



Planning Statement

**RESIDENTIAL DEVELOPMENT FOR ONE DWELLING (PERMISSION
IN PRINCIPLE)**

LAND OFF LOW MOOR, LEPTON, HD8 0NB

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1.0 INTRODUCTION

This statement supports a planning application for Permission in Principle to establish the acceptability in policy terms of developing a parcel of land at Low Moor, Lepton, for residential purposes. It is proposed to erect one detached dwellinghouse.

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

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

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

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

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

The Location of the Site and Type of Land Use

The site comprises 'grey belt' land within the Green Belt and the Local Planning Authority (LPA) does not have a five-year supply of housing land. As such there is a demonstrable

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

The Amount of Development

This statement should be read alongside the supporting plans, which give a broad indication of the location and footprint of the dwelling proposed.

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

2.0 SITE AND SURROUNDINGS

The application site is a parcel of land located to the south of Low Moor, Lepton. The plot is effectively an infill plot located between built form to the east, south and west. The location plan is shown in Figure 1 below.



Fig 1: Location Plan

The site is located within the village of Lepton with excellent access to local services and public transport links. The site is washed over by the Green Belt and falls within a Coal Authority High Risk Area.

3.0 THE PROPOSAL

Permission in Principle is sought for residential development, consisting of one detached dwelling.

The indicative proposed site plan shows that the dwelling could be sited as follows:



Figure 2: Proposed (indicative) site plan

The front elevation is shown facing towards Low Moor, along with an indicative access point.

The submitted site plan shows that a dwelling could be comfortably accommodated within the site and that it would effectively be 'sandwiched' between existing built form.

It is a well contained site and the proposed dwelling would not result in a prominent development in the wider landscape and there would be no harm to the function of the wider Green Belt.

4.0 PLANNING HISTORY

There is no recent planning history for the site which is considered of direct relevance to the current proposal.

5.0 ALLOCATION AND POLICIES

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

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

Allocations

The site lies within the Green Belt as identified by the Kirklees Local Plan 2019. The following legislation, policy and guidance is considered relevant to the determination of this application:-

National

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

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

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this.

Kirklees Local Plan

The following policies are considered of relevance:

LP1 – Presumption in favour of sustainable development

LP2 – Place shaping

LP3 – Location of new development

LP7 – Efficient and effective use of land and buildings

6.0 ASSESSMENT

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

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

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

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

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

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

The NPPF defines 'grey belt' land as:

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

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

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

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

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

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

The application site is a small parcel of land that is contained on all four sides by the public highway and existing built form. The indicative layout shows the dwelling would be placed in a position that would effectively make it an infill plot. There would be no sprawl of the existing built-up area. As such, the site does not play any important role in

checking the sprawl of large built-up area and does not strongly contribute to purposes a).

b) to prevent neighbouring towns from merging into one another

The site essentially comprises an infill plot within the village of Lepton. The site does not sit within a strategic gap between separate settlements. The proposed development would not materially reduce the separation between neighbouring settlements or lead to their coalescence. It would therefore not result in neighbouring towns from merging into one another.

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

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

In conclusion, it is clear that the site comprises 'grey belt' land as defined by the NPPF. The site is well contained by the existing roads and built form. The development of the site would not fundamentally undermine the purposes of the Green Belt across the plan area.

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

In terms of the sustainability of the location for development, despite being within the Green Belt the site is not isolated or inaccessible. Low Moor leads on to Town End Lane/ Pinfold Lane, leading to the facilities of Lepton. Lepton and Fenay Bridge provide a range of local services and facilities including local convenience shops, education provision, community uses and recreational spaces. There are also facilities and employment opportunities available in Huddersfield town centre, accessible by public transport with regular buses serving the bus stops to Huddersfield from Lepton. There are also numerous employment opportunities close by.

As such, the site is a wholly sustainable location for one dwelling.

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

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

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

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

Landscape Considerations

As the development is not inappropriate in the Green Belt as defined by paragraph 155 of the NPPF, no consideration of the impacts on Green Belt openness is applicable. However, it is fully acknowledged that the impact on landscape character remains a material consideration and is relevant in terms of the 'location of the site' criterion that is considered when making a 'Permission in Principle' decision.

The proposed dwellings would sit comfortably alongside the existing built form in the area and would be well screened from wider public views. The development would respect and reflect the development pattern that has been established over time. Consequently, there would be no harmful impact on the wider landscape character and so the proposal is fully compliant with the NPPF in this respect.

Other Considerations

Subject to appropriate design details at the technical matters stage, the proposed dwelling would have no adverse impact on residential amenity at any other neighbouring property. This, and the design of the dwelling and its access will be dealt with at the technical details stage. The site measures less than 1,000 square metres and therefore falls within the

exemption set out at 2b of Policy LP38 (Minerals Safeguarding). As such, there is no conflict with this policy.

Any application for technical details consent would also likely be supported by a Coal Mining Risk Assessment.

7.0 CONCLUSION

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

Location

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

Type of Development

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

Amount of Development

One dwelling would fit comfortably in the site whilst remaining consistent with the character of the area.

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