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Planning Development

Planning Statement – 1 Clough Head, Bolster Moor, Golcar, Huddersfield, HD7 4NW

Demolition of existing garage / storage building and erection of 1 no. self-build dwelling together with a new septic tank, parking and landscaping. Formation of new parking area and alterations to window / door openings on existing dwelling

Introduction

The applicants' objectives in their own words are as follows:

"Catherine and I have lived at 1 Clough Head since 1995, and during that time we have brought up our two children, and have been active within the local Bolster Moor community.

It has become apparent to us that our existing house is too large for the two of us and with that in mind, we are looking to see whether or not we can get planning permission to build a new house to the rear of our existing plot. We are looking to plan for the future, and hopefully, if we are successful within the planning process, our intention is to retain the existing house for occupation by our children and their partners.

Housing costs are extremely high nowadays, and we would like to offer the opportunity to our children to have a home of their own.

In relation to the new house, we are looking to build a modern structure, timber frame, metal roof with integrated solar panel technology, which will remove the necessity for traditional add-on solar panels, which we feel will give a better appearance to the house finish.

We are looking at a main bedroom on the ground floor, which could be used as and when mobility dictates. In relation to the overall build, we would incorporate high levels of insulation combined with solar panels, battery catcher, air heat pump, central heating system, and a ventilation and heat recovery extract system. We would not be looking to install gas into the property, and hopefully, we would make the new home practically self-sufficient in relation to our energy needs."

Site Description

The site comprises a traditional semi-detached dwelling with a large detached garage and store to its rear. Access to the site is via a private drive from Slaithwaite Gate.

The site forms part of a row of half a dozen houses located on the western side of Slaithwaite Gate, and is flanked by a detached dwelling to the south-west and a semi-detached house to the north-east, in an otherwise wider rural setting.

In terms of the site in the context of the wider area, it is located just to the north-west west of the small settlement of Bolster Moor, with the nearest village being Golcar – (1.5km to the centre to the east). The main town of Huddersfield also lies 6km to the east.

As will be detailed below, the site is accessible by sustainable modes of transport, and shops, school and other facilities are located close by.

Planning History

94/90820 – Erection of two storey extension – approved.

96/92022 - Erection of single storey extension, detached garage and stable - approved.

2002/93995 - Erection of single storey extension -approved



View of existing garage and storage building from rear of No. 1 Clough Head

Policy Designation

The application site is located within the Green Belt as designated on the Kirklees Local Plan Map. The area is also within a Mineral Safeguarding Zone (Sandstone) and the 'Hot Food Takeaway' buffer zone, identifying properties along walkable routes within 400m of Clough Head J & I School access points.

Potential Site Constraints

In terms of the main planning related constraints, the following facts are confirmed through desk top research:

- A) Flood risk (none)
- B) Protected trees (none)
- C) Coal mining legacy (none)
- D) Heritage records (Grade II listed No. 57 and barn, Clough Road – 50 metres to the south). Please refer to Heritage Impact section below.
- E) Bats (not in the bat alert layer)
- F) Public rights of way (none)

The matters where 'none' is stated will not be addressed within this planning assessment report.

The Proposals

With reference to the enclosed plans, the proposals are for the redevelopment of the site involving the demolition of existing garage / storage building and the erection of 1 no. environmentally sustainable self-build dwelling together with parking and landscaping. A new parking area will be formed for the existing dwelling together with alterations to window / door openings (see residential amenity section below).

As detailed in the introduction above, the current occupants of 1 Clough Head (the applicants – Mr and Mrs Fitzpatrick) are approaching retirement and would like to relocate into the proposed dwelling, releasing their current property for other family members.

The proposed development would incorporate the following works in detail:

- Demolition of a single storey garage and storage building.
- Erection of 1 no. part two storey / part single storey 3-bed dwelling, constructed of: vertical timber cladding (natural finish); standing seam powder coated steel (anthracite) for parts of the walls and the whole roof; and powder coated aluminium doors and windows (black / grey colour).
- Dimensions: 4.9m high to eaves, 7m to ridge; 5.25m x 13.3m / 12.6m long (2 storey element), and single storey element: 3.3m high, 4m deep and 6m wide.
- Installation of PV solar panels on the flat roof element together with an air source heat pump on the north-eastern elevation.
- Alterations to the existing house to block-up window door openings (materials to match host dwelling), and the formation of a double roof light in the existing single-storey extension.
- Formation of outdoor garden and patio areas, and two parking spaces and turning area for the new dwelling utilising existing hardstanding areas.
- Formation of two replacement parking spaces (and turning area on existing drive) for the existing dwelling.
- Gated access for new dwelling with 1.5m hit and miss timber fence to the sides.
- 1.8m high glazed screen to patio on existing dwelling.
- Installation of new septic tank.

.../cont.

Assessment of the Proposals

Principle of Development – Grey Belt Policy

The starting point with any Grey Belt assessment is the NPPF glossary definition which states:

‘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.’

Addressing each of the relevant coloured points in turn:

- a) *‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land*

The site is residential (and is not ‘land in built-up areas such as residential gardens’) and is therefore classed as previously developed (brownfield) land, so complies with this part of the glossary definition, as “previously developed land and/or any other land”.

Nonetheless, the brownfield / greenfield status of sites is somewhat academic in the context of Grey Belt policy, because the definition above includes brownfield or ‘any other land’ and appeal decisions nationwide¹ have accepted that greenfield land also falls within the glossary definition – i.e. as ‘other land’.

- b) *that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143*

Paragraph 143 in the NPPF states:

‘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.’*

Government Guidance ‘Green Belt’ provides categories of assessment for assessing these purposes and sets out categories: strong, moderate, and weak or none.²

Sites that make a weak or moderate contributions to purposes a, b and d are therefore acceptable (i.e. those that do not ‘strongly contribute’ to the relevant purposes).

¹ See for example APP/D3640/W/24/3347530 paragraph 11, or APP/P1805/W/24/3356219 paragraph 5.

² Government Guidance ‘Green Belt’ Paragraph 005.

Referring to **Purpose a)**, the application site is not adjacent to a large built-up area ³ and therefore makes a 'weak or none' contribution as per the Green Belt Government guidance at Paragraph 005 – i.e. Purpose a) is not engaged by this proposal.

Bolster Moor and Golcar (the closest settlements to the application site) are hamlets / villages and are not 'large built-up areas.' Government Guidance 'Green Belt' states that in assessing Purpose a), "Villages should not be considered to be large built-up areas." ⁴

Referring to **Purpose b)**, the application site also makes a 'weak or none' contribution as it does not form a gap between towns (again as per the assessment criteria at Paragraph 005 of the Guidance). Again, it is asserted that Purpose b) is not engaged by the current proposals.

Similarly, the application site does not "form part of the setting of a historic town" (as per the Guidance wording) and therefore makes no contribution to **Purpose d)**.

- c) *'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.'*

In terms of footnote 7, the application site is not located within (and does not affect) any of the following relevant areas / assets listed, *other than* 'designated heritage assets' (see below):

- Habitat sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest
- Local Green Space
- A National Landscape
- A National Park (or within the Broads Authority)
- Heritage Coast
- Irreplaceable habitats
- Designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75)
- Areas at risk of flooding or coastal change

The site is located within 50 metres of a 'Designated heritage assets' (Grade II listed building - 57 and Barn, Clough Road), however as demonstrated through the Heritage Impact section below, the impact of the development on the setting of these buildings would fall significantly below the threshold of forming a 'strong reason for refusing or restricting development' in this case.

It is therefore concluded that the site falls within the definition of Grey Belt.

Turning then to Paragraph 155 in the NPPF:

'The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- 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;*

³ The nearest large built-up areas are Holmfirth or Huddersfield which are over 5 miles away

⁴ Paragraph 005

- 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.'*

Referring to **155(a)**, this requires an assessment of the two remaining purposes (i.e. the remaining purposes not covered within the NPPF Glossary definition of Grey Belt):

- c)** To assist in safeguarding the countryside from encroachment;
- e)** To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'

Importantly, as confirmed by paragraph 155 (a), the assessment must assess the five purposes 'taken together', not individually. In other words, even if a proposal failed on one purpose, the assessment of appropriateness must be made against all five purposes of Green Belt as a whole.

In relation to **Purpose C**, the application site currently contains buildings and residential curtilage that will be replaced by the proposed dwelling and the development would be contained within the area of the existing building. As such, there would be no encroachment into the countryside.

As such, this proposal is at the very lower end of the scale in terms of Purpose C, because (a) the site already contains an existing building. This contrasts with a considerable number of appeals (including major developments) that have been allowed nationwide on wholly greenfield sites, or on sites where encroachment into the countryside has been considerably greater (see below comments re: Hemel Hempstead appeal for 400+ homes).

As a result, the proposals are not considered to conflict with **Purpose C** of Paragraph 143.

It is also important to note from Paragraph 014 of the Government's Guidance 'Green Belt' that:

...if development is considered to be not inappropriate development on previously development land or grey belt land, then it is excluded from the policy requirement to give substantial weight to any harm to the Green Belt, including to its openness.

This is consistent with rulings from the courts on these matters that, where development (of any kind, now including development on grey belt or previously developed land) is not considered to be inappropriate in the Green Belt, it follows that the test of impacts to openness or to Green Belt purposes are addressed⁵ and that therefore a proposal does not have to be justified by "very special circumstances".

The application site is not located within an urban area and therefore **Purpose E** of paragraph 143 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land) is not engaged in this case.

The proposals also comply with Green Belt Purposes A, B and D as discussed above.

In summary therefore on Paragraph **155(a)**, taken together as the policy requires, the proposals *would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan.*

⁵ Our emphasis

Indeed, within a recent appeal for 400+ homes on wholly greenfield land ⁶, the Inspector stated at Paragraph 153:

“I have found that the appeal site comprises other land that does not strongly contribute to purposes (a), (b), or (d). Even though there is moderate harm to purpose (c), the evidence before this Inquiry does not indicate that the appeal site has a wider strategic role in the functioning of the Borough’s Green Belt as a whole. Therefore, in utilising ‘Grey Belt’ land, the appeal proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Borough’s development plan. This is in line with paragraph 155 (a) of the Framework.”

Referring to **155 (b)** the proposed development is for one dwelling and as explained in Footnote 56 in the NPPF, the lack of a five year supply of deliverable housing sites within Kirklees, including the relevant buffer where applicable, is considered to be a demonstrable unmet need for housing.

The proposed development therefore complies with **155 (b)**.

Regarding **155 (c)**, the site is 0.6km away from the settlement of Bolster Moor, which is a 5-minute walk. This small village / hamlet contains a well-stocked farm shop for grocery needs, together with a café. Clough Head J & I school lies just 150 metres south of the site, and the Golcar Lily pub / restaurant is situated 550 metres to the east.

Golcar, 1.5 kms to the east (to the centre), contains a wider range of shops, nurseries, schools, services, and sports & community facilities.

The application site is also sustainably located in relation to public transport accessibility, with a bus service ⁷ providing an hourly service between Huddersfield and Scapegoat Hill. Monday to Saturday, the bus service runs between 6.30 am and 9.30pm, while on Sundays the service is hourly between 9.40am and 4.40pm.

The proposal site also provides immediate proximity to a wide and useful network of public rights of way, which would encourage walking and cycling.

Paragraph 110 in the NPPF states 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.”

The proposals are therefore considered to be in a sustainable location and are able to maximise sustainable transport solutions in compliance with comply with Paragraph **155 (c)**.

Paragraph 155d relates to major planning applications, and it is therefore not applicable in this case.

The proposed development is therefore considered to be appropriate development in the Green Belt in principle, in accordance with Paragraph 155 in the NPPF.

⁶ Appeal decision ref: APP/A1910/W/24/3345435

⁷ 303/304 - nearest bus stops are located just 120m away on Pinfold Lane – a 1 minute walk

Principle of Development - Housing Supply and Delivery

Paragraph 61 in the NPPF 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.’*

Nationally, the new Government ⁸ has acknowledged the housing crisis with the immediate decision to re-introduce compulsory house targets and the “urgent steps” pledge to build 1.5 million homes within this parliamentary term.

Paragraph 73 in the NPPF goes on to state that, *‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly.’*

The confirmed position for Kirklees Council ⁹ is that there is no longer a five-year supply of specific deliverable sites. As such, the delivery of this *windfall site* ¹⁰ will help contribute towards the projected windfall target in the Local Plan period. Furthermore, recent annual dwelling completion totals within the borough have been heavily reliant on windfall sites.

In addition to the confirmed inadequate housing supply position, housing delivery in Kirklees has also fallen below 95%. Indeed, recent BBC research has shown that housing delivery across the region has dropped in the first year of the Labour Government,¹¹ with the number of houses delivered in Kirklees up to April 2025 down 149, from 989 to 840.

As such, the proposed development will contribute to the supply of homes and will be delivered quickly (being self-build for the applicants themselves) as a small but important windfall site, and therefore help boost the falling supply of homes currently in the Kirklees district.

Self-Build Project

The applicants control ownership of the site and intend to develop the site as a self-build project.

NPPF Paragraphs 61 and 62 state:

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. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community.

⁸ Government News Story “Chancellor unveils a new era for economic growth 8th July 2024”

⁹ Kirklees Housing Position Statement to Boost Supply February 2024

¹⁰ NPPF Paragraph 73 (d) “To promote the development of a good mix of sites local planning authorities should....support the development of windfall sites through their policies and decisions...”

¹¹ <https://www.bbc.co.uk/news/articles/cwy2wn09n26o>

Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.

Government Guidance 'Self-build and custom housebuilding' states: "Self-build or custom build helps to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design and layout of their home, and can be innovative in both its design and construction."

Importantly, the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) states:

"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."

In summary, the proposals will provide a valuable additional dwelling to cater for the applicants who wish to build their own home, as the Government encourages, and in doing so will provide for the housing needs of a specific group, in accordance with NPPF paragraphs 61 and 62.

Heritage Impact

The Grade II listed 57 (and barn) Clough Road lies 50 metres to the south of the application site. The official listing description (Historic England records) reads:

Late C18 to early C19. Altered. House and barn in one range. Hammer dressed stone to house, coursed rubble to barn. Quoins. Pitched stone slate roof. 2 storeys. South elevation has: ground floor; entrance with stone surround, one 2-light stone mullioned window (with mullion removed) and one 4-light stone mullioned window. 1st floor; one 10-light stone mullioned window (with 2-lights blocked giving two 4-light windows). East gable has: ground floor; single storey extension (later). 1st floor; one 2-light stone mullioned window. North elevation has: ground floor; lean-to extension, with catslide roof with one 6-light stone mullioned window. Barn has large central doorway with stone lintel.

Local Plan Policy LP35 states that,

'Development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset.'

The proposed development therefore needs to consider any impact on the setting of the nearby listed buildings.

The NPPF glossary defines the setting of a heritage asset as:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset, and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

The proposal is judged to have a neutral effect on the setting of the listed buildings for the following reasons:

- 1) The separation between the two sites is a reasonably distant 50 metres.
- 2) The very limited intervisibility between the two sites (only the roof top of the listed building is visible - see photo below) and the development would not be visible from the listed building at ground or first floor levels.
- 3) There is significant screening at multiple points between the application site and the listed building, and a road also separates the two sites.
- 4) A relatively modern dwelling exists between the listed building and the application site, which arguably already negatively detracts from the listed building's setting.
- 5) The proposed new dwelling comprises a bespoke architectural design, which seeks to replicate the form and characteristics of traditional barns in this area, whilst providing contemporary design elements such as modern cladding (including the use of sustainable materials like timber) together with introducing contemporary window formats to allow significant amounts of natural light.



View from application site (listed property rooftop visible on far left)

Paragraph 215 in the NPPF goes on to state:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

In this case, given the nature of the proposals and the reasons outlined above, it is considered that the proposed development would not cause any material harm to the significance of the nearby Grade II heritage assets and does not therefore reach the threshold of 'less than substantial' harm.

The proposals are therefore considered to be acceptable and accord with Local Plan LP35 and the aims of Chapter 16 in the NPPF.

Design and Visual Amenity

Local Plan Policy LP24 states:

'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.'

Paragraph 135 in the NPPF sets out various design objectives, including the need to ensure developments will function well and add to the overall quality of an area, are visually attractive, are sympathetic to local character and establish or maintain a strong sense of place.

The Housebuilders Design Guide SPD also sets out what the Council considers to be high-quality residential design through a number of principles. The relevant Principles in relation to this application in terms of design and visual amenity are as follows (with responses attached to each Principle):

Principle 2: Respect and enhance the local character of the area. As detailed above, the design aims to fully respect and enhance the local character of the area in terms of design, materials, height, shape, form and architectural details. The plot would appear as a modern interpretation of a local stone barn, not dissimilar to the dwelling granted around the corner on Harts Hole Lane (see below). The new dwelling would also contrast, but also sit comfortably, with the host dwelling – respecting its scale, form, roof style, and massing.



Development granted planning permission off Harts Hole Road (Ref: 2020/92391)

The new parking area for the host dwelling has also been positioned to enable the retention of the existing semi-mature Maple tree, which is currently a visually pleasing feature within the front garden, viewable from the highway.

Principle 13: Materials. The development proposes timber and metal cladding materials, which although contrast with traditional stone, will help support the intended 'contemporary barn' design of the scheme, similar to the case mentioned above.

Principle 14: Windows and doors. The mixture of contemporary window and door shapes and sizes (materials aluminium) will complement and enhance the design and appearance of the application site.

Principle 15: Rooflines. The simple gable roof style is in keeping with traditional roof forms of existing buildings in the surrounding area. The flat roof element (with a parapet wall) will allow solar panels to be unobtrusively installed and not be visible, therefore preserving the simple appearance and visual amenity of the dwelling's pitched roof elements.

The proposed development is therefore considered to be acceptable with regard to design and visual amenity and complies with Local Plan Policy LP24, paragraph 135 in the NPPF, and Principles 2, 13, 14 & 15 of the Housebuilders Design Guide SPD.

Residential Amenity and Space Standards

Local Plan Policy LP24 states:

'Proposals should promote good design by ensuring: b. they provide a high standard of amenity for future and neighbouring occupiers.'

This is echoed in paragraph 135 f) in the NPPF.

The relevant principles in the Housebuilders Design Guide in relation to residential amenity are as follows:

Principle 6: Maintaining high standards of residential amenity. The position, orientation and separation distances of the various plots would be policy compliant as follows:

- 1) The ground floor window from the living space of the new dwelling would have ordinarily overlooked the side walls of host dwelling, however the proposals include for the blocking up of the side elevation windows on the existing dwelling, to be replaced by a pair of rooflights on the kitchen extension instead.
- 2) The first floor south-east facing bedroom window will be obscure glazed, thereby addressing any potential overlooking issues in relation to the side elevation of no. 1.
- 3) The proposed ground floor bedroom would contain a habitable window, however again, the north facing elevation on the existing house would have its current glass door blocked up, thereby preventing any overlooking issues arising.
- 4) Although there are no specific policies with regard to windows overlooking gardens, the side (south-west) windows overlooking the neighbouring garden of Clough Crest would be either

non-habitable room (kitchen) or secondary windows (serving the living space and upstairs bedroom).

- 5) There are no windows proposed on the north-east facing elevation - i.e. facing no. 4 Clough Head.

Principle 16: Internal Space Standards. The new dwelling would provide adequate storage in accordance with the nationally described space standards (6 sq.m), and other storage is also likely to be available elsewhere within the dwelling. The overall size of the new dwelling at 149 sq.m GIA also exceeds the nationally prescribed floorspace standard required for a three bedroomed house (84 – 102 sq.m).

Principle 17: Outdoor space. The proposed dwelling would result in good levels of amenity for future occupants in relation to outdoor amenity space, providing proportionate and ample garden / amenity areas, to the front and rear. The existing dwelling (1 Clough Head) would also retain an ample garden area to the front.

The proposed development is therefore considered to be acceptable in relation to residential amenity and complies with Local Plan Policy LP24, paragraphs 135 f) and 198 in the NPPF and Principles 6, 16 and 17 in the Housebuilders Design Guide.

Highway Safety and Waste Management

Local Plan Policy LP21 states:

‘New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of the development are not severe.’

Access to the proposed development would be from the existing access road from Slaithwaite Gate, with ample visibility in both directions on this 30mph road due to the access being on a convex bend, and the proposals to reduce the wall height on the right splay to 0.8m (see proposed site plan). The turning areas to be provided within the site would allow vehicles to manoeuvre easily and safely, and would enable all residents’ vehicles to enter and leave the site in a forward gear.

Two parking spaces are proposed for both the new dwelling (3 beds) and the existing dwelling (3 beds). The amount of parking provision is therefore considered to be suitable for the development and accords with the Kirklees Highways Design Guide.

Bin storage, containing a mix of domestic and recycling bins, would be provided for the new plot as illustrated on the proposed layout plan. Bins are currently collected from adjacent to the site entrance, and this arrangement will continue for the new dwelling (i.e. only two bins will be collected for each waste / recycling bin day).

The proposed development is therefore considered to be acceptable in respect of highway considerations and accords with Local Policies LP21 and LP22 and the aims of Chapter 9 in the NPPF.

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Other Planning Matters

a) Biodiversity Net Gain and Ecology

Certain types of development are exempt from the mandatory biodiversity net gain requirements. This includes self-build and custom build development which:

- Consists of no more than 9 dwellings, and
- Is carried out on a site which has an area no larger than 0.5 hectares, and
- Consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

The proposed development comprises 1 dwelling to be built on an area of land measuring less than 0.5ha. Section 1(A1) of the Self-build and Custom Housebuilding Act 2015 states:

‘In this Act “self-build and custom housebuilding” means the building or completion by –

- (a) individuals,
- (b) associations of individuals, or
- (c) persons working with or for individuals or associations of individuals,

of houses to be occupied as homes by those individuals.’

The proposed dwelling would be designed, constructed and occupied as a self-build development. The development therefore complies with the legislation quoted above. The proposed development is considered to be exempt and therefore acceptable with regard to biodiversity net gain requirements.

A bat survey is not considered to be necessary in this case for the following reasons:

- 1) The building to be demolished is modern in construction and very well sealed - see photos below.
- 2) The site is outside the bat alert area and is located at a high altitude of 295m.
- 3) There are no significant groups of trees or watercourses nearby.

The site is therefore unlikely to be suitable for bat roosts.



View of existing garage / store – pointing in excellent conditions and no gaps for bats to enter.



View of existing garage / store rear – again, no gaps for bats to enter.

Overall therefore, the proposals are considered to comply with Paragraph 170 in the NPPF (Conserving and enhancing the natural environment), Local Plan Policy LP30 (Biodiversity and Geodiversity), and Principle 9 in the Housebuilders SPD.

b) Climate Change

A Climate Change Statement is submitted as part of the application. The following climate change mitigation measures form part of the development proposals and it must be noted that the applicants in this case see these measures as integral to their plans for an environmentally friendly, low carbon house.

1) Energy efficiency / sustainability through design & construction:

- High performance insulation in the floors, walls and roofs and air tightness (potentially exceeding building regulations requirements) achieved through the products and methods used in the timber frame construction.
- 100% FSC -Certified structural timber construction from guaranteed renewable production methods and sources.
- Triple glazed aluminium frame windows and doors to significantly reduce heat loss.
- Mechanical Ventilation with Heat Recovery (MVHR) system incorporated into the construction. Mechanically conditions the air whilst recovering up to 80% of the warm exhaust air to heat the property.
- Large format glazing incorporated into the design including south facing orientation to maximise heat from the sun.

2) *Renewable energy source / services:*

- Monocrystalline Solar Panels located on the flat roof typically 25%+ efficiency.
- Solar panels incorporated into the main roof using the sheet roofing suppliers integral proprietary system
- Solar panels linked to battery storage systems to provide self-sufficient electricity.
- Installation of air source heat pump.
- Installation of underfloor heating which provides low output heating to maximise efficiency, especially the heat pump
- Installation of Smart Technology control systems and appliances to maximise efficiency.

3) *Sustainability:*

- Low-flow taps, showerheads, and toilets.
- Where possible materials with low environmental impact are to be used in the overall construction.
- Low impact external spaces with an emphasis on natural soft landscaping.

The proposals would therefore have a positive impact on climate change and accord with Local Plan Policies LP24 & LP26, and Principle 18 in the Kirklees Housebuilders Design Guide SPD.

c) Water supply and drainage

The property is supplied by mains water however as shown on the plans, a septic tank will be required for foul sewerage. The proposed development is therefore considered to be acceptable in relation to Local Plan Policy LP28.

Summary and the Planning Balance

This application seeks planning permission for the demolition of an existing garage / store building and the erection of an environmentally sustainable self-build dwelling on the same footprint. The dwelling will enable the applicants to relocate from their current property and release their existing dwelling to other family members.

The proposed site is considered to constitute Grey Belt land, and when considered against other permitted cases across the country – including major developments on greenfield sites - this development is considered to be very much at upper end of acceptability / lower end of harm, being a site containing an building and not encroaching into the wider countryside. Furthermore, the site is within a sustainable location.

The development would also contribute to the borough's housing supply at a time when no five year supply of deliverable sites can be demonstrated by the Council, and where delivery rates are lower than required, and also falling. Specifically, the proposals would also support the Government's housing objectives by providing for the needs of groups with specific housing requirements – i.e. those wishing to self-build. The proposals would support the Government's housing objectives as a small windfall site that it is likely to be delivered relatively quickly.

As detailed above, the proposals are considered to comply with all other relevant planning policies and guidance, and it is therefore respectfully requested that planning permission is granted accordingly.

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Robert Halstead Chartered Surveyors & Town Planners

May 2026