

Hollistic Planning Limited
Indy House, 16 Church Street
Honley, Holmfirth, HD9 6AH

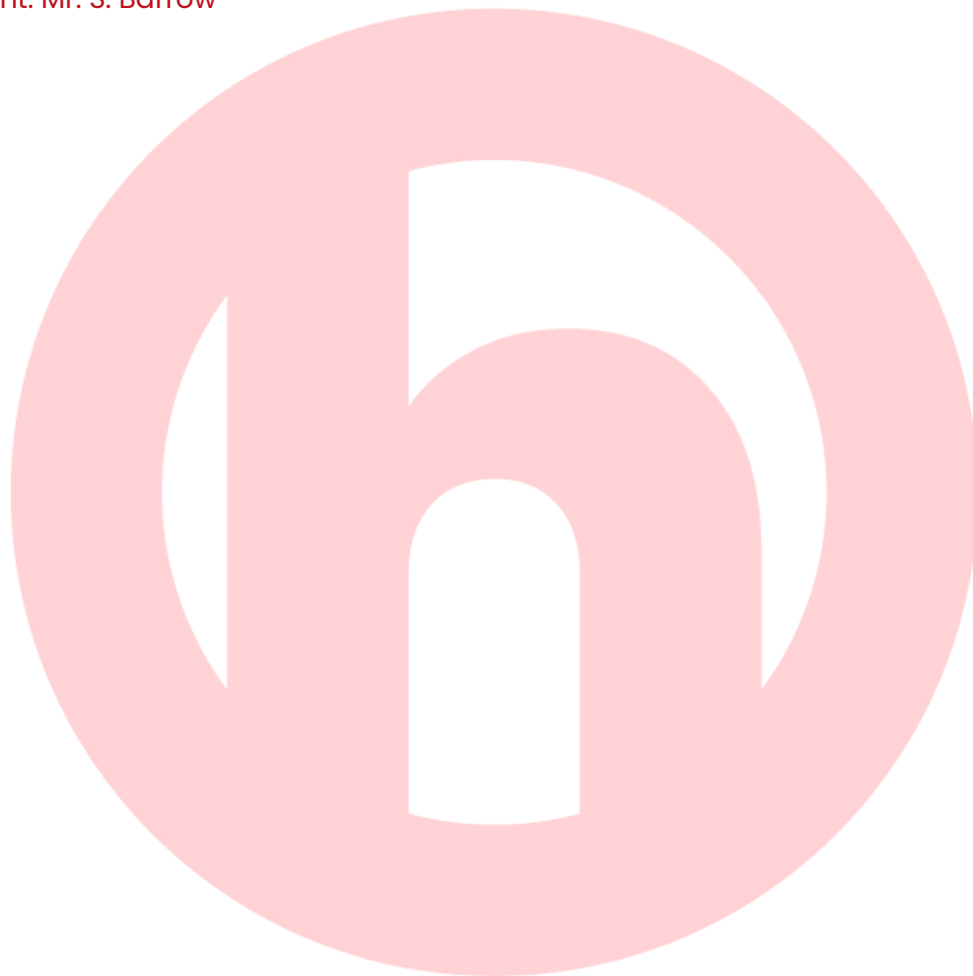
PLANNING STATEMENT

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Planning Statement

Site Address: Land at No. 15-17 Windmill Hill Lane, Emley Moor, Huddersfield, HD8 9TA

Applicant: Mr. S. Barrow



Hollistic Planning Limited
Indy House, 16 Church Street, Honley, Holmfirth HD9 6AH

April 2026

CONTENTS

1	INTRODUCTION	3
1.2	Application Pack	4
2	THE SITE AND SURROUNDINGS	5
2.1	The Site	5
2.2	Surroundings	6
2.3	Services and Amenities	6
3	THE PROPOSED DEVELOPMENT	7
4	PLANNING POLICY CONTEXT	9
4.2	Material Considerations	10
5	PLANNING ASSESSMENT	14
5.2	The Definition of Grey Belt	14
5.3	Assessment against NPPF Paragraph 143	15
5.4	Meeting Green Belt Purposes – Development (Paragraph 155a)	16
5.5	Demonstrable Unmet Need (Paragraph 155b)	18
5.6	Sustainable Location (Paragraph 155c)	18
5.7	The Golden Rules (Paragraph 155d)	19
5.8	Very Special Circumstances	19
5.9	Sustainable Development	19
5.10	Summary of Assessment of the Principle of Development	20
6	OTHER CONSIDERATIONS	22
6.2	Design	22
6.3	Residential Amenity	23
6.4	Highways	24
6.5	Land Conditions	24
6.6	Biodiversity	25
7	CONCLUSION	27

1 Introduction

- 1.1.1 This Planning Statement has been prepared by Hollistic Planning Limited [‘Hollistic Planning’] on behalf of Mr. S. Barrow [‘the Applicant’]. The Planning Statement informs a full planning application submitted for the consideration and determination of Kirklees Metropolitan Borough Council [‘KMBC’ or ‘the Council’].
- 1.1.2 The application site [‘the Site’] comprises part of the residential curtilage associated with No. 15-17 Windmill Hill Lane located in Emley Moor, Huddersfield, (postcode HD8 9TA).
- 1.1.3 The Applicant seeks full planning permission for the following development:
“Demolition of existing outbuildings and erection of 1 no. self-build dwelling with driveway and access, and all associated works”
- 1.1.4 The proposed development [‘Proposed Development’] satisfies the requirements of a self-build home, as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015. It seeks to assist KMBC in meeting its obligations to approve self-build and custom housebuilding plots, of which it currently has a significant identified demand which exceeds its available supply.
- 1.1.5 The Proposed Development also presents an opportunity to assist the Council’s in addressing its significant housing land supply shortfall as well as its negative position in terms of the Housing Delivery Test [‘HDT’].
- 1.1.6 The Proposed Development would allow short-term delivery of a new home, specifically a self-build dwelling, on a sustainably located windfall site.
- 1.1.7 This Planning Statement is structured to set out the following:
- A description of the application site;
 - An overview of the Proposed Development;
 - A summary of the relevant planning policy context;
 - An assessment of the principle of the Proposed Development against planning policy;
 - A review of the Proposed Development against technical considerations; and
 - A concluding summary which summarises the case for the Proposed Development.

1.2 **Application Pack**

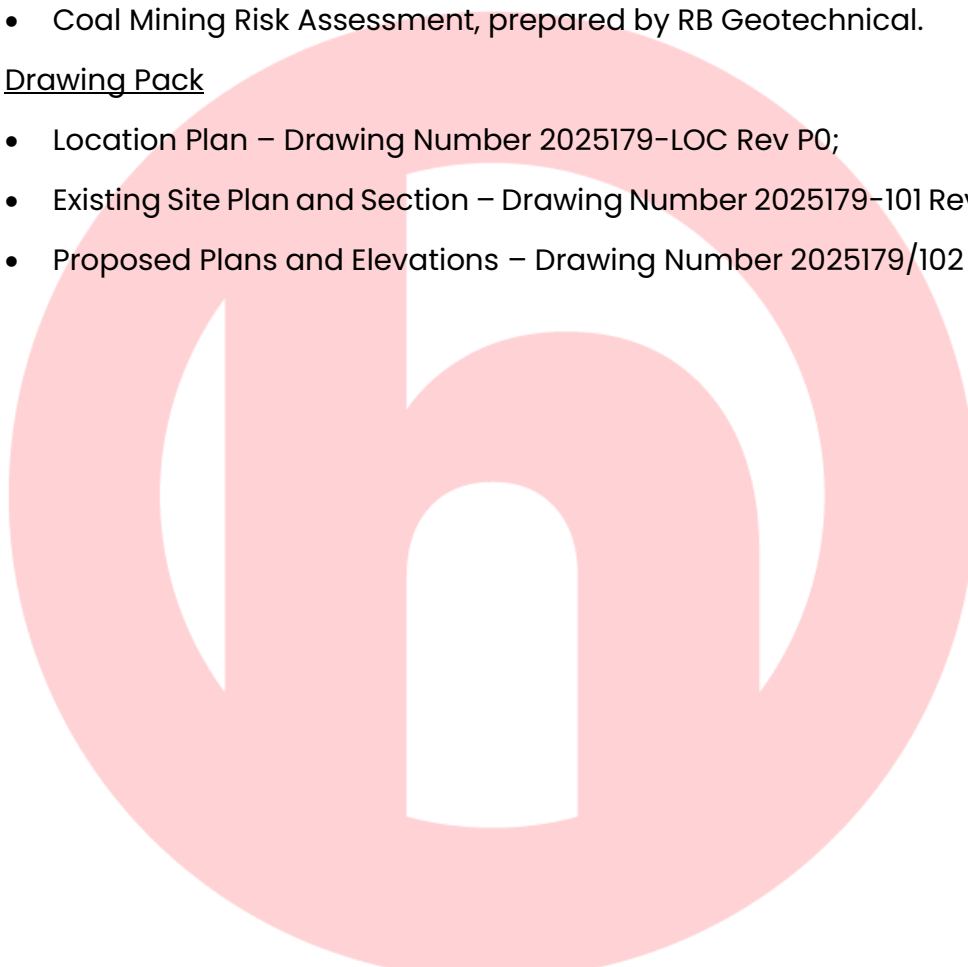
1.2.1 In addition to this Planning Statement, the planning application is informed by the following documents and drawings:

Document Pack:

- Requisite Application Form;
- Design Statement, prepared by Hill Rise Architecture Ltd;
- Climate Change Statement, prepared by Hill Rise Architecture Ltd; and
- Coal Mining Risk Assessment, prepared by RB Geotechnical.

Drawing Pack

- Location Plan – Drawing Number 2025179-LOC Rev P0;
- Existing Site Plan and Section – Drawing Number 2025179-101 Rev P0; and
- Proposed Plans and Elevations – Drawing Number 2025179/102 Rev P0.



2 The Site and Surroundings

2.1 The Site

- 2.1.1 The application site [‘the Site’] comprises part of the residential curtilage of No. 15-17 Windmill Hill Lane [‘the Existing Dwelling’], an end-of-terrace residential property located in Emley Moor. The Existing Dwelling was built in circa. 1930.
- 2.1.2 The Existing Dwelling benefits from an extensive residential curtilage to its side and rear, with a vehicular access and egress point to Windmill Hill Lane. The Existing Dwelling benefits from off-street car parking to its front, side and rear.
- 2.1.3 The Site itself comprises part of the side amenity space of the Existing Dwelling. The site is contained by an existing stone wall which is located to its north-east, south-east and partially to its south-west boundaries. There are two single storey outbuildings upon the Site (a wooden shed and greenhouse). The Site also currently comprises lawned amenity space, also associated with the Existing Dwelling. The Site measures approximately 0.034 hectares.
- 2.1.4 The planning history of No. 15-17 Windmill Hill Lane is limited to an August 2006 planning permission for a two-storey rear extension (Ref: 2006/62/92682/E3). The planning permission was not implemented. The planning permission confirms that the Council could support an extension to the existing dwelling.
- 2.1.5 The Existing Dwelling is understood to retain its permitted development [‘PD’] rights. Accordingly, residential development opportunities including extensions to the existing dwelling and the erection of outbuildings may form PD, as per the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2.1.6 The Site is located in Flood Zone 1, the lowest category of flood risk from rivers or sea.
- 2.1.7 There are no Listed Buildings within the vicinity of the Site, nor is it located within a designated Conservation Area.
- 2.1.8 There are no trees and therefore no Tree Preservation Orders [‘TPOs’] upon the Site.

2.2 Surroundings

2.2.1 To the north-east of the Site is a paddock which separates the Site from No. 25 Windmill Hill Lane. To the immediate south-west is No. 15-17 Windmill Hill Lane (the Existing Dwelling). To the south-east, beyond the public highway, is No. 18 Windmill Hill Lane, an extensive detached dwelling with associated amenity space, land and outbuildings. To the north-west of the Site is continued curtilage associated with No. 15-17 Windmill Hill Lane, with open countryside beyond.

2.3 Services and Amenities

2.3.1 Whilst the Site is within a location which is predominately residential in the form of ribbon development along the public highway with open countryside beyond, it benefits from being within reasonable walking and cycling distance of local services and amenities.

2.3.2 Thorncliffe Farm Shop is located within a 9-minute walk of the Site. This forms a convenience retail opportunity. The Site is also a 23-minute walk from The Three Acres Inn & Restaurant, a 27-minute walk from Lucy's Café, and approximately a 30-minute walk from Emley village which benefits from services and amenities including but not limited to a Premier convenience store, Post Office, hair salon, public house, primary school, and church with other community facilities.

2.3.3 There are bus services available via stops located on Westfield Lane which offer direct and regular connections to Huddersfield Town Centre and Wakefield Town Centre, as well as a service to and from Shelley College. The bus stops are located within 200 metres of the Site, the equivalent of a 3 minute walk.

2.3.4 Whilst it is acknowledged that most day to day journeys would be completed by car, the proposal is for a single dwelling where trip generation would be minimal.

2.3.5 As set out above, the Site is also not wholly reliant on travel by car, with opportunities to travel to local services and amenities by walking, cycling and use of public transport.

3 The Proposed Development

3.1.1 This full planning application seeks permission for the following development:

“Demolition of existing outbuildings and erection of 1 no. self-build dwelling with driveway and access, and all associated works”

3.1.2 The Proposed Development constitutes a self-build dwelling, meeting the statutory definition as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015. The Applicant has made key decisions associated with the external and internal design of the Proposed Development, including the precise internal arrangement and layout. This also includes external elements including the external cupboard for storing logs and the feature stone staircase to the terrace, features which are cohesive with the locality whilst intentional to promote outdoor living and connection between the internal and external spaces.

3.1.3 The Proposed Development is a two bedroom ‘upside down’ detached dwelling. Two double bedrooms are proposed at ground floor, one with en-suite. A shower room, utility room and cloakroom are also proposed at ground floor, as is a study. To promote modern living and to take advantage of the outlook to the north-west (rear) of the Site, the first floor includes the kitchen, dining, living and sitting areas, with first floor external terrace to the rear.

3.1.4 The Proposed Development satisfies Nationally Described Space Standards [‘NDSS’]. This forms quantitative evidence that the proposed internal space offers an acceptable standard of amenity for future occupiers, in this case the Applicant. Externally, private amenity space is proposed to the rear of the dwelling.

3.1.5 The Proposed Development proposes use of external materials which are cohesive with the built development within the vicinity of the Site. This includes the use of regular coursed natural stone to the external elevations, with blue slate roof.

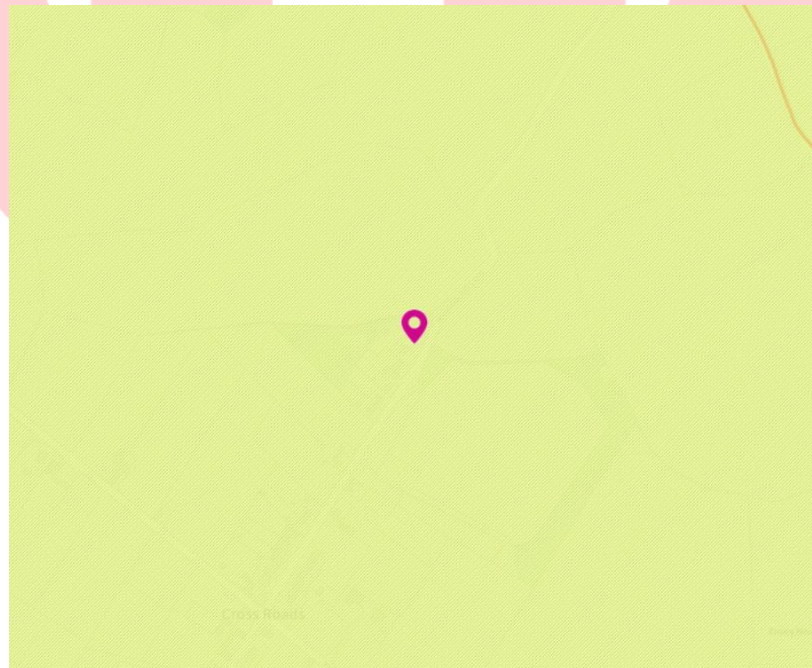
3.1.6 The Proposed Development includes a new access for the proposed home. Off-street car parking is made available for two cars, with Electric Vehicle charging point incorporated into the dwelling design.

3.1.7 As confirmed in the Climate Change Statement which informs this application:

- The proposed dwelling has been designed with a high efficiency plan form factor. Windows are well proportioned to allow maximum light while being able to control solar gain thanks to the number of openable windows / doors;
- The dwelling will be constructed from sustainably sourced local materials where possible;
- The proposal features integrated PV panels. The house will be fitted with an air source heat pump and mechanical ventilation with heat recovery;
- All new glazing will be high performance double or triple glazing;
- All lighting fixtures will be low energy LED throughout;
- Additional insulation upgrades and airtightness upgrades will be considered at building control stage but have been suggested to the Applicant; and
- Proposed kitchen and bathrooms will be fitted with British Standard compliant fittings and high efficiency appliances.

4 Planning Policy Context

- 4.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan (i.e. the Development Plan) unless material considerations indicate otherwise.
- 4.1.2 Where relevant documents are deemed up to date, a Local Planning Authority [LPA] will assess the planning credentials of a development proposal against its adopted Development Plan.
- 4.1.3 In the context of the development proposals, the KMBC Development Plan comprises the Kirklees Local Plan [hereafter 'the Local Plan' or the 'LP'] (adopted on 27 February 2019).
- 4.1.4 The Local Plan is informed by a Policies Map. An extract of the interactive Proposals Map is provided at Figure 1 below. The Policies Map confirms that the Site (shown by the pink marker) is within the following designations:
- Green Belt;
 - Biodiversity Opportunity Zone ('specifically within the 'Pennine Foothills'); and
 - Mineral Safeguarding (specifically 'SCR with Sandstone and/or Clay and Shale')



^ Figure 1: Extract of the Policies Map

4.1.5 The most relevant Development Plan policies in the context of this planning application are as follows:

Local Plan

- Policy LP1 – Presumption in favour of sustainable development;
- Policy LP2 – Place shaping;
- Policy LP3 – Location of new development;
- Policy LP7 – Efficient and effective use of land and buildings;
- Policy LP11 – Housing Mix and Affordable Housing;
- Policy LP20 – Sustainable Travel;
- Policy LP21 – Highways and access;
- Policy LP22 – Parking;
- Policy LP24 – Design;
- Policy LP30 – Biodiversity and geodiversity;
- Policy LP52 – Protection and improvement of environmental quality; and
- Policy LP53 – Contaminated and unstable land.

4.2 Material Considerations

4.2.1 Additional material considerations to the determination of this application include local and national documents, namely those listed as follows:

- Highways Design Guide Supplementary Planning Document ['SPD'] (2019)
- Housebuilders Design Guide SPD (2021);
- Planning Applications Climate Change Guidance (2021);
- Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021);
- The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016);
- The National Planning Policy Framework ['NPPF'], published in December 2024;
- The draft NPPF, published in December 2025;

- Planning Practice Guidance [‘PPG’], various dates. The most pertinent PPG includes ‘Self-build and custom housebuilding’ (published in April 2016 and last updated in February 2021); and
- The National Design Guide (published October 2019, last updated in January 2021)

4.2.2 The key sections within the published NPPF (December 2024) are as follows:

- Section 2: Achieving sustainable development;
- Section 5: Delivering a sufficient supply of homes;
- Section 9: Promoting sustainable transport;
- Section 11: Making effective 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; and
- Section 16: Conserving and enhancing the historic environment.

Housing Land Supply

4.2.3 Prior to considering the credentials of the Proposed Development against planning policy, it is critical to reflect upon the planning policy context of the Council’s Housing Land Supply and its performance in terms of housing delivery i.e. the Housing Delivery Test.

4.2.4 At the time of writing this Planning Statement, reference has been made to a recent District-Wide Planning Committee which took place on 5 March 2026. In the associated ‘Agenda reports pack’, the Council makes the following observations in relation to a minor residential development proposal within a Green Belt designation (Application Ref: 2025/92440):

*“The 2025 update of the five-year housing land supply position for Kirklees shows **4.18 years supply of housing land**, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that **housing delivery for Kirklees for the past three years (April 2020–March 2023) has fallen below the 75% pass threshold.**”*

*“As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, **it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development.** This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of-date (NPPF Footnote 8), **granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.**”*

*“The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, **weighs in favour of housing development** but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer’s assessment.”*

*“It is noted that this site is within the Green Belt. Irrespective of the Council’s position on the five-year supply of deliverable housing sites, the National Planning Policy Framework at paragraph 11 is clear that **in the event a Council cannot demonstrate a five-year supply of deliverable housing sites, the council should grant permission “unless the application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”.** Footnote 7 at paragraph 11di) states that the protected areas include land designated as Green Belt.”*

“Therefore, the principle of developing in the Green Belt must be assessed in order to determine whether the principle of development is acceptable. The proposal will also be assessed against all other material considerations.”

(Underlining and bold used by the author of this Planning Statement for emphasis)

- 4.2.5 As acknowledged by KMBC, that by not demonstrating a five-year supply of deliverable housing and not passing the Housing Delivery Test, the Council’s Development Plan can be considered out of date and housing development can be considered against the presumption in favour of sustainable development, in addition to the Green Belt policy as contained in the NPPF. Accordingly, this approach is relevant in the context of the Site.

Self-Build Obligations

- 4.2.6 The relevant PPG relating to self-build and custom housebuilding confirms that *“Self-build and custom housebuilding covers a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation (‘turnkey’).”*
- 4.2.7 The Proposed Development provides an exciting opportunity for a self-build home for someone who has grown up in the area.
- 4.2.8 PPG continues to confirm that *“Relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added to an authority’s register during a base period.”*
- 4.2.9 On 27 March 2026, the KMBC Planning Policy department confirmed to Hollistic Planning that:
- there were 610 entrants on the Council’s self-build register (the total number at the end of the latest period (30 October 2025)); and
 - the total number of self-build serviced or unserviced plots granted planning permission between 2017 and 2025 equates to 428 dwellings.
- 4.2.10 Accordingly, there is an identified shortfall of 192 self-build plots within the KMBC administrative area. The genuine interest in self-build opportunities within the local authority area is anticipated to be significantly higher than the identified 610 figures, given that there will be people who are interested in pursuing such opportunities but are not formally on the Council’s register.
- 4.2.11 PPG and the Self-build and Custom Housebuilding Act 2015 require local authorities (in this case KMBC) to work with Applicants to secure self-build plot opportunities where they can be supported. Such opportunities should be supported in planning terms, particularly where they can be considered sustainable developments and where there are no adverse impacts nor technical constraints to preclude the granting of planning permission.
- 4.2.12 In addition to PPG, both local and national planning policy promote development proposals which seek to address identified and bespoke housing requirements. This includes self-build and custom housebuilding opportunities. The Proposed Development will assist the Council in the short-term delivery of a dwelling which will in turn assist the Council in both its requirements for housing land and securing self-build opportunities.

5 Planning Assessment

- 5.1.1 This Section of the Planning Statement solely focuses on an assessment of the principle of the Proposed Development in the Green Belt, specifically against the Development Plan and relevant material considerations, the latter notably being the NPPF. Technical considerations are assessed in Section 6 of this Planning Statement.
- 5.1.2 It is critical to reflect upon the planning policy context relating to the Council's Housing Land Supply ['HLS'] position and its Housing Delivery Test ['HDT'], as set out in the Committee Report extracts provided at Section 4 of this Planning Statement. It is that methodology which has informed the assessment of the planning credentials of the Proposed Development.

5.2 The Definition of Grey Belt

- 5.2.1 Annex 2 of the NPPF defines Grey Belt as:

"For the purposes of plan-making and decision-making, 'grey belt' is defined 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".

The underlining and bold is added by the author for emphasis.

- 5.2.2 NPPF Footnote 7 is irrelevant in the context of the Proposed Development given that the exclusive area or asset of relevance is Green Belt.
- 5.2.3 It is essential to assess the Site against purposes (a), (b) and (d) as set out in Paragraph 143 of the NPPF. If the land does not strongly contribute to these purposes, it can be considered Grey Belt, regardless as to whether or not it constitutes previously developed land. If a site constitutes Grey Belt land, it is then necessary to establish if a proposed development would fundamentally undermine the strategic function of the remaining Green Belt, as required by Paragraph 155. This is examined herein.

5.3 Assessment against NPPF Paragraph 143

5.3.1 NPPF Paragraph 143 is as follows:

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 urban land.*

5.3.2 For a site within a Green Belt designation to form 'grey belt', it must not strongly contribute to any of the purposes (a), (b) or (d) in NPPF Paragraph 143. An assessment of the Site against those purposes is provided at Table 1 below.

Green Belt Purpose	Assessment of Site against Green Belt Purpose
<i>a) to check the unrestricted sprawl of large built-up areas</i>	The Site is located in an area where residential development is largely ribbon development and is not in the immediate vicinity of a large built-up area. It therefore makes a weak contribution to Green Belt purpose a)
<i>b) to prevent neighbouring towns merging into one another;</i>	The Site does not form a gap between towns. It therefore has a weak contribution to Green Belt purpose b)
<i>d) to preserve the setting and special character of historic towns</i>	The Site is not located within the vicinity of designated listed assets nor a designated Conservation Area. It therefore makes no contribution to Green Belt purpose d)

^ Table 1 – Assessment of the Site against relevant Green Belt purposes

5.3.3 Accordingly, the Site does not strongly contribute to any of the purposes in Paragraph 143 (i.e. not (a), (b) or (d)) nor does it form an exclusions under footnote 7 of the NPPF.

- 5.3.4 Following assessment of the Site against the three relevant purposes of Green Belt, with consideration of NPPF Footnote 7 (where the only designation applicable is 'Green Belt'), the Site is deemed 'Grey Belt'.
- 5.3.5 PPG specifically relating to Green Belt (as published on 27 February 2025) sets out the considerations which inform the judgements on what level of contribution a site makes to the Green Belt purposes. This is considered when assessing a site against the criteria of Paragraph 155, as examined herein.
- 5.3.6 NPPF Paragraph 155 states that development in the Green Belt should not be regarded as inappropriate where the following criteria 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.*
- 5.3.7 Each of the above criteria are considered herein.

5.4 Meeting Green Belt Purposes – Development (Paragraph 155a)

- 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*
- 5.4.1 For the reasons set out already within this Planning Statement, the Site comprises Grey Belt land. The Proposed Development would introduce built form where presently there is built form, this being residential ancillary outbuildings associated with the Existing Dwelling.
- 5.4.2 The Proposed Development would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan, as examined herein.

- 5.4.3 The Site is in reasonable proximity to the village of Emley, with other villages and other settlements located nearby. These include Clayton West and Skelmanthorpe. However, the Site is located within a row of residential properties and could be considered rural ribbon development, particularly given the row of residential properties to its south-west and residential property to the south-east. To the north-east, separated by a single small field, is a continuation of ribbon residential development fronting onto Windmill Hill Lane.
- 5.4.4 Accordingly, and as set out in Table 1, the Site makes a weak contribution to and would not undermine the wider Green Belt designation in the context of purpose (a) (*“to check the unrestricted sprawl of large built up areas”*).
- 5.4.5 The Site does not form a gap between two towns. Accordingly, it also makes a weak contribution to and would not be to the detriment of the wider Green Belt maintaining purpose (b) (*“to prevent neighbouring towns from merging into one another”*).
- 5.4.6 While the Proposed Development would introduce built development of greater scale and mass than what is presently on the Site (existing residential outbuildings), the Site forms residential curtilage which is contained within an existing stone boundary. Additionally, the proposed self-build dwelling has been designed with strong consideration to being cohesive with the wider streetscene, particularly the Existing Dwelling. As a result, the Proposed Development will be considered in the context of built form to its boundaries. To develop the Site will not result in the undermining of the wider Green Belt in the sense of purpose (c) (*“to assist in safeguarding the countryside from encroachment”*).
- 5.4.7 Heritage is not a constraint to the Site, and it therefore makes no contribution to nor causes negative impact upon the wider Green Belt designation in the context of purpose (d) (*“to preserve the setting and special character of historic towns”*).
- 5.4.8 Additionally, whilst the Proposed Development does not directly contribute to urban regeneration, it would not undermine such opportunities. The development of the Site would therefore not undermine the NPPF Green Belt purpose e) (*“to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”*).
- 5.4.9 Accordingly, for the reasons set out already within this Planning Statement, the Site comprises Grey Belt and the Proposed Development would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan. The application proposal therefore satisfies NPPF Paragraph 155a.

5.5 Demonstrable Unmet Need (Paragraph 155b)

b. There is a demonstrable unmet need for the type of development proposed

- 5.5.1 As set out earlier within the Planning Statement, the Council is unable to demonstrate a five-year supply of deliverable housing sites and its delivery of housing has fallen below the 75% HDT requirement. The Council also has a significant identified shortfall of self-build plot opportunities of which it has a legislative responsibility to support (610 entrants to the self-build register with only 428 plots granted planning permission across the relevant years).
- 5.5.2 Albeit only a single dwelling, the Proposed Development can make a modest but valuable contribution to address identified housing need within the Council's administrative area.
- 5.5.3 Additionally, the Proposed Development will assist the Council in meeting its legislative requirement to accommodate plots for self-build dwellings.
- 5.5.4 As such, there is demonstrable unmet need for the type of development proposed and NPPF Paragraph 155b is therefore satisfied.

5.6 Sustainable Location (Paragraph 155c)

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

- 5.6.1 The Site is within reasonable walking distance of a range of services and amenities, most significantly bus stops within 200 metres of the Site. These provide direct services to Huddersfield and Wakefield Town Centres which allows for connectivity from the Site to a wider range of services and amenities, including additional public transport opportunities.
- 5.6.2 Whilst it is accepted that the Applicant may use a car for the majority of day-to-day journeys, the Site can be considered a sustainable location.
- 5.6.3 It is also of relevance that the Proposed Development comprises a single dwelling where associated trip generation would be minimal.
- 5.6.4 In the context of proximity to local amenities and services including opportunities for onward travel via bus, in addition to considering the limited scale of the development, the Site is considered reasonably accessible and a sustainable location.
- 5.6.5 Accordingly, the application proposal therefore satisfies NPPF Paragraph 155c.

5.7 The Golden Rules (Paragraph 155d)

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156–157 below.

- 5.7.1 The 'Golden Rules' apply to major development involving the provision of housing on land within a Green Belt designation. The Proposed Development does not relate to major residential development. Accordingly, the Golden Rules are not relevant in the context of the Proposed Development and do not need to be assessed.

5.8 Very Special Circumstances

- 5.8.1 The Site comprises Green Belt land and the Proposed Development constitutes satisfies the exceptions as set out in Paragraph 155 of the NPPF, with strong consideration to other relevant NPPF policies. Accordingly, it is not necessary to demonstrate Very Special Circumstances ['VSC'].
- 5.8.2 For the reasons set out in this section of the Planning Statement, the Proposed Development does not constitute inappropriate development in the Green Belt and therefore the requirement to justify harm by reason of inappropriateness is not applicable.

5.9 Sustainable Development

- 5.9.1 Both local and national planning policy are aligned that planning application decision-making should take *"a positive approach that reflects the presumption in favour of sustainable development"* (as quoted from Local Plan Policy LPI). Local Plan Policy LPI is also aligned on the approach as set out in Paragraph 11 of the NPPF with the Development Plan policy confirming the following:

"Where there are no policies relevant to the proposal or relevant policies are considered out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- b. Specific policies in that Framework indicate that development should be restricted."*

- 5.9.2 The Proposed Development meets the three objectives of sustainability; the economic objective, the social objective and the environmental objective. It achieves these through factors including but not limited to providing a well-designed opportunity to meet an identified housing need for housing of all types including the bespoke and mandatory requirements to support opportunities for self-build homes, enhancing the natural and built environment contexts, and by making efficient use of land.
- 5.9.3 For the reasons set out throughout this Planning Statement, it is concluded that the Development Proposal constitutes sustainable development and there are no technical constraints which would significantly and demonstrably outweigh the benefits.
- 5.9.4 The Proposed Development is compliant with relevant local and national planning policy, the former including Local Plan Policies LP1, LP2, LP3, LP7, LP11 and LP59, albeit these policies can be considered out of date in the context of the Council's housing land supply and HDT contexts.

5.10 Summary of Assessment of the Principle of Development

- 5.10.1 The latest figures confirm that Kirklees has a shortfall to its housing land supply position (currently understood to be 3.96 years) and the delivery of housing falls below the 75% HDT requirement. Accordingly, it is necessary to consider housing development in the context of NPPF Paragraph 11. This means approving developments unless *“the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 5.10.2 The proposed dwelling would not unacceptably impact the function nor purposes of the Green Belt designation.
- 5.10.3 As set out in this Planning Statement, the Proposed Development constitutes an appropriate form of development, as defined by Paragraph 154(g) of the NPPF. The principle of development is therefore both policy compliant and acceptable.
- 5.10.4 The Proposed Development forms sustainable development, meeting the economic objective, environmental objective and social objectives of sustainability.
- 5.10.5 The Proposed Development can be accepted in principle within the Green Belt.

- 5.10.6 The Proposed Development constitutes sustainable development, will make a modest yet positive contribution to the Council's HSL and housing delivery, assist the Council in meeting its legislative requirement to secure opportunities for self-build homes. It is, therefore, considered to support the strategic aims of local and national policy, the former including Policies LP1, LP2 and LP3 of the Kirklees Local Plan.
- 5.10.7 There are no adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF, nor the Development Plan. The technical considerations including matters associated with design, amenity, highways, and ground contamination are now assessed in Section 6 of this Planning Statement.



6 Other Considerations

6.1.1 In addition to the principle of development, this Planning Statement also assessed the Proposed Development against the following technical matters:

1. Design;
2. Residential Amenity;
3. Highways;
4. Land Conditions; and
5. Biodiversity.

6.1.2 Each of the below are examined herein.

6.2 Design

6.2.1 The Applicant appointed Hill Rise Architecture to evolve their design and lifestyle aspirations to a self-build home proposal. As is expected in the relevant PPG relating to self-build dwellings, the initial owner (in this case the Applicant) has had primary input into the design and layout of the proposed home.

6.2.2 In addition to a dwelling which satisfies the Applicant's design and lifestyle aspirations, the Proposed Development has been designed to demonstrate sustainable credentials, including through use of innovative technologies in construction and internal finishes. The appearance of the dwelling will use materials which are cohesive with the vicinity. Similarly, the Proposed Development footprint considers the building lines of neighbouring properties and includes a buffer between the dwelling and public highway to create separation as well as to provide off-street car parking for the benefit of the Applicant.

6.2.3 The scale and massing of the proposed home is in-keeping with residential properties within the street scene.

6.2.4 The Site is not located within a Conservation Area nor within the sensitive setting of a Listed Building.

6.2.5 For the reasons set out above, the proposals achieves a good standard of design in accordance with local and national planning policy, the former including Policies LPI, LP2 and LP24 of the Kirklees Local Plan.

6.3 Residential Amenity

- 6.3.1 Local and national planning policy requires development to consider the residential amenity of both prospective occupiers and neighbours to development proposals. The Proposed Development design has strongly considered each.
- 6.3.2 The Applicant has been instrumental to the design process – including the finer details of the internal layout such as ensuring there is sufficient internal storage for their needs. The proposed dwelling exceeds the NDSS, which in turn exceeds the requirements of Principle 17 of the Housebuilders Design Guide SPD.
- 6.3.3 The proposed layout provides a high standard of accommodation, with natural light and outlook to all habitable rooms, particularly the main habitable rooms located at first floor.
- 6.3.4 The footprint of the Proposed Development is coherent with that of the terraced properties to its south-west. The side elevation of 15 – 17 Windmill Hill Lane is blank. There are no windows proposed to the south-west (side) elevation nor windows to habitable rooms to the north-east (side) elevation. As a result, the Proposed Development satisfies the separation distance recommendations set out in Housebuilders Design Guide SPD.
- 6.3.5 To the north-west, the Proposed Development incorporates rear amenity space. The private amenity space is appropriately sized and useable for the benefit of the Applicant, as required by the Housebuilders Design Guide SPD.
- 6.3.6 The proposed first floor terrace overlooks the rear amenity space of the proposed dwelling, beyond which is a continuation of existing amenity space of No. 15-17 Windmill Hill Lane. The terrace gives rise to no unacceptable impacts upon residential amenity i.e. it does not facilitate overlooking to neighbouring properties and would not be to the detriment of the private enjoyment of 15 – 17 Windmill Hill Lane's private amenity space.
- 6.3.7 The Proposed Development would not result in undue harm to the amenities of its occupiers nor neighbours by reason of overlooking, loss of daylight or sunlight or overshadowing, nor in the context of separation distances.
- 6.3.8 The proposed home would offer an excellent standard of internal and external amenity for the Applicant.

6.3.9 Accordingly, the Proposed Development is compliant with local and national planning policy, the former including Policies LP24 of the Local Plan, and principles contained in the Housebuilders Design Guide SPD.

6.4 Highways

6.4.1 In accordance with local planning policy and guidance, off-street car parking is proposed for two cars. This will be facilitated by a section of wall to be removed and introduction of a dropped kerb.

6.4.2 The proposed car parking arrangement is consistent with other residential dwellings on Windmill Hill Lane which enter a driveway in a forward-moving gear and leave in reverse (or vice versa).

6.4.3 An Electric Vehicle charging point is incorporated within the Proposed Development design.

6.4.4 The Proposed Development incorporates bin storage area which is close to the public highway. This is typically an approach preferred by the Highways Authority who considers collection of waste by refuse vehicles.

6.4.5 Accordingly, the Proposed Development is compliant with relevant local and national planning policy, namely LP Policies LP20, LP21 and LP22, guidance within the Highways Design Guide SPD, Principles 12 and 19 of the Housebuilders Design Guide, and policy contained in the NPPF.

6.5 Land Conditions

6.5.1 The Site lies within a Mineral Safeguarding designation and proposes a form of development which would be vulnerable to contamination. As a result, the application is informed by a Coal Mining Risk Assessment [‘CMRA’] prepared by RB Geotechnical. A CON29M Coal Mining Report, prepared by The Coal Authority, is appended to the CMRA.

6.5.2 The purpose of the report is to:

- Present a desk-based review of all available information on the coal mining issues which are relevant to the application site;
- Use that information to identify and assess the risks to the proposed development, from coal mining legacy;

- Set out appropriate mitigation measures to address the coal mining legacy issues affecting the site, including any necessary remedial works and/or demonstrate how coal mining issues have influenced the proposed development;
- Demonstrate to the Coal Authority that the application site is, or can be made, safe and stable to meet the requirements of national planning policy with regard to development on unstable land.

6.5.3 In summary, the report concludes that the majority of risks associated with coal mining legacy are not applicable in the context of the Site nor Proposed Development. The report does recommend intrusive investigation which is typical for any site where a use vulnerable to contamination is proposed (e.g. residential development).

6.5.4 The Coal Mining Risk Assessment confirms that The Coal Authority have identified the Site as being located within a 'Development High Risk Area' and being in an area of probable shallow mine workings and extensive faulting nearby. Additionally, a coal seam which is known to have been widely worked in the local area is situated directly beneath the Site. RB Geotechnical therefore conclude that an intrusive investigation will be required in order to fully assess the site for potential unrecorded mine workings, which could affect the proposed development. They recommend the implementation of two or three Rotary Open Hole Boreholes to maximum depth of 25.0m, in the area close to and around the proposed building footprint.

6.5.5 Accordingly, subject to the inclusion of relevant planning conditions upon a planning permission, there are no ground condition / contaminated related reasons to preclude the granting of planning permission, and the Proposed Development is compliant with the relevant policies, including LP Policies LP51, LP52 and LP53, and relevant paragraphs of the NPPF.

6.6 **Biodiversity**

6.6.1 PPG entitled 'Biodiversity net gain: exempt developments' sets out the developments which are exempt from BNG rules. It confirms that a self-build or custom build development is exempt from securing BNG where a development proposal meets each of the following conditions:

- consist of no more than 9 dwellings;
- be on a site that has an area no larger than 0.5 hectares;

- consist exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

6.6.2 The Proposed Development meets each of the above criteria; it comprises a single dwelling, the Site measures less than 0.5 hectares, and it is to comprise exclusively a dwelling as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

6.6.3 Accordingly, it satisfies the criteria and therefore comprises a form of development which is not subject to the mandatory BNG requirements.



7 Conclusion

- 7.1.1 This Planning Statement has been prepared by Hollistic Planning Limited ['Hollistic Planning'] on behalf of Mr. S. Barrow ['the Applicant']. The Planning Statement informs a full planning application submitted for the consideration and determination of Kirklees Metropolitan Borough Council ['KMBC' or 'the Council'].
- 7.1.2 The application site ['the Site'] comprises part of the residential curtilage associated with No. 15-17 Windmill Hill Lane located in Emley Moor, Huddersfield, (postcode HD8 9TA).
- 7.1.3 The Applicant seeks full planning permission for the following development:
"Demolition of existing outbuildings and erection of 1 no. self-build dwelling with driveway and access, and all associated works"
- 7.1.4 The Site is located within part of a wider Green Belt designation. It is therefore necessary to assess the planning credentials of the Proposed Development against relevant local and national planning policy, with reference to relevant material considerations.
- 7.1.5 Prior to considering the credentials of the Proposed Development against planning policy, it is critical to reflect upon the planning policy context relating to the Council's Housing Land Supply ['HLS'] position. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% Housing Delivery Test requirement. As a consequence, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. As set out in a recent Planning Committee report which considered a different development proposal within a Green Belt location:
"Irrespective of the Council's position on the five-year supply of deliverable housing sites, the National Planning Policy Framework at paragraph 11 is clear that in the event a Council cannot demonstrate a five-year supply of deliverable housing sites, the council should grant permission "unless the application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed". Footnote 7 at paragraph 11(d) states that the protected areas include land designated as Green Belt."
- 7.1.6 This Planning Statement has assessed the principle of developing the proposed self-build home within the Green Belt. It has been assessed against the most pertinent paragraphs of the NPPF, in addition to consideration against relevant Development Plan policies.

- 7.1.7 For reasons set out within this Planning Statement, the Site comprises Grey Belt, and the Proposed Development can be accepted in principle within the Green Belt in this case. The Proposed Development constitutes sustainable development, will make a modest yet positive contribution to the Council's HSL and housing delivery, and assist the Council in meeting its legislative requirement to secure opportunities for self-build homes – of which it currently has a significant shortfall of supply to the demand for self-build opportunities. It is, therefore, considered to support the strategic aims of local policy, notably Policies LP1, LP2 and LP3 of the Kirklees Local Plan.
- 7.1.8 In addition to assessing the principle of development, this Planning Statement has assessed the Proposed Development against other technical matters. It is concluded that there are no technical constraints that present significant nor demonstrably adverse impacts which outweigh the positives of the Proposed Development.
- 7.1.9 In conclusion, the Proposed Development is compliant with local and national planning policy. Accordingly, it is respectfully requested that planning permission is granted without delay.