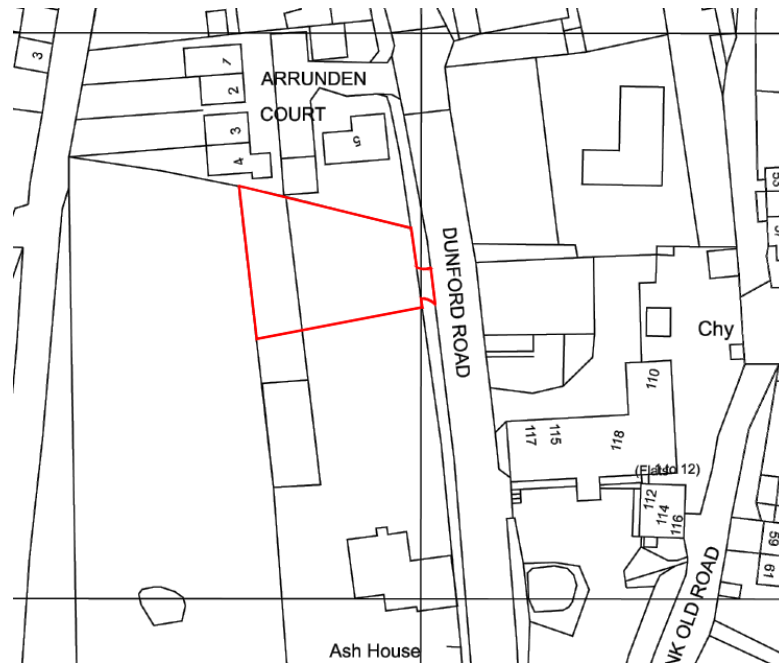
1.1 Planning permission is sought of the erection of a detached dwelling in garden land adj to Ash House, Dunford Road, Holmfirth, West Yorkshire HD9 2SJ. The proposed dwelling will be accessed from Dunford road via an enhanced existing access.

1.2 This supporting Planning, Design and Access Statement sets out the detail of the proposal which is described and appraised having regard to the following aspects:

- **Planning History** – relevant planning history of the site.
- **Proposal** – Details of the house design specification
- **Use** – the purpose of the proposed development.
- **Amount** – the extent of development on the site.
- **Scale** – details of the physical size of the proposed development.
- **Layout** – the relationship of the proposed development to the site and its setting.
- **Appearance** – details of materials, style and impact upon the existing and neighbouring properties.
- **Applicants Personnel Statement.**
- **Conclusion.**

## 2.0 PHYSICAL CONTEXT

- 2.1 The site is situated to the southern side of Holmfirth along the B6106 and a fairly recent development called Arrunden Court to the north. The site is located on the west side of Dunford Road with the boundary of the local conservation area located on the east side of Dunford Road. The garden plot is quadrilateral in shape and slopes east to west.
- 2.2 The site comprises a used garden bordering the immediate neighbours to the north, east and south. The existing access from Dunford road will be enhanced to serve the new property.
- 2.3 The site is well screened to the boundaries by a combination of fencing, trees and mature vegetation.
- 2.4 The site is located within the Green Belt but within the settlement area of Holmfirth. There is a pavement directly outside the plot which runs parallel with the Dunford road all the way into the centre of Holmfirth. There is also a regular bus service with stopping points to the centre of Holmfirth.



*Location plan*

## **3.0 PLANNING HISTORY AND PROPOSAL**

### **Planning History**

- 3.1 This land was included in the initial SHLAA assessment (item 84 in the Holme Valley South Ward) as part of a larger parcel of land for consideration that included agricultural land located to the west of the site. That initial assessment was quite favourable achieving 2 green lights and an amber light.

A pre-application submission was presented to the Local Authority and a written response was received on the 27<sup>th</sup> November 2018 re 2012/20422.

### **Proposal, Design and Specification**

- 3.2 The proposal is for the construction of a detached, two storey dwelling and attached garage on land adj. to Ash House off Dunford Road, Holmfirth and is within a large residential curtilage. The proposed dwelling will be accessed from Dunford Road via a new dropped kerb to county council highways requirements.
- 3.3 The proposed dwelling will be of contemporary design with rendered and timber clad elevations and pitched roof above. The accommodation will be spread equally across the ground floor and first floor and will have an attached double size garage with loft space above. The dwelling will have a private rear garden area and a new driveway and turning area space for the parking of at least two cars.
- 3.4 Sustainable Timber Frame

Scandia-Hus has been using a well-proven Swedish timber framing system for over 50 years. Our specification is regularly reviewed in light of technical and regulatory advances thereby providing a modern method of construction with a high sustainability rating.

For the construction of all of our frames, we use the best slow growth Scandinavian, PEFC sourced, sustainable timber, harvested under a forestry management policy of long-term renewal where each tree felled is replaced by two healthy saplings.

Scandia-Hus prides itself on being at the forefront of energy efficient design. By incorporating high levels of insulation and adopting air-tight principles, Scandia-Hus achieves exceptional insulation values. High levels of insulation and air-tightness are

number one on the sustainability priority list and as the financial and environmental costs of energy continues to rise, we are confident that our methods are compatible with a cleaner and greener future.

We are passionate about building eco-friendly homes for the future. We believe that energy efficient design is essential in any new property.

'Low Carbon' output begins with the design. Tinkering with a flawed design at a later stage will have a limited effect so it is important to get it right at the beginning. A new home needs to be designed to capture available solar energy, minimise heat loss by incorporating high levels of thermal insulation and to achieve high levels of Air Tightness. Careful thought should be given to the following when designing an eco-friendly home:

When taking into account all of the high specification directly related to the Scandia Hus building set and when adding the other renewable energy's that are available, zero carbon is an achievable outcome.

### 3.5 Insulation and Air Tightness

By incorporating high levels of insulation and adopting air-tight principles Scandia-Hus homes achieve exceptional insulation values. High levels of insulation and air tightness are number one on the sustainability priority list and, as the financial and environmental costs of energy continues to rise, we are confident that our methods are compatible with a cleaner and greener future.

It is vitally important to make new homes as air-tight as possible. Uncontrolled air migration (in or out) is a significant route for heat loss even in a well insulated property. It is important to provide ventilation at all times of the year. In the colder months this can be achieved using a mechanical ventilation system which incorporates heat recovery. In warmer times, however, there is no substitute for opening windows.

### 3.6 Solar Heat Capture

Scandia-Hus Timber Frames homes are inherently 'low thermal capacity' structures that benefit from sun rays beaming in. They heat the air in the rooms and not the structure which in doing so provide 'Incidental Heat Gain'. To get the best results from solar capture, always remember to maximise south facing windows and minimise north facing windows.

Passive solar collection can be a significant contributor to seasonal space heating and so it is important to avoid any overshadowing details. However, it is important to

consider summer over heating as well. To help alleviate this problem, the correct combination of heat reflecting glass, awnings, blinds and possibly Air Conditioning will be considered to mitigate the best solution.

#### **4.0 PLANNING POLICY**

##### **National Planning Policy Framework (NPPF) (December 2023)**

- 4.1 The NPPF sets out the Government's planning policies for England and Wales and how these should be applied. It provides a framework for the preparation of local plans for housing and other development. The NPPF should be read as a whole.
- 4.2 Paragraph 2 of the NPPF sets out that **'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements'**.
- 4.3 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has the following three overarching objectives which are independent but need to be pursued in mutually supportive ways:
- a) 'an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of Infrastructure.***
  - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and***
  - c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising***

***waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy***'.

- 4.4 Paragraph 10 states '**So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)**'. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 4.5 Where there are no relevant development plan policies or the relevant policies are out of date, the NPPF states that planning permission should be granted unless the policies of the Framework indicate otherwise or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework considered as a whole (paragraph 11 d).
- 4.6 Paragraph 12 of the Framework states that '**The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed**'.
- 4.7 In terms of decision-making, the Framework states at paragraph 38 that '**Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible**'.
- 4.8 Paragraph 60 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, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without *business, to live permanently at or near their place of work in the countryside***.

- 4.9 Paragraph 70 sets out that '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.
- 4.10 Paragraph 83 states 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 4.11 Paragraph 84 states that 'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
  - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.
  - c) the development would re-use redundant or disused buildings and enhance its immediate setting
  - d) the development would involve the subdivision of an existing residential dwelling; or
  - e) the design is of exceptional quality, in that it:
    - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help raise standards of design more generally in rural areas; and
    - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.
- 4.12 Paragraph 108 requires transport issues to be considered at the early stages of plan-making and development proposals. This is to ensure that (inter alia) the potential impacts of development on transport networks can be addressed.
- 4.13 Paragraph 109 acknowledges that 'opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'.

- 4.14 Paragraph 111 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development, its type, mix and use, the availability of land and opportunities for public transport, local car ownership levels and the need to ensure that adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising the density of development in city and town centres and other locations that are well served by public transport.
- 4.15 In assessing development proposals, paragraph 114 states that it should be ensured that there are appropriate opportunities to promote sustainable transport modes, that there is safe and suitable access to the site (for all road users) and that any significant impacts on the transport network or on highway safety terms can be cost effectively mitigated to an acceptable degree.
- 4.16 Paragraph 115 makes it clear that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.
- 4.17 Paragraph 123 of the Framework states that ‘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’. Paragraph 124 (a) encourages multiple benefits from both urban and rural land, including through mixed use schemes.
- 4.18 Paragraph 124 confirms that planning policies and decisions should (inter alia) ‘promote and support development of under-utilised land and buildings, especially if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lockups and railway infrastructure)’.
- 4.19 To ensure effective use of land, paragraph 127 states that ‘Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help meet identified development needs’.

- 4.20 Thus, paragraph 128 states that 'Planning policies and decisions should support development that makes efficient use of land taking into account a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; (b) local market conditions and viability; (c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and (e) the importance of securing well-designed and beautiful, attractive and healthy places.
- 4.21 In terms of design, Section 12 seeks to achieve well designed places sets out that the 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities' (paragraph 131).
- 4.22 Paragraph 135 further states that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development should also be sympathetic to local character and history and should be designed with a high standard of amenity for existing and future users.
- 4.23 Paragraph 139 states that 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes: and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings'.
- 4.24 Paragraph 142 states that the Government attaches great importance to Green Belts and that 'The fundamental aim of Green Belt policy is to prevent urban sprawl by

keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’.

4.25 Paragraph 143 sets out that the Green Belt serves the following five purposes:

***A - to check the unrestricted sprawl of large built-up areas;***

***B - to prevent neighbouring towns merging into one another;***

***C - to assist in safeguarding the countryside from encroachment;***

***D - to preserve the setting and special character of historic towns; and***

***E - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land’.***

4.26 Paragraph 152 states that **‘Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’.**

4.27 Paragraph 153 continues that

**‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the green belt. ‘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’.**

4.28 Paragraph 154 requires local planning authorities to regard the construction of new buildings as inappropriate development in the Green Belt. However, there are certain forms of development which are not inappropriate, and this paragraph sets out the exceptions as follow:

- a) ‘Buildings for agriculture and forestry.
- b) The provision of appropriate facilities (in connection with the existing use of land or change of use) 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 for rural exception sites); and
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority’.

4.29 Paragraph 155 sets out that certain other forms of development is also not inappropriate within the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) ‘mineral extraction.
- b) engineering operations.
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location.
- d) the re-use of buildings provided that the buildings are of a permanent and substantial construction.
- e) material changes in the use of the land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order’

4.30 Paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia) recognising the intrinsic character and beauty of the countryside; minimising impacts on and providing net gains for biodiversity; and preventing new and existing development from contributing to, being put at unacceptable risk from or being adversely affected by unacceptable levels of soil, air water or noise pollution or land instability

4.31 Development should plan for climate change, and paragraph 159 states that new development should be planned in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.

- 4.32 Paragraph 162 continues and sets out that, in determining applications, local planning authorities should expect new development to a) comply with development plan policies on local requirements for decentralised energy supply (unless it can be demonstrated that this is not feasible or viable) and b) take into account landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 4.33 Development should also not be directed towards areas at high risk of flooding. (paragraph 165), and local planning authorities should ensure that flood risk is not increased elsewhere (paragraph 173).

#### Community Infrastructure Levy (CIL)

- 4.34 Eligible developments that have received planning permission from the Council since December 2014 are required to pay the charges outlined in the CIL Charging Schedule. The proposed development is CIL liable, although exempt under the 'self build' categorisation.

#### Relevant Legislation

- 4.35 In considering the issue of the principle of the proposed development it is necessary to also consider the legal framework within which planning decisions are made. Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise (as also confirmed at paragraph 2 of the NPPF).
- 4.36 Specifically, Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with planning applications, the Authority shall have regard to the provisions of the development plan (so far as material to the application), a post examination draft neighbourhood development plan, any local finance considerations (so far as material to the application) and any other material consideration.
- 4.37 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

**"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be**

**made in accordance with the plan unless material considerations indicate otherwise."**

4.38 When considering whether or not a proposed development accords with a development plan, it is not necessary to say that it must accord with every policy within the development plan. The question is whether it accords overall with the development plan (Stratford on Avon v SSCLG [2014] JPL 104). Even if a proposal cannot be described as being in accordance with the development plan, the statutory test requires that a balance be struck against other material considerations. The Courts have emphasised that a planning authority is not obliged to strictly adhere to the development plan and should apply inherent flexibility: Cala Homes (South) Limited v SSCLG [2011] JPL 1458 and Tesco Stores Ltd v Dundee City Council [2012] 2 P.&C.R. 9.

4.39 More recently in Corbett v Cornwall Council [2020] the appeal court judge emphasised the importance of considering the plan as a whole when he said.

**"Under section 38(6) the members' task was not to decide whether, on an individual assessment of the proposal's compliance with the relevant policies, it could be said to accord with each and every one of them. They had to establish whether the proposal was in accordance with the development plan as a whole. Once the relevant policies were correctly understood, which in my view they were, this was classically a matter of planning judgment for the council as planning decision-maker."**

4.40 Part 6 of the Localism Act (enacted in January 2012) requires Local Planning Authorities to have regard to local finance considerations (so far as material to the application) as well as the provisions of the Development Plan and any other material considerations. The New Homes Bonus started in April 2011 and will match fund the additional Council tax raised for new homes and empty properties brought back into use, with an additional amount for affordable homes. The New Homes Bonus is as such an important consideration.

## 5.00 PLANNING POLICY APPRAISAL: USE, AMOUNT & SCALE OF DEVELOPMENT

### Green Belt

5.10 The NPPF sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness. In this respect, paragraph 143 of the NPPF states that the Green Belt serves five purposes:

- a) **‘to check the unrestricted sprawl of large built-up areas.**
- b) **to prevent neighbouring towns merging into one another.**
- c) **to assist in safeguarding the countryside from encroachment.**
- d) **to preserve the setting and special character of historic towns; and**
- e) **to assist in urban regeneration, by encouraging the recycling of derelict and other land’.**

5.20 New development within the Green Belt is restricted and inappropriate development is by definition considered to be harmful to the openness of the Green Belt and should not be approved except in very special circumstances (NPPF paragraph 152). However, paragraphs 154 and 155 of the Framework set out exceptions including ‘limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority’ (paragraph 154(g)).

5.30 Annexe 2 of the NPPF provides the following definition of previously developed land:

**Land which is or was occupied by a permanent structure, including the curtilage of developed land (although it should not be assumed that the whole of the**

**curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land currently or last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where there remains of the permanent structure or fixed surface structure have blended into the landscape’.**

- 5.40 The case of *Dartford Borough Council v The Secretary of State for Communities and Local Government & Ors* [2017] EWCA Civ 141 (14 March 2017) confirms that residential garden land, outside of a built-up area falls within the NPPF’s definition of previously developed land. As the application site falls within this description, the proposal is in part supported by NPPF paragraph 154(g) in addition to paragraph 123 which requires planning policies and decisions to make effective use of land in meeting the need for new homes (and other uses) whilst safeguarding and improving the environment.
- 5.50 The site forms the residential garden and as such, this meets the definition of previously developed land set out in the NPPF.
- 5.60 However, it is recognised that the proposed dwelling will have a greater impact upon openness in that it would add the built form of the dwelling within an open area of garden. As such, the proposal would amount to inappropriate development in the Green Belt, which is harmful by definition.
- 5.70 However, the harm to openness would be limited to a very small addition of built form within the residential curtilage of a dwelling. Such land benefits from permitted development rights for incidental structures and is often an area which features domestic clutter, and both would be applicable to this site. As such, the harm to openness would be very limited.
- 5.80 Nevertheless, it is demonstrated within this Statement that this impact would not result in any substantial harm and that there are material considerations amounting to very special circumstances weighing heavily in favour of the of the proposal.

## Location

- 5.90 The NPPF at paragraph 84 states that 'Planning policies and decisions should avoid the development of isolated homes in the countryside' except under certain circumstances. Although the application site is located within Green Belt countryside, the site is not located within 'isolated' countryside having regard to its proximity to the settlement area and the presence of dwellings in the immediate vicinity.
- 5.10 In this regard, the Court of Appeal judgement of Braintree District Council v Secretary of State for Communities and Local Government (2018) is relevant to consider which concluded that the term 'isolated' should be given its ordinary objective meaning, such as being "far away from other places, buildings or people; remote" (Oxford Concise English Dictionary) providing a spatial consideration. This enables a balance to be provided between protecting the countryside and supporting the vitality of rural communities, accepting also that flexibility has to be provided account for the differences between rural and urban areas requiring people to travel by car.
- 5.11 The site is located within the settlement area.
- Holmfirth is a large village defined as a 'Category 27 2' settlement a 'Larger Rural Settlement' in Core Strategy Policy CSP1. Holmfirth also has bus services with links to Brockholes where there is a Railway station.
- 5.12 Thus, this development is clearly in a sustainable settlement which will provide future occupants of the proposed dwelling with access to a wide range of day-to-day services and facilities, including education and public transport, all within a short walk. The convenience of being able to walk to local shops and public transport in particular is likely to reduce the amount of vehicle movements associated with the proposed development. The proposal would amount to sustainable development as this windfall development opportunity would contribute to the housing needs of this rural area while making efficient use of land, thereby complying with the provisions of paragraphs 83 and 123 of the NPPF.
- 5.13 The suitability of the area for increased development is evident throughout the Holmfirth area.
- 5.14 The settlement's sustainability is an appropriate location for new housing.

- 5.15 The application for this location is based on the size of the existing settlement and the availability of services and infrastructure.
- 5.16 Furthermore, the proposed development will also not result in any urban sprawl - the site is situated close to Holmfirth and the proposed development is small in scale (a single dwelling) as appropriate to the rural area and the pattern and layout of nearby development. As such, the proposal does not undermine the fundamental aim of Green Belt policy set out at paragraph 142 of the NPPF or the five purposes of the Green Belt set out at paragraph 143. Housing Land Supply
- 5.17 NPPF paragraph 60 states that **'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'**.
- 5.18 Paragraph 69 of the Framework requires planning policies to identify a supply of specific, deliverable sites to meet 5 years' worth of housing provision.
- 5.19 The NPPF at paragraph 70 recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and such sites can often be built out relatively quickly. The NPPF also seeks to ensure the appropriate provision of rural housing (paragraphs 82 and 83)
- 5.20 This Statement demonstrates that whilst the site is located within the Green Belt, the application site is classed as previously developed land, and the proposed dwelling is of a high-quality design that would result in no harm to the visual amenities of the Green Belt countryside landscape. It will also be sustainably located, within a short walk of the centre of the village and the proposal will support the provision of new rural housing which is important to help sustain local rural communities.
- 5.21 Importantly, the proposal does not conflict with the fundamental aim of Green Belt policy to prevent urban sprawl. The dwelling will be well contained within existing defined boundaries therefore not resulting in any spread of new built form into undeveloped countryside. As such, there are considered to be no adverse impacts of the proposed development that would significantly or demonstrably outweigh the benefits of the proposal and its contribution towards housing supply within the district.

The tilted balance at NPPF paragraph 11d) therefore weighs heavily in favour of the proposal.

5.22 The provision of windfall housing as proposed plays a fundamental role in the provision of new homes within the district and even though the contribution to the overall need is small, it should not be discounted.

5.23 Paragraph 10 states 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11). For decision-taking this means approving development proposals that accord with an up-to-date Development Plan without delay.

5.24 In summary of the matters discussed, the proposal complies with the principles of sustainable development. This includes the three key objectives – economic, social and environmental addressed as follows:

5.25 a.) an economic objective – the proposal will make a modest contribution to the local building industry and associated trades in constructing a new dwelling. The development is also CIL liable and will attract the New Homes Bonus. The proposal therefore complies with the economic aspect of sustainable development.

5.26 b) a social objective – the proposal provides for the construction of a new dwelling that will positively contribute towards the Council's housing land supply. The site is also sustainably located, within walking distances of a number of local services and facilities including education and public transport within Lingfield. In particular, paragraph 83 of the NPPF states **'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'**.

5.27 Occupiers of the new dwelling will help to enhance/maintain the viability of the area by using local services and facilities. The proposal complies with the social objective of sustainable development.

5.28 c) an environmental objective – the proposal makes efficient use of previously developed land that is capable of accommodating the proposed dwelling without

resulting in any harm to the character and appearance of the area. There will be no undue intrusion into the Green Belt countryside as the development will be viewed in context of other nearby built form, reflecting the scale and pattern of residential development within the vicinity. The proposal complies with the environmental objective of sustainable development.

#### Layout, Design & Appearance

- 5.29 The NPPF sets out that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. Developments should be visually attractive and sympathetic to the local character of the surrounding area and should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (paragraphs 131 and 135).
- 5.30 The proposed dwelling is of a traditional design and will sit appropriately within the site with sufficient space retained to the boundaries. New landscaping can be incorporated into the site, and this combined with the siting, scale, height and mass of the proposed dwelling will ensure that the development will integrate appropriately into its surroundings.
- 5.31 The dwelling would be set between existing dwellings, this pattern of development would mirror that of the neighbouring properties, which stretch along Dunford Road. As such, the proposal will not result in a harmful or discordant break to the existing pattern of development in this location.
- 5.32 In terms of neighbouring residential amenity, the nearest dwelling to the application site is Arrunden Court to the north. The proposed position of the dwelling is to the south of Arrunden Court and opposite across Dunford road to the west . This position combined with the low mass and bulk form, the boundary screening, would ensure that there will be no adverse impact in terms of harmful overlooking, overbearing appearance or overshadowing to the neighbouring property.
- 5.33 Similarly, due to the form of the development, the degree of separation and orientation of the proposed dwelling, there would also be no harmful impact upon the residential amenities of the neighbouring properties opposite to the eastwest.

- 5.34 The garden area for the new dwelling would be more than sufficient in size for a dwelling of this scale, and future occupiers will enjoy adequate amenity space and a high degree of privacy.
- 5.35 In summary, the proposed contemporary dwelling is an exciting design using modern and local materials that is appropriate to the character and appearance of the area having regard to the design, siting and scale of the adjoining dwellings and to the countryside landscape. Furthermore, no harm will result to neighbouring residential amenities and a high-quality living environment will be provided to future occupiers of the new dwelling.
- 5.36 Section 14 of the NPPF sets out that development should be planned to avoid increased vulnerability to the range of impact from climate change and to help to reduce greenhouse gas emissions.
- 5.37 The Code for Sustainable Homes standard was deleted and is no longer a material consideration. In 2019, the Government introduced the Future Homes and Buildings Standard, and the phased implementation of this standard came into effect on 15 June 2022. The Standard aims to reduce carbon dioxide emissions from buildings by 75-80% from previous building regulations by the final phase in 2025.
- 5.38 The proposed dwelling will be required to comply with the updated building regulations. Thus, the separate regulatory regime will ensure that the dwelling is energy efficient in its construction beyond the levels which would have been achieved through the existing core strategy policies when they were adopted. In a written ministerial statement in January 2024, the Government stated that it does “not expect plan makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations” and proposals for such policies should be rejected at examination.
- 5.39 It is possible to install renewable energy technology and supporting details accompany this application. However, while this could be required by condition, it is considered that the policies are out of date and superseded by building control regulations.

#### Access And Car Parking Provision

- 5.40 The NPPF sets out at paragraph 115 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.41 The proposed dwelling will be accessed via a new crossover leading from Dunford Road. Given the scale of the proposed development, this would not lead to significant traffic generation to give rise to severe potential harm to highway safety and capacity via this access. Therefore, the proposal would not lead to unacceptable or severe harm in relation to highway safety or capacity.
- 5.42 In terms of car parking provision, space is provided for the parking for at least two vehicles, plus a 2-bay garage, and there is also adequate onsite turning along with space for bin storage, and another area for waste bin collection.
- 5.43 The NPPF sets out that development should protect and enhance sites of biodiversity or geological value and minimise the impact on and provide net gains for biodiversity.
- 5.44 The site is currently part of a large residential garden, mostly laid to lawn with planting to the edges and established trees. Whilst the introduction of a dwelling would result in the removal of a small lawned area, this is of relatively low ecological value. The accompanying ecological report sets out the impact of the development upon local biodiversity and measures to mitigate. These measures may be secured by condition to ensure compliance with Local Policy and the NPPF.

#### Flood risk and drainage

- 5.45 The site is not in a flood risk zone, so has a low probability of flooding. With adequate drainage measures, the proposal would not result in increased flood risk within the site or the wider surrounding area.

#### Very Special Circumstances

- 5.46 In considering a case for very special circumstances, it should be noted that case law has confirmed (see *R Wildie v Wakefield Metropolitan District Council* 2013) that in considering whether to allow development in the Green Belt the decision maker must first consider the 'definitional' harm arising from inappropriate development as well as any such other harm to the Green Belt as identified as being caused by the development. It is then necessary to consider countervailing benefits of the development and whether such benefits clearly outweigh the harm so as to amount to

very special circumstances. Importantly in the R Wildie v Wakefield Metropolitan case, the judgement states that **‘in order to qualify as “very special” circumstances do not have to be other than “commonplace” i.e. they do not have to be rarely occurring’**.

- 5.47 In this respect, the Supreme Court judgment in respect of R (Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council [2020] UKSC 3 is relevant as it concerns the correct approach for a decision-maker considering ‘openness’ in the NPPF (in this case in respect of mineral extraction development). The key issue of the case relates to the meaning of ‘openness’ in the Green Belt in particular between openness and visual impact. The judgment sets out that the concept of openness is a broad policy concept and that the visual quality of the landscape is not in itself an essential part of openness for which the Green Belt is protected. However, it also confirms that visual impact is not irrelevant and that in some cases planning judgement is involved in applying the broad policy concept. Openness should therefore be considered as a counterpart to urban sprawl, referring back to the underlying aim of Green Belt 35 policy which is **‘to prevent urban sprawl by keeping land permanently open’ (NPPF paragraph 137)**.
- 5.48 The High Court judgment of Euro Garages Ltd v Secretary of State for Communities and Local Government (July 2018) is also relevant as it found that buildings in the Green Belt that do not have a significant visual impact or harm the area’s character and appearance can be acceptable in planning terms. In particular, Green Belt policy requires the decision maker to make an assessment of whether the openness of the Green Belt is impacted or harmed by the proposal to a greater extent than openness has already been impacted. Where openness of the Green Belt is an issue, visual impact, as well as spatial impact requires consideration. Therefore, the assessment of whether the openness of the Green Belt is preserved should also involve consideration of the visual or perceived impact.
- 5.49 The proposed dwelling is of a high-quality design that will have limited visual impact upon the wider Green Belt countryside landscape given the setting with the built form of neighbouring dwellings and existing boundary enclosures. The dwelling will be contained within an already enclosed area of land, and not easily visible from Dunford Road. There is sufficient space retained to the boundaries to ensure that they would not appear cramped or an over development of the site.

- 5.50 The application site is not located within a prominent or remote location within the Green Belt and due to the existence of the surrounding development, the high-quality design of the proposed dwelling, the boundary and wider screening and the fact that there would be no encroachment into undeveloped Green Belt countryside (outside of the well-defined boundaries of the application site), the proposal will not adversely affect the visual amenities of the Green Belt.
- 5.51 Although the site does not strictly speaking fall into the category of previously developed land as set out in paragraph 154(g) of the NPPF, it is garden space and amongst other properties.
- 5.52 Paragraph 154(g) therefore sets out a presumption in favour of the proposal although it is accepted that the proposed dwellings will have a greater impact upon the openness of the Green Belt as there is no existing 'development' to be removed and replaced as part of the proposal. However, this impact is not considered to be harmful, and the following very special circumstances support the proposal:
- The proposal represents a development in close proximity to a settlement. The new dwelling would be visually and spatially closely related to existing development. As such, the proposal would provide for housing whilst respecting the fundamental aim of the Green Belt in preventing urban sprawl as detailed in paragraph 142 of the NPPF.
  - There are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.
  - The proposal makes a small but important contribution to the supply of new homes within the district in an appropriate, sustainable location within a walkable distance to local services and facilities within an established settlement. The proposal would promote development with sustainable transport options thus reducing the reliance upon the private car.
  - The NPPF recognises the benefits of small to medium sites in the provision of new homes as such sites can be built out relatively quickly. The application site is available to develop in the short term, to which significant weight should be applied.

- The importance of the provision of new rural housing to sustain local rural communities is detailed in the NPPF. Holmfirth is a settlement that can accommodate additional housing growth.

- The proposed dwelling would be situated close to other residential development and would not appear out of place with the surroundings. The proposed dwelling is of a high-quality design with appropriate siting, height, scale and mass. The site benefits from boundary screening, and the dwelling will not appear as unduly prominent within the surrounding Green Belt countryside.

5.53 In light of the above, the delivery of housing via a windfall site in what is infill land in a sustainable location which would also not result in urban sprawl constitutes very special circumstances in this case. The harm by definition in this case would not provide a “clear reason” for restricting development, and the presumption in favour of development should be engaged.

## **6.00 Applicants Own Personnel Statement**

### **6.01 Personal Statement in Support of Planning Application**

#### **Introduction**

I am Peter Baylis, and I have lived in Holmfirth for over 21 years, raising two children who attended local schools and colleges. This application represents my aspiration to create a sustainable, inclusive home that meets family needs and aligns with Kirklees’ planning objectives. Nikki Fenwick, who will also live here, has worked as an NHS specialist nurse for 30 years, providing essential care to patients across Kirkless and South Yorkshire areas. Her role reflects the importance of supporting key workers in securing housing within the communities they serve.

I currently live in rented accommodation within Homfirth, which if the application were to be successful, would create another home within the village.

#### **Community Contribution**

Over the past two decades, I have actively supported local initiatives, including surveying properties for the Holmfirth Conservation Group to inform heritage decisions, volunteering for the Holmfirth Film Festival charity to help run events and film nights,

and contributing to river health monitoring with the Calder River Trust—sampling invertebrates, collating results, and reporting adverse events to improve biodiversity. I also volunteered at Nabb School for six years to run a before-school tennis club and spent two years helping children with reading. In addition, I have competed in 15 Holme Valley Challenge MTB events, raising funds for local scouts, and I donate blood regularly. These activities reflect my long-standing commitment to the wellbeing of Holmfirth and its environment.

### **Design and Sustainability**

The proposed dwelling is designed to exceed current energy efficiency standards, incorporating triple glazing, high insulation, MVHR, solar PV, battery storage, and a ground source heat pump. An EV charging point will be installed on the property for electric car charging, and I am currently on my third vehicle. I fully support the move towards low carbon transport. These features support Kirklees' Climate Emergency Action Plan and Local Plan Policy LP24 by reducing carbon emissions and promoting sustainable living. Landscaping and biodiversity enhancements will further align with Policy LP30, ensuring the development respects and improves the local ecological network.

### **Adaptability and Family Care**

Our design anticipates future care needs. With my mother's health declining, the home includes accessible spaces to allow her to live with us rather than in a care facility. This approach reflects Kirklees' commitment to inclusive housing and lifetime homes.

My two daughters currently live away at University; this home would allow them the space to move back after University whilst they save for deposits for their own homes in the future.

### **Affordable Housing and Key Worker Support**

Nikki's decades of service as an NHS nurse highlight the importance of enabling key workers to remain in the communities they support. Approving this application aligns with national and local priorities for housing that meets the needs of families and key workers without impacting affordable housing provision.

## **Summary**

This proposal delivers a high-quality, sustainable home that meets family and community needs, supports Kirklees' policy objectives, and reflects our long-standing commitment to Holmfirth.

It is our hope that planning permission is granted, so that we can both continue to build futures within the village, with family and friends surrounding us. We respectfully request that the planning permission application be granted.

### **7.00 CONCLUSIONS**

- 7.01 This Planning Statement supports the construction of a detached dwelling Adj. to Ash House, Dunford Road, Holmfirth, West Yorkshire HD9 2SJ. The application site is located within the Green Belt, but it is not situated in isolated Green Belt countryside being just ½ a mile to the centre of Holmfirth and indeed the Bus station.
- 7.02 The NPPF seeks to prevent inappropriate development within the Green Belt that is harmful to its openness and purpose. The construction of new dwellings within the Green Belt is inappropriate development but there are exceptions including limited infilling or the partial or complete redevelopment of previously developed land. Residential garden land outside of a defined built-up area boundary such as the application site falls within the NPPF's definition of previously developed land.
- 7.03 However, it is acknowledged that the construction of a new dwelling as proposed will have a greater impact upon the openness of the Green Belt than the existing private garden area, but for the reasons described, this impact is not considered to result in any substantial harm.
- 7.04 In this case, there are a number of material planning considerations which together amount to 'very special circumstances.' These matters relate to the increasing pressure for the supply of housing and how this is being reinforced by Government and the new NPPF due this coming summer. Given the Green Belt constraints with this District, the importance of delivery through windfall sites related to previously developed land cannot be underestimated. Thus, the contribution of even a single dwelling through this form of development should amount to very special circumstances to justify permission.

- 7.05 Although harm to a protected area can disengage the tilted balance, it is noted that the harm to Green Belt is by definition only. There would be very little harm with regard to the wider openness of the Green Belt and its visual amenities. The proposed development would be in keeping with the context and character of the area having regard to the proximity of other built form and existing pattern of residential development within the locality. In addition to the contribution to housing generally, the dwelling would contribute to the stock of small dwellings within the district, for which there is considerable need. This would be provided within an appropriate and sustainable location.
- 7.06 It is further demonstrated that there will be no harm caused to neighbouring residential amenities, and the proposed vehicle access arrangement and car parking provision is appropriate to serve the new dwelling.
- 7.07 Overall, in accordance with the provisions of NPPF paragraph 11d), there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of the provision of a new, sustainably located small dwelling when assessed against the policies of the NPPF taken as a whole. With the lack of any substantial harm caused to the visual amenities of the Green Belt countryside, to its openness and fundamental aim, the limited harm by definition would not provide a “clear reason” for refusing development.
- 7.08 For new development, even in Green Belt, options for addressing development shortfall are very limited. This being so, opportunities to address this through the development of a windfall site on previously developed land with no identifiable harm apart by definition to the Green Belt, should amount to very special circumstances to justify permission even where the proposal would provide a modest contribution to housing supply.

End of document.

