



Planning Statement

DEMOLITION OF EXISTING DWELLING HOUSE AND CONSTRUCTION OF A REPLACEMENT DWELLING HOUSE

**DAM HEAD FARM, DAM HEAD LANE, LEPTON, HUDDERSFIELD,
HD8 0NT**

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1.0 INTRODUCTION

This statement has been prepared to support a full planning application for the demolition of an existing residential property and the construction of a new two storey dwelling. The proposal comprises the redevelopment of previously developed land in the Green Belt that would not cause substantial harm to openness. As such, the proposal is a type of development that is not inappropriate within the Green Belt and accords with both the NPPF and Local Plan policy.

Furthermore, the new dwelling has been sensitively designed in order to respect and reflect the rural landscape and setting of the site. The proposal is for the creation of a high quality, beautiful, and sustainable property.

This statement should be read in conjunction with the supporting plans supplied by Cadvs3d and technical reports which demonstrate the credentials of the scheme in more detail. It is anticipated that the Local Planning Authority (LPA) will adopt a progressive approach to this sustainable scheme.

This statement now proceeds to give details of the site. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the NPPF. In particular, it will be demonstrated that the proposal is not inappropriate development in the Green Belt, that it will have no adverse impact on visual and residential amenity and that it would result in the creation of a high-quality, well-designed property. Furthermore, the proposal will have no impact on highways safety, biodiversity or neighbouring amenity. Finally, the conclusion is reached that planning permission should be granted for the proposed development.

2.0 THE SITE

The existing dwelling was the result of a substantial reconstruction of a former farm building in 1997 and is a detached two-storey, 3-bedroom dwelling faced in stone with a pitched, tiled gable roof.

The residential curtilage also consists of a stone stable block and garage plus a modular barn, used for agricultural purposes. There is a gravelled driveway leading to property from Dam Head Lane and significant areas of hard-standing around the buildings and amenity space.

The property is served from Dam Head Lane, which is in the vicinity of the village of Lepton and lies east of Huddersfield.

The site lies within the Green Belt.

3.0 THE PROPOSAL

Full planning permission is sought for the demolition of the existing house and the construction of a new two storey dwelling. The key elements of the proposal are as follows:

- The scheme comprises the redevelopment of an enclosed piece of previously developed land that would not cause substantial harm to Green Belt openness.
- The position and arrangement of the proposed house is consistent with the placement of the existing house and occupies broadly the same footprint.
- The proposal would create a high-quality dwelling suitable for family accommodation.
- A partly enclosed patio and landscaped areas are proposed to the rear of the building.
- The development would cause no impact to visual amenity or residential amenity.

4.0 PLANNING HISTORY

The site has the following planning history:

(1) 95/92872 – RE-USE OF EXISTING BARN AND EXTENSION TO FORM DWELLING

- Conditional full permission granted

(2) 2000/90699 – ERECTION OF EXTENSIONS AND ALTERATIONS TO EXISTING OUTBUILDING TO FORM GARAGE AND STABLES

- Conditional full permission granted

(3) 2002/93011 - ERECTION OF REPLACEMENT WORKSHOP, TRACTOR AND IMPLEMENT SHED

- Conditional full permission granted

(4) 2024/92073 - CONVERSION OF STABLES/GARAGE AND ALTERATIONS TO CREATE DWELLING FORMING ANNEX ACCOMMODATION ASSOCIATED WITH DAM HEAD FARM

- Conditional full permission granted

In addition, a pre-application enquiry was answered by the Council on 18th November 2025 (ref: 2025/21038). The enquiry related to the proposed extension and alteration of the existing dwelling, rather than its demolition and replacement.

The Council raised concerns due to an addition of the size and scale proposed being considered a disproportionate addition over and above the size of the original building.

As the application scheme has evolved to be for the redevelopment of the previously developed land, the question of disproportionate additions is no longer relevant. Instead, the key policy test is whether the proposed dwelling would result in substantial harm to Green Belt openness.

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 Kirklees Local Plan

Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) as updated in December 2024 and the suite of documents comprising National Planning Practice Guidance (NPPG).

Allocations

The site lies within the Green Belt as identified under the development plan.

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 11 – Making efficient use of land
- Section 12 - Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- 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 (2019)

LP1 – Presumption in favour of sustainable development

LP2 – Place shaping

LP21 – Highways and access

LP22 – Parking

LP24 – Design

LP30 – Biodiversity and geodiversity

LP51 – Protection and improvement of local air quality

LP52 – Protection and improvement of environmental quality

LP57 – The extension, alteration or replacement of existing buildings (in the Green Belt)

Other Material Considerations

- Housebuilders Design Guide SPD
- Highway Design Guide

Emerging Policy

Kirklees Council have set out their timetable for a Local Plan Review. Early engagement consultation took place between 25/11/2024 and 28/02/2025.

The Local Development Scheme (September 2025) states the target submission date to the secretary of state for the Local Plan Review is January 2028. Limited weight can therefore be afforded to the emerging policies or modification of policies forming part of the review.

6.0 ASSESSMENT

Principle of Development in the Green Belt

The revised NPPF is a crucial part of the Government's overarching agenda of delivering 1.5m new homes along with enhancing the sustainability of local communities during this parliament. The NPPF places great importance on sustainable development 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 can be delivered as quickly as possible.

It should be emphasised that the NPPF was revised in December 2024, which is after all relevant Local Planning Policy Documents referenced in the last section were adopted or last reviewed. This renders local policies that relate to development in the Green Belt out of date where they clearly conflict with the NPPF.

This specifically relates to Policy LP57 (parts c and d), which states:

Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that:

- c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and*
- d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.*

It should be noted that the definition of previously developed land is:

"land which has lawfully been developed and is or was occupied by a permanent structure, including the curtilage of the developed land".

The proposal constitutes the development of previously developed land, which is supported by paragraph 154g of the NPPF.

One of the most significant changes in the revised NPPF in respect of Green Belt policy is the clear and deliberate loosening of restrictions on the redevelopment of previously developed land. Under the last iteration of the NPPF, the redevelopment of previously developed land was not inappropriate providing that it would not have any greater impact on openness. This like-for-like requirement has now been abolished. Instead, Paragraph 154 part (g) now allows for the redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.

There can be no doubt that the change in this respect has been made in order to allow for more sustainable development on previously developed sites in the Green Belt and to ensure land use efficiencies. There is no longer any policy requirement for arbitrary volumetric calculations between the existing and proposed developments. A new development that is larger than the existing development is policy compliant up until the point where the substantial harm threshold is crossed.

A legal opinion obtained by JR Planning (enclosed) confirms the exemption provided in 154(g) from inappropriate development has been intentionally broadened to be more permissive of development on previously developed land in the Green Belt. It states that the threshold of harm contained in this exemption is the highest threshold of harm contained in the NPPF - "substantial harm". For substantial harm to openness to be caused it must be at such a level that it in some way undermines the essential functioning of the Green Belt which arises as a result of its openness.

Due to the change in the threshold of appropriateness for redevelopment of previously developed land in the revised NPPF, local plan policy LP57 is out of date, since it quotes from the previous version of the NPPF. It follows that the supporting text of LP57 where it states '*While the essential characteristic of the Green Belt is its openness it follows that no harm to openness should be caused if a building that is already there is altered or replaced, provided that the new or altered building does not have a greater impact on openness than the one it is replacing*' should also be called into question.

In this instance, the proposed building is around 50% larger than the existing dwelling but follows a similar layout and form. There would be a marginal impact on openness through the footprint of the new building being larger, but the impact of this would be moderate rather than substantial.

The images below taken from the north of the site shows that the site is a well-defined residential plot comprising a cluster of existing buildings:



As can be seen, the existing buildings form a tight-knit cluster, nestled into the surrounding agricultural landscape. There is very clear definition between the built area and the surrounding open land.

There is clear scope to accommodate a larger dwelling within this building cluster without tipping the substantial harm to openness threshold. The proposed dwelling would occupy a very similar position within the site. There is no expansion whatsoever of the existing curtilage, and no encroachment into the surrounding open land. Car parking and garden area would remain as they are now. The overall visual and spatial impact would remain similar to the existing situation, with the maintenance of the existing cluster of buildings. Because of this, although the new dwelling would be larger than the existing one, the visual impact of it will not be significantly different. As such, whilst there would also be some additional impact on visual openness, this would also be moderate, and not substantial.

Overall, taking into account both spatial and visual considerations, the impact of the development on Green Belt openness would be moderate. This is, therefore, an acceptable form of redevelopment as it would not cause substantial harm to openness.

A number of recent and relevant appeal decisions confirms that the assessment of the impact on openness as set out above is sound.

Appeal reference APP/J1535/W/24/3345568 considered the issue of whether substantial harm to Green Belt openness would be caused by the introduction of a dwelling house on a site that does not contain any existing buildings. The Inspector noted:

“The site is largely devoid of any buildings or structures, but includes an area of hardstanding comprising the foundations of the former building and is enclosed by timber fences. Consequently, any new buildings would have a significantly greater impact on the spatial openness of the Green Belt than the existing development. Nevertheless, the single- storey dwelling would have a modest footprint and would have a low ridge height. Whilst the dwelling be more visible than the existing development at the site, the presence of the neighbouring

properties and the established hedgerow to the rear of the site would limit the visual effect on the openness of the Green Belt.

The dwelling would be located within the context of the surrounding development, which is enclosed from the surrounding open fields by a hedgerow and mature trees. While the development would be visible from outside the site, the proposal would be largely visually contained and would not unacceptably impact the function and purpose of the Green Belt. Accordingly, although the proposal would harm the openness of the Green Belt, the adverse effects would be moderate. The proposal would therefore accord with Paragraph 154 g) of the Framework.”

Bearing in mind that this was for a site that did not contain any existing buildings, there is clearly scope for replacing the existing building at the current application site without resulting in substantial harm to openness.

Appeal APP/R1038/C/24/3342342 considered a detached two storey outbuilding that had been constructed on an area of hard surfacing. North East Derbyshire Council had served an enforcement notice requiring the removal of the building.

The Inspector allowed a ground a) appeal on the basis that the outbuilding fell under paragraph 154 g), noting:

The outbuilding has a large footprint and is two-storey in height. Thus, it has a significantly greater impact on openness than the area of hardstanding on which it has been constructed. However, its visibility is generally limited to views from the lane at the site entrance, with existing vegetation/mature hedgerows and buildings otherwise, restricting views from adjoining land. Moreover, when viewed from the lane the outbuilding appears as part of a group of buildings which form a courtyard, thus, its relationship to existing development limits its visual effect on the openness of the Green Belt.

This decision bears relevance to the application site in regard to its contained nature and the presence of hardstanding within the curtilage of the existing dwelling.

These decisions clearly reflect the significance of the changes to the NPPF in respect of proposals that are appropriate in the Green Belt provided they do not result in substantial harm to openness, and the high threshold that substantial harm entails.

The proposal is an appropriate form of development in the Green Belt as defined by paragraph 154 (g) of the NPPF, and therefore complies with local plan policies LP1 and LP57 in so far as those policies remain up to date. The principle of development is wholly acceptable and policy compliant.

Impact upon Visual Amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states:

“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.”

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

Policy LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

The design and form of the new dwelling will generally take cues from the one that it is proposed to replace. The elevations are simplistic in their appearance with a modern approach to fenestration, through the use of a curtain wall glazed atrium entrance, in the front elevation, stand seam dormers and a Juliet balcony to the rear elevation and bi-fold doors in the rear and side (south facing) elevations. The use of Velux windows in roof spaces continues from

the existing dwelling. These features will harness more generous natural light penetration and reflect the traditional/contemporary blend the design seeks to promote.

Materially, the facings will be constructed using locally sourced course stone designed to closely match that used in the existing dwelling. Stone window surrounds will be used and stone roof tiles, again reflecting and respecting the existing materials.

The proposed building would form an appropriate piece of contemporary rural architecture that would relate well to its surroundings and would not appear in any way discordant.

The proposal would respect and preserve the landscape character of the surrounding area, and is fully compliant with policies LP1, LP2 and LP24 of the Local Plan and section 12 of the NPPF.

Impact upon Residential Amenity

Section B of Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring: *“They provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings”*.

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The design size and scale of the new dwelling will ensure it meets residential amenity standards for its future occupiers. The increased size of the dwelling will not compromise external amenity space, which is generous.

The relatively isolated position of the dwelling means there will be no impact on neighbouring occupiers.

The proposal is therefore in accordance with Policy LP24 of the Local Plan and the NPPF.

Highways Safety

Policies LP21 and LP22 of the Kirklees Local Plan and the Council's adopted Highway Design Guide are relevant as they seek to ensure acceptable levels of off-street parking, adequate waste storage facilities are provided.

Although the number of bedrooms at the property would be proposed to increase by one, it is considered that the hard-standing driveway area is large enough to facilitate an increase in the requirement of off-street parking. The parking proposals are detailed on the Site Plan.

As the dwelling is a significant distance from the closest highway it is considered that there would be no significant impact upon highway safety.

The proposals are therefore in accordance with the relevant policies and design guidance.

Ecological Impact

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Paragraphs within Chapter 15 of the National Planning Policy Framework are also relevant.

It is noted that the application site lies within a bat alert layer on the Council's GIS mapping system, however, the proposal is not considered to have a significant impact on the roosting potential and the bat population. The existing dwellinghouse has vaulted ceilings, meaning the internal roof space is fully exposed and there are no roosting or nesting opportunities within it.

The development is a self-build project, and is therefore exempt from statutory Biodiversity Net Gain requirements. The proposal is therefore in accordance with Policy LP20 of the Local Plan and section 15 of the NPPF.

Drainage

The proposal is for a new dwelling on previously developed land. The amount of hardstanding will not increase as a result of the proposal and it is therefore considered the proposal will not lead to flood risk issues.

Existing drainage and service connections will be re-purposed for the new dwelling.

7.0 CONCLUSION

The proposed scheme represents a sustainable form of development that would not have any unacceptable impact for the reasons set out above. The proposal would deliver a sensitively designed, contemporary dwelling suitable for its rural setting.

The development is proposed in a manner that is fully compliant with Green Belt policy. The development is not inappropriate by virtue of the fact that it re-uses previously developed land, replacing an existing dwelling in a manner which does not undermine the essential functioning of the Green Belt and therefore does not cause substantial harm to the openness of the Green Belt.

The proposal would have no adverse impact in respect of visual, amenity, highways and environmental considerations. The proposal is fully policy compliant in all other respects.

The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.