

PLANNING STATEMENT

Land Adjacent 23 Suffolk Street

Batley

WF17 7RZ

Proposal

Erection of a Detached Dwelling.

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1.0 INTRODUCTION

- 1.1 This Planning Statement is submitted by 'Planning Management Ltd' on behalf of the applicant Mr S Seedat who owns the land adjacent to No.23 Suffolk Street. The land is located adjacent to the northern gable of the detached dwelling No.23. The proposed site was historically used as a turning area and for informal pedestrian access through to the community Hall and Purlwell Lane until more recently when it was purchased by the applicant.
- 1.2 An application was submitted and approved in 2009 for 'The erection of 1 detached dwelling' at the site (App No: 2008/62/93080/E1), however the dwelling was not constructed. The land is currently vacant, has no formal purpose, and has been in this disused state for at least the past 20 years, although maintained.
- 1.3 The Vision for Kirklees is for a mix of high-quality housing which offers choice and meets the needs of all communities including affordable housing. The challenges of an ageing population will have been addressed and a range of housing and employment choices available to attract and retain younger age groups within the district to build sustainable communities.
- 1.4 In terms of housing delivery, the government's aspirations for housing delivery and shift in emphasis to focus more on home ownership options means that the council will need to enable a variety of approaches and work creatively and collaboratively with development partners to deliver housing growth and tenures which meet needs.
- 1.5 National planning policy states that the Local Plan should identify and plan to meet the full objectively assessed needs for market and affordable housing within the relevant market area. This includes an assessment of current demographic information, market trends, affordability and other relevant information.
- 1.6 The application site would be a small windfall site. The total number of new homes built on windfall sites since 1999/2000 (excluding residential gardens) was 15,165 (an average of 892 per annum). Windfall sites have therefore been a reliable source of

supply in Kirklees over the past 17 years. The “brownfield first” policy in previous national planning policy and the council exceptions approach to greenfield development during much of this period restricted the development of greenfield housing allocations. This may have led to an increase in delivery on windfall sites as particularly brownfield sites were developed in the absence of available greenfield capacity.

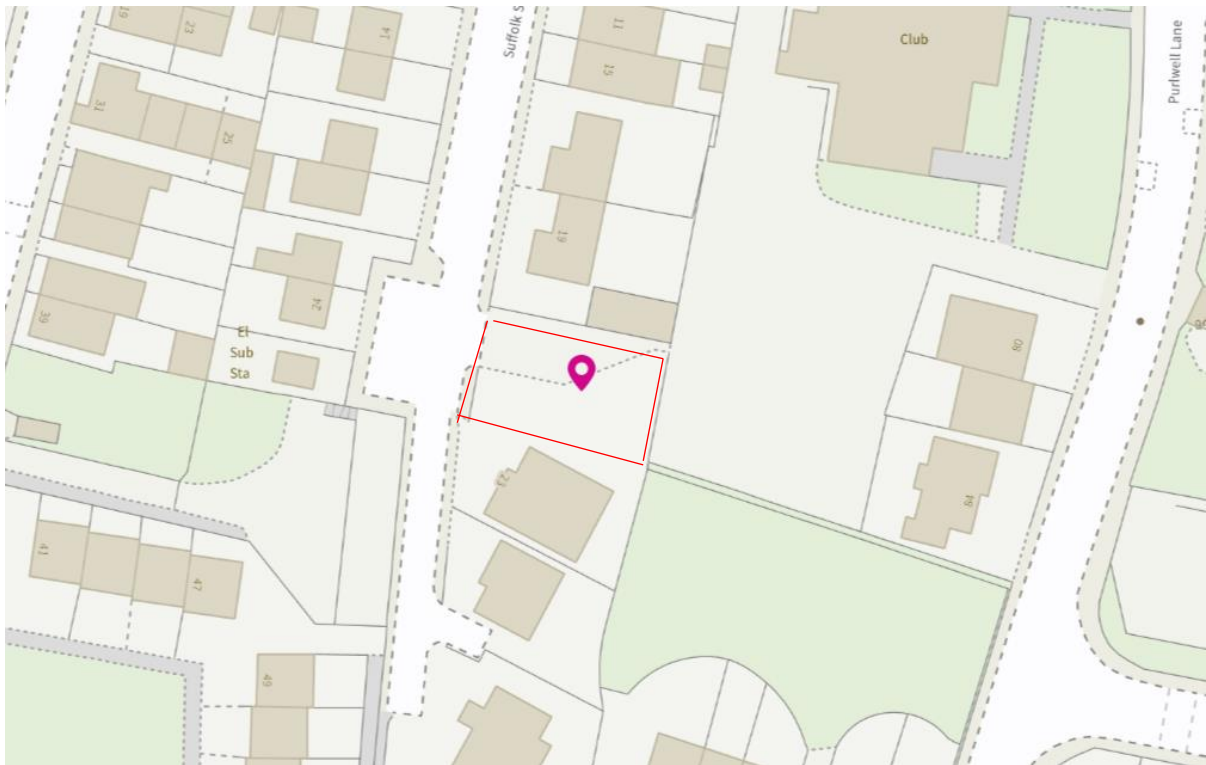
- 1.7 However, National planning policy changes have removed restrictions on the development of greenfield sites and as the Local Plan allocates significant capacity on new housing sites it is unlikely that past levels of windfall completions will be sustained throughout the Local Plan period.
- 1.8 The applicant would like to work with the Council in order to secure approval for the proposed use.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is located adjacent to the end terrace No.19 Suffolk Street to the north, and the detached property No.23 Suffolk Street to the south. The land is partially grassed over and is partial hardstanding and falls in land level from south to north. Vehicular access into the site is provided directly from Suffolk Street. The site is currently open. The rear boundary retaining wall is shared with MPIT Community Hall.
- 2.2 Suffolk Street is a residential street consisting of a variety of residential properties which include terraced dwellings, detached dwellings, and semi-detached dwellings. The brick used on the dwellings also vary depending on the time of construction with different shades of brick viewed within the street, including red brick, buff brick, and brown brick.
- 2.3 Directly to the east (rear) of the site is MPIT Community Hall and its car park which are on a lower ground level. Whilst to the north, south, and west are residential dwellings.



Above: The site is currently open land which is uneven and drops in levels from south to north.



Above: The Councils Local Plan indicates the site located in the defined urban area. It has no other specific designation.

3.0 PROPOSED DEVELOPMENT

- 3.1 The proposal is for planning permission to construct one two storey detached dwelling for the applicants son and his family. The proposed dwelling would consist of a living room, separate sitting room, kitchen/dining room, a bathroom and utility at ground floor, four bedrooms and a bathroom on the first floor, and 2 further bedrooms in the loft area. The garden areas of the dwelling would be provided to the rear.
- 3.2 The dwelling design originates from the existing detached dwellings to the south along Suffolk Street. The proposed dwelling would consist of similar features including dual pitched roof design, well-proportioned windows with stone heads and cills, and central porch feature along the front.
- 3.3 The elevation heights, window sizes and openings have been designed as a continuation of 23 Suffolk Street. Usable private garden space for the future owners of the property would be to the rear of the dwelling. Shrub planting and lawned areas would be introduced to the site in order to reduce any hard appearance when viewed from the street/close quarters.
- 3.4 In terms of parking, the proposal would provide three car parking spaces for the dwelling. Vehicular access would be from Suffolk Street.
- 3.5 The bin storage area would be located in the rear amenity space.



Above: Image shows the site to the front with No.23 Suffolk Steet to the right and No.19 to the left. The application site is large in size and mainly disused.



Above: Image shows the rear view from the Community Hall car park.



Above: Proposed front elevation, this shows a gradual stepping of roof heights within the street.



Above: Proposed rear elevation.

4.0. INVOLVEMENT

- 4.1 No formal pre-application advice in this instance has been sought from the Council. The scheme put forward is an acceptable proposal providing quality accommodation in this area.
- 4.2 Paragraph 40 of the NPPF states;
“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.”.
- 4.3 This planning Statement has been submitted as part of this planning proposal to provide a reasoned justification of the proposal using local and national planning policy and guidance.
- 4.4 The issues of highways safety, amenity of the surrounding area, design and the principle of the development are taken into consideration in the assessment below.

5.0 HISTORY

- 5.1 A history check has been undertaken which has revealed the below planning history for the site, the relevant planning history includes;

Application 2010/90432

Erection of 3 town houses

🏠 Adj, 19, Suffolk Street, Batley, WF17 7RZ

Received on 13-Feb-2010

✕ Application refused, comment period has ended

Application 2009/91766

Erection of 3 town houses

🏠 adj, 19, Suffolk Street, Batley, WF17 7RZ

Received on 18-Jun-2009

✕ Application refused, comment period has ended

Application 2008/93080

ERECTION OF 1 DWELLING WITH INTEGRAL GARAGE

🏠 LAND ADJACENT, 19 SUFFOLK STREET, BATLEY

Received on 21-Aug-2008

✓ Application approved, comment period has ended

6.0 RELEVANT PLANNING POLICY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The National Planning Policy Framework (December 2024) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.3 The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). It states that 'Our vision needs to consider what Kirklees should be like in the future if the needs and aspirations of those who live, work in or visit Kirklees are to be met whilst retaining the characteristics that make it attractive and distinctive. It also needs to be flexible to allow us to respond to future challenges in a way that is right for Kirklees and its residents and businesses.'
- 6.3 The statement vision for Kirklees is that people will have access to a range of local facilities including services, healthcare and education provision, and adequate infrastructure. Places will be well-connected encouraging sustainable travel including increased opportunities for walking and cycling and improved links to other parts of the Region and beyond.
- 6.4 The following Local Plan policies have relevance to the proposal:

LP 1 ACHIEVING SUSTAINABLE DEVELOPMENT

LP 2 PLACE SHAPING

LP3 LOCATION OF NEW DEVELOPMENT

LP7 EFFICIENT AND EFFECTIVE USE OF LAND AND BUILDINGS

LP11 HOUSING MIX AND AFFORDABLE HOUSING**LP21 HIGHWAY SAFETY****LP 22 PARKING****LP 24 DESIGN****LP 30 BIODIVERSITY****LP61 URBAN GREEN SPACE**SUPPLEMENTARY PLANNING DOCUMENTS (SPDS)

Housebuilders Design Guide (June 2021)

Highway Design Guide SPD (November 2019)

NPPF (2024)

- 6.10 The NPPF clearly states ‘that the purpose of the planning system is to contribute to the achievement of sustainable development’ (paragraph 7).
- 6.11 Paragraph 125 of the NPPF states that Planning policies and decisions should:
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.
- 6.12 Paragraph 129 of the NPPF states that Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.
- 6.13 Paragraph 135 of the NPPF, advises that Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.14 Chapter 5 of the NPPF supports local planning authorities to ensure that the delivery of new housing seeks to meet locally-identified need.

6.15 Paragraph 135 states that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.16 The general perspective of the NPPF is that planning should proactively drive growth and support sustainable economic development. It also states that planning should make effective use of land by reusing land that has been previously developed and sets out a presumption in favour of sustainable development. The government is committed to ensuring that the planning system does everything it can to support sustainable economic growth.

- 6.17 Paragraph 116 of the NPPF states that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios’.

National Planning Practice Guidance (NPPG)

- 6.18 The government published its NPPG on 6 March 2014. This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

7.0 ASSESSMENT

- 7.1 The proposed site is located within the urban boundary as designated within the Councils Proposal Map. The site has no other land use designations.

Principle

- 7.2 Policy LP1 of the Kirklees Local Plan (KLP) states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.
- 7.3 Policy LP3 (Location of new development) states that Development will be permitted where it supports the delivery of housing and employment growth in a sustainable way.
- 7.4 Whilst Policy LP7 (Efficient and effective use of land and buildings) states that to ensure the best use of land and buildings, proposals:
- c. should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value;
- 7.5 Policy LP11 (Housing Mix) states that all proposals for housing must aim to provide a mix (size and tenure) of housing suitable for different household types which reflect changes in household composition in Kirklees in the types of dwelling they provide, taking into account the latest evidence of the need for different types of housing.
- 7.6 The proposed development of the land will bring a largely disused piece of land into a suitable and sustainable use that would provide quality accommodation for existing families living in the area. It is positioned in a sustainable location, and an opportunity has arisen where investment can be made to bring the land to a more suitable functional use and where it would not have a negative impact on the surrounding area.
- 7.7 The site is well located in relation to residential dwellings, typical family housing accommodation in an urban area so as to support urban regeneration and protect the countryside.

- 7.8 The proposal would provide good quality housing accommodation, which is much needed in this inner urban area close to local amenities. The dwelling would complement the character of the area by bringing a large sized unused land into functional use. The proposal would consider the needs of the local community, protect the surrounding built environment and provide the future occupiers with services within walking distance reducing the need to travel.
- 7.9 The effect on residential amenity by reason of noise or other nuisance would be minor given its location amongst other similar residential uses. There may be some noise penetration from cars using the community car park to the rear, however this is not considered to be overwhelming, furthermore, good level of acoustics would be provided throughout the construction of the dwelling to meet regulatory standards.
- 7.10 The proposed development would provide access and parking arrangements and sufficient garden space. In addition to the above, privacy would be maintained, and no serious detriment would occur to the character of the area enjoyed by other residents. This is further discussed below.
- 7.11 It is also considered that the proposal would not have a detrimental effect on the safe and efficient operation of the existing transport and road infrastructure. Highways safety is further discussed in the relevant section below.
- 7.12 In respect of the above policies, the surrounding area is predominantly residential, and therefore residential is considered as a complimentary use to the existing character of the area. In addition, the site is located in a sustainable area with good access and facilities, and which makes efficient use of the land whilst delivering an appropriate use for the site. The NPPF as mentioned above states the Government's objective of significantly boosting the supply of homes.
- 7.13 In light of the above it is considered that the principle of providing a residential unit at the application site is acceptable.

Amenity

- 7.18 Local Plan policy LP24 states that proposals should ensure good design by ensuring developments minimise the impact on residential amenity of future and neighbouring occupiers.
- 7.19 It has already been established above that the principle of providing residential accommodation at the site would be acceptable, consideration should also be given to the immediate surrounding area and mainly to the existing dwellings surrounding the site. The area in general and in its wider context is described as established residential, and the proposal would therefore complement the existing land uses around the area. It is however important to ensure that the proposal would not impact unduly on matters such as overlooking, overshadowing, noise, and other pollution effects.
- 7.20 In relation to noise, it should be acknowledged that there would be some road noise from the turning head at Suffolk Street during daylight hours. However, with sufficient acoustics, the noise from neighbouring uses and the road will not have a significant impact on the amenity of future occupiers or from external noises.
- 7.21 In respect of other matters, it is important that the development provides adequate space about buildings. The SPD provides guidance;
'For two storey houses typical minimum separation distances are advised':
- 21 metres between facing windows of habitable rooms at the backs of dwellings;
 - 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
 - 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
 - for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

- 7.22 The guidance goes on to state that ‘Normally new build developments should seek appropriate separation distances for servicing, accommodating future adaptations and creating attractive street scenes. **These should be in keeping with the character and context of the site** and proportionate to scale of the dwellings’.
- 7.23 It is considered that there would be no concerns regarding the distances to both the front and rear elevations which would provide a distance of more than 21m, the side elevations of the dwellings would not provide habitable rooms.
- 7.24 As such, there would be no overlooking from the proposed dwelling given this would be in keeping with the surrounding context of the site.
- 7.25 In terms of overshadowing, the proposed dwelling would not be any taller and would continue the streetscape and building line along the important front elevation. There would be a natural step down given land levels, as such the proposed building would not appear overbearing or result in overshadowing due to its orientation and position.
- 7.26 Given the design and distances to neighbouring properties, the proposed dwelling would not cause overshadowing that would be detrimental to the amenity of any neighbouring occupiers. These distances, and the design proposed is therefore in accordance with the guidance provided in the SPD.
- 7.27 As explained above, the proposed development would adequately provide the level of amenity that would be expected for a residential property within this area. The proposal would be compatible with the density and character of the surrounding development.
- 7.28 With regard to the living conditions of future occupiers of the property, it is noted that each habitable room within the building would be provided with natural light and ventilation, with an outlook onto the garden areas and road to the front and beyond.
- 7.29 Bin storage areas would be provided to the back/side of the site away from the main public vantage points and away from the Suffolk Street frontage. Sufficient garden

space would be provided to the rear of the dwelling for children to play and for residents to sit out. Landscaping would ensure the space remains private to the occupiers of the property.

- 7.30 In light of the above, it is considered that the development would provide adequate space about buildings, so as to protect future residents from any excessive levels of overshadowing and/or loss of privacy and a good standard of living accommodation. The application is therefore acceptable in this respect and would meet with the expectations of Policies along with the relevant requirements of the National Planning Policy Framework.

Design

- 7.31 Local Plan policy LP24 states that: ‘Proposals should promote good design by ensuring:
- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape, and;
 - c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;’
- 7.32 Paragraph 135 of the National Planning Policy Framework states that ‘decisions should ensure that developments will function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’.
- 7.33 The property externally has been designed to continue the features of the adjacent property No.23 Suffolk Street. The external features of similarity include window sizes and window design, fenestrations, and a dual pitched roof.
- 7.34 It should also be noted that the front elevation would be the most prominent where it would be viewed by people walking along Suffolk Street and from passing vehicles. As such, the roof has been designed to be pitched and gable ended to match the existing

terraces, whilst the materials proposed for the dwelling would include red brick, stone features, and tiles for the roof.

- 7.35 The brickwork, roof materials, windows frames and doors used would match those used on the neighbouring dwellings to the south. The materials for the dwelling and their detail can be confirmed as a condition of any approval if necessary.
- 7.36 It is considered that the design would not undermine the character of the area or the traditional surrounding built environment as a whole and would be acceptable in this location and position where nearby properties consist of a variety of buildings and dwelling types. The overall appearance is not considered harmful and would complement the character of the area in this location.
- 7.37 In light of the above, the proposal would result in no undue harm to visual amenity and would be acceptable to the overall character and appearance of the area and the street scene. The application would therefore accord in this regard with Policy LP24 of the Local Plan and the relevant parts of the NPPF, and SPD.

Highways

- 7.38 Policy LP21 of the Local Plan requires all proposals to ensure the safe and efficient flow of traffic within the development and on the surrounding highway network; and where needed, provide new infrastructure or improvements on or off site to ensure safe access from the highway network for pedestrians, cyclists, public transport users and private vehicles.
- 7.39 Paragraph 115 of the NPPF makes clear that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be **severe**’.
- 7.40 Kirklees Council has not set local parking standards for residential and non-residential development. However, as an initial point of reference for residential developments, it is considered that new:

- 6 bedroom dwellings provide a minimum of three off street car parking spaces.

- 7.41 The application site is seldom used and is vacant, as such the proposed development would be quite intensive by comparison. The site is located in close proximity to a number of Local Centres and therefore in an accessible location. The plans show three dedicated off-street parking spaces would be provided for the dwelling to the front which would be sufficient for dwellings of this size with 6 bedrooms.
- 7.42 Also, given its location close to a main road (Purlwell Lane) which links into the town centre, with excellent bus links and parking available on side streets and in the vicinity, sufficient provision for a development of this size in a location as sustainable as this (close to the main town centre and close to a major bus route) is justified.
- 7.43 Furthermore, the addition of a possible 3 extra cars using the road by way of this development would not strain the surrounding highways.
- 7.44 It is not expected that this proposal would impact negatively upon the surrounding highway network.
- 7.45 Bin storage would be provided in the rear/side yard area where refuse would also be collected from, similar to the neighbouring dwellings.
- 7.46 Given the details, it is considered the proposed development can safely be provided without resulting in harm to pedestrian and highway safety. As demonstrated the proposal would provide sufficient parking and would be in accordance with Policy LP21 of the Councils Local Plan and Paragraph 111 of the NPPF where the proposal would not have a **severe** cumulative impact to warrant refusal of the application.

8.0 CONCLUSION

- 8.1 It has been demonstrated that the proposed development can be carried out in full compliance with the Council's policies in the Local Plan and the National Planning Policy Framework. The development would provide good quality family accommodation which would bring a positive contribution into the local area without creating a significant detrimental impact on the amenity of the local occupiers and residents.
- 8.2 Given the above, the proposal should be supported in full by the Council.