

PLANNING STATEMENT

LAND AND PREMISES AT OLD WHITE LEE COLLIERY (FORMER
METALLIZERS LTD), LEEDS ROAD, HECKMONDWIKE, WF16 9BH

FULL PLANNING APPLICATION FOR THE DEMOLITION OF
EXISTING BUILDINGS, ERECTION OF 15 NEW DWELLINGS,
FORMATION OF NEW ACCESS AND ASSOCIATED LANDSCAPING

Prepared by Jay Everett BSC Hons MRTPI Director,
Addison Planning Consultants Ltd on behalf of
Beaufort Land and Developments Ltd

25th May 2020



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REFERENCE DOCUMENTS
N/A

QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Jay Everett and I have been a Chartered Member of the Royal Town Planning Institute since 1993. I hold a degree in Town and Regional Planning, and I am Managing Director of Addison Planning Consultants Ltd.
- 1.2 I have 28 years of experience of working in the field of town planning, including 12 years in local government working in both planning policy and development control and 16 years acting for landowners, developers, occupiers and investors throughout the North of England. My involvement in the property market involves the preparation of complex planning applications, strategic promotion of land and property through the local planning policy system and acting as expert witness at planning appeals.
- 1.3 My Statement deals with the planning policy context relating to the site and specifically the history of the application site, why the proposed residential scheme has been developed and the planning policy context for the proposals. I then consider the planning case for the scheme.
- 1.4 **Chapters 2 to 4** introduce the proposal. Chapter 3 describes the site and its environs, and the planning history. Chapter 4 examines the planning policy context for the consideration of the proposals.
- 1.5 **Chapter 5** of my Statement examines the planning case for the proposed scheme.
- 1.6 **Chapter 6** summarises the principal conclusions from Chapters 5.

INTRODUCTION & BACKGROUND INFORMATION

- 2.1 This Statement has been prepared on behalf of Beaufort Land and Developments Ltd prospective developers of the site known as Old White Lee Colliery (Former Metallizers Ltd), Leeds Road, Heckmondwike, WF16 9BH
- 2.2 The site is 'previously developed land' comprising a range of now vacant former industrial premises at the end of their useful lifespan. The former use of the site was by a company undertaking specialist metal works, including refurbishment of worn components by metal spraying. The use appears to have been an engineering/general industrial use - for planning purposes it seems reasonable to assume the extant use of the site and premises would be classed as a General Industrial Use within the B2 Use Class.
- 2.3 The proposal is to demolish the existing structures on the site and develop 15 number high-quality family homes on the site of the demolished buildings and former hard standing areas. A new access (re-positioned from an existing access on Muffit Lane) is proposed from Muffit Lane and extensive new landscaping is proposed.
- 2.4 Dwellings are proposed on the previously developed Green Belt land to achieve the efficient development of the site and optimum viable solution that will ensure the regeneration and visual enhancement of the site.
- 2.5 The Application is supported by several plans and documents as follows:
- H1a: APC Covering Letter 25-05-2020
 - H1b: Planning Application Form 25-05-2020
 - H1c: Residential Dwellings Supplementary Info Form 25-05-2020
 - H1d: Drawing 3060-0-000 Site Location Plan
 - H1e: Site Plan Existing – Topographical Survey 05-02-2020
 - H1f: Existing Elevations and Floorplans:
 - Drawing No 440-01 Existing Garage
 - Drawing No 440-02 Existing Office
 - Drawing No 440-03 Existing Building A
 - Drawing No 440-04 Existing Building B
 - Drawing No 440-05 Existing Building C
 - Drawing No 440-06 Existing Building D
 - Drawing No 440-07 Existing Building E
 - Drawing No 440-07 Existing Building E
 - H2: Design Material
 - Drawing 16-1091-002 Proposed Site Access
 - Drawing 3060-0-001F Proposed Site Layout 18-05-2020
 - Drawing 3060-0-001F Proposed Site Layout Colour 18-05-2020

INTRODUCTION & BACKGROUND INFORMATION

Drawing 3060-0-002 Indicative Street Scenes (coloured) 06-05-2020

Drawing 3060-0-003 Aerial Views 18-05-2020

Drawing 3060-0-004A Demolition Plan 18-05-2020

Drawing 3060-0-005 House Type A 18-05-2020

Drawing 3060-0-006 House Type B 18-05-2020

Drawing 3060-0-007 House Type C1 18-05-2020

Drawing 3060-0-008 House Type C2 18-05-2020

Drawing 3060-0-009 House Type D 18-05-2020

Drawing 3060-0-010 House Type E 18-05-2020

Drawing 3060-0-011-1 House Type F Floorplan 18-05-2020

Drawing 3060-0-011-2 House Type F Elevations 18-05-2020

Drawing 3060-0-012A Indicative Materials Plan 18-05-2020

H3a: Landscape Visual Assessment 21-05-2020

H3b: Drawing R-2347-1C-Landscape Masterplan 500@A1 21-05-2020

H4: Design and Access Statement 3060-1-DAS Rev C 18-05-2020

H5a: Planning Statement 25-05-2020

H5b: Affordable Housing Statement 25-05-2020

H6: Transport Statement 16-1091 03-04-2020

H7a: Flood Risk Assessment 19389 - FRA Rev C 19-03-2020

H7b: Drainage Strategy 19389-DR-C-0100 P1 16-12-2019

H7c: Storage Volume Calcs 16-12-2019

H8: Tree Impact Assessment 14-04-2020

H9a: Preliminary Ecological Appraisal 25-04-2020

H10a: Phase 1 Geo-Environmental C314_19_E_470 21-11-2019

H11b: Coal Mining Risk Assessment 20-02-2018

H11: Statement of Community Involvement 25-05-2020

- 2.6 The following section of this Statement sets out a description of the site and its surroundings and its Planning History.

SITE DESCRIPTION AND PLANNING HISTORY

- 3.1 The application site is located at the Old White Lee Colliery (formerly Metallizers Ltd.) off Leeds Road in Heckmondwike. There is an existing access to the site gained off Leeds Road which also provides access to an existing residential bungalow. The map below shows the approximate location of the site in context with the wider District.



- 3.2 The Aerial photograph below shows the site in context with its immediate surroundings. The site is bounded by Muffin Lane to the northeast and Leeds Road to the southeast. Open countryside borders the north-western and southern boundaries.



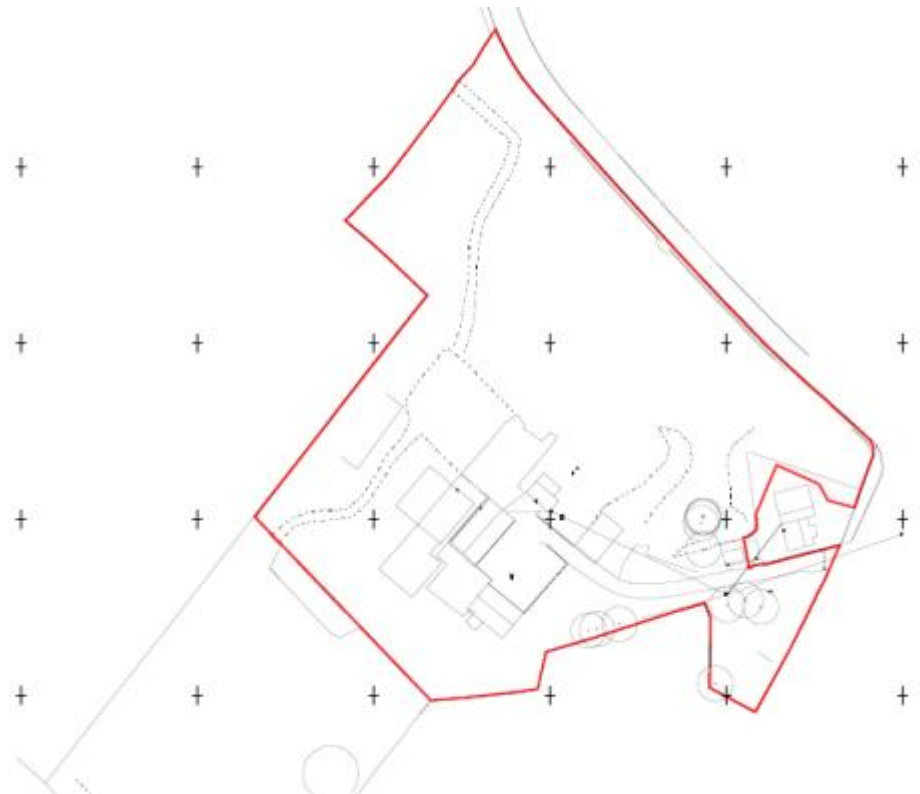
- 3.3 The site is in a highly sustainable location on the edge of the urban area and within walking distance of key facilities including shops and schools.

SITE DESCRIPTION AND PLANNING HISTORY

There are bus stops within walking distance of the site along Leeds Old Road which provide a frequent service from Leeds to Heckmondwike via Gildersome and Birstall.



- 3.4 The plan below shows the extent of the Application site delineated with a red boundary. The Application site measures approximately 1.78 Ha gross area (4.38 acres) However, the net developable area is significantly less at approximately 0.75 ha (1.865 acres).



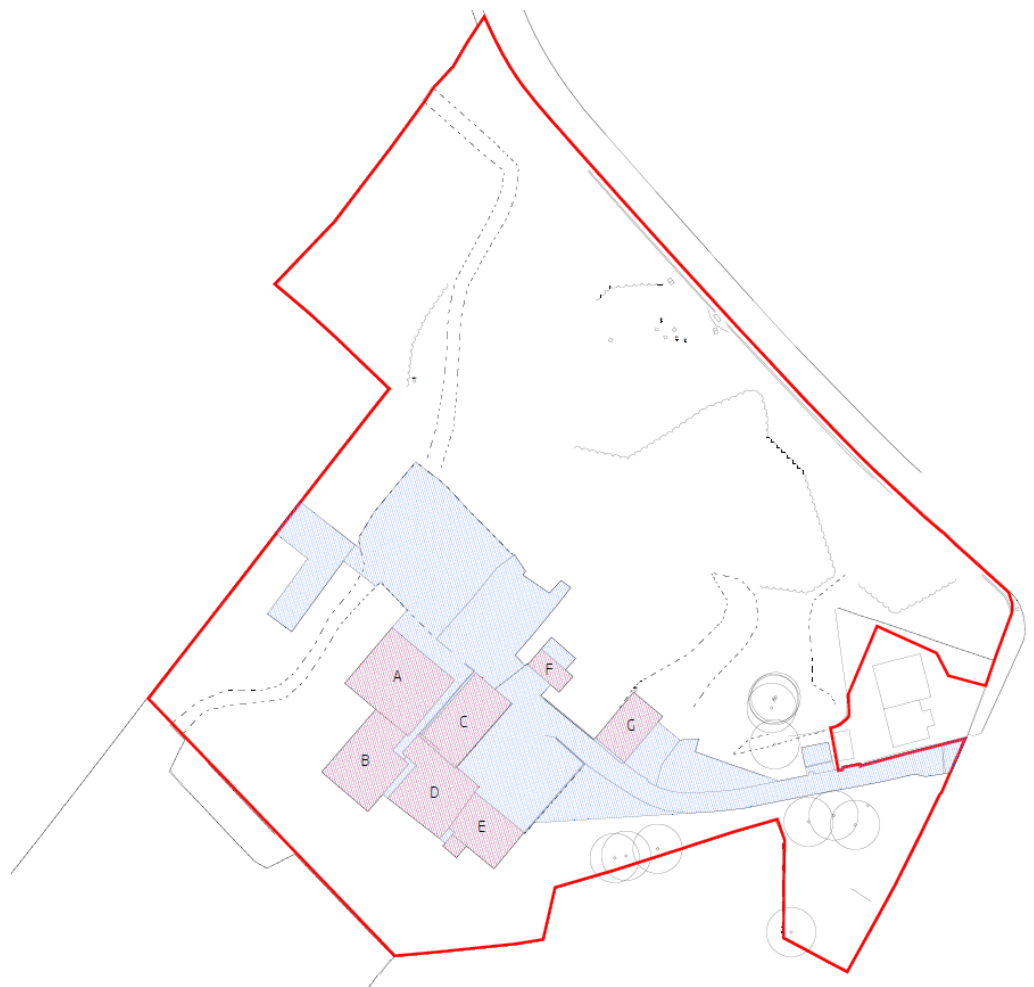
SITE DESCRIPTION AND PLANNING HISTORY

- 3.5 The site has an existing vehicular access route off Leeds Road to the East of the site, which also provides access to the adjacent residential dwelling.
- 3.6 There is an additional existing historic access point to the site off Muffit Lane which leads to an access route through the green space to the North. This has since been closed with the placement of concrete blocks at the roadside but has the potential to be re-instated.



SITE DESCRIPTION AND PLANNING HISTORY

- 3.7 The former use of the site was by a company undertaking specialist metal works, including refurbishment of worn components by metal spraying. The use appears to have been an engineering/general industrial use - for planning purposes it seems reasonable to assume the extant use of the site and premises would be classed as a General Industrial Use within the B2 Use Class.
- 3.8 The site has a collection of modern and older industrial buildings focused towards the centre; there is a large tarmac yard to the north and west; and several trees/self-seeded vegetation immediately to the south of the group of buildings.
- 3.9 The plan below shows the extent of the existing buildings (labelled A to G) and the extent of tarmac and hardstanding areas – totalling approximately 3600m². There are significant other parts of the site underlain by a mixture of dilapidated asphalt and crushed building rubble.



SITE DESCRIPTION AND PLANNING HISTORY

3.10 The table below sets out the existing floor area and volume of the buildings currently on site.

BUILDING	LENGTH (M)	WIDTH (M)	Av HEIGHT (M)	FLOOR AREA (M2)	VOLUME (M3)
A	15	17	4.2	255	1071
B	13	10.5	3.65	136.5	498.25
C	18	10	6.5	180	1170
D	13	10	4.65	130	604.5
E	16	13	5	208	1040
OFFICE	5	8.5	6	42.5	255
GARAGE	13	8	3.7	104	384.8
				1056	5023.55

3.11 View of buildings E, D and C



SITE DESCRIPTION AND PLANNING HISTORY

3.12 View of Building G



3.13 View of Building A



PLANNING HISTORY

- 3.14 The Council's Public Access database does not show up any recent planning application activity.

SITE DESCRIPTION AND PLANNING HISTORY

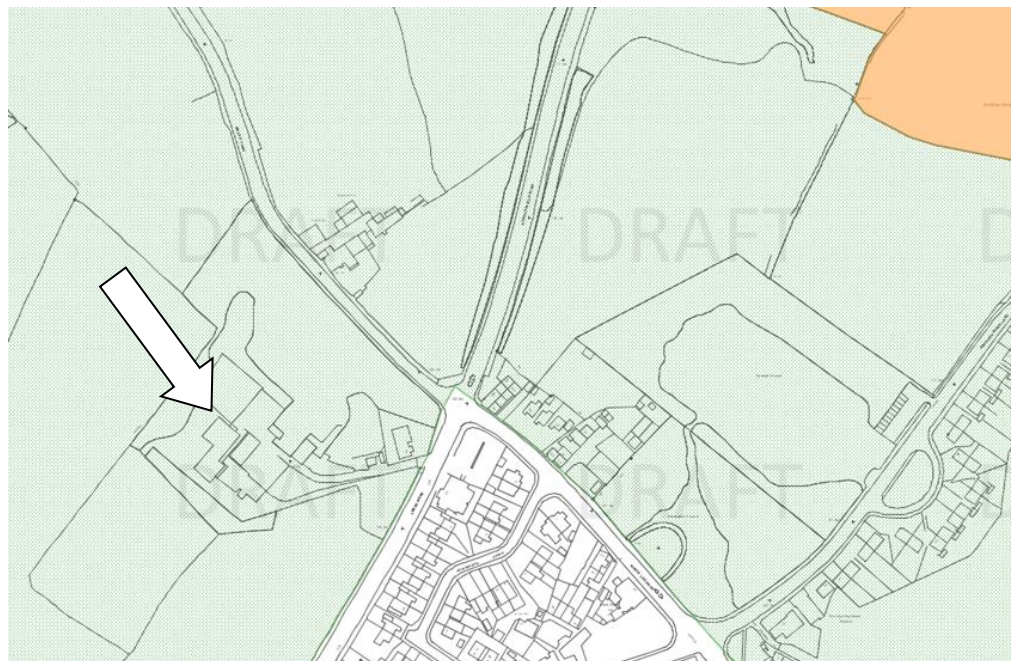
- 3.15 The proposal was the subject of a Pre-Application Enquiry originally submitted to the Council in November 2018. The initial proposal for the site was for 33 dwellings as illustrated on H11b - Schematic Site Layout 3060-0-001.
- 3.16 In response to discussions with Council officers, the scale of the proposal was reduced to 15 dwellings as illustrated on H11c - 3060-0-005 -A- Schematic Site Layout 25-06-2019.
- 3.17 The Council's written pre-application advice to this plan is set out at H11d - KC Pre-Application Response 05-09-2020. This recommended further changes to the extent of built form within the site – focussing the development on the Previously Development Land. This advice has been followed in the Application submissions.

PLANNING POLICY CONTEXT

- 4.1 The following paragraphs set out a description of relevant adopted Development Plan and saved Local Plan Policies.

THE DEVELOPMENT PLAN

- 4.2 The Kirklees Local Plan was adopted on 27 February 2019. The Local Plan is now the statutory Development Plan for Kirklees and has superseded the Kirklees Unitary Development Plan. Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.3 The Local Plan comprises the strategy and policies document, allocations and designations document and associated policies map showing the allocations and designations. The extract below is taken from the adopted Proposals Map and shows that the site is located on the edge of the urban area.
- 4.4 The site is within the Green Belt. The extent of the Green Belt on the Proposals Map is shown on the extract below (green shading):



- 4.5 The former use of the site as a Colliery with associated buildings dates back to the late 19th Century - refer to the Historical Land use of the site as set out at Page 3 in the submitted H10 - Phase 1 GeoEnvironmental C314_19_E_470 21-11-2019. The whole of the site could therefore be regarded as Previously Developed Land.
- 4.6 The Adopted Local Plan policies of relevance in this case are likely to be considered as:

Policy LP1 Presumption in favour of sustainable development

PLANNING POLICY CONTEXT

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 LP27 Flood Risk

Policy LP28 Drainage

Policy LP30 Biodiversity & Geodiversity

Policy LP33 Trees

Policy LP35 Historic environment

Policy LP53 Contaminated and unstable land

Policy LP59 Brownfield sites in the Green Belt

Policy LP63 New open space

- 4.7 These policies are considered in my assessment of the proposal in the next Chapter.

SUPPLEMENTARY PLANNING DOCUMENTS

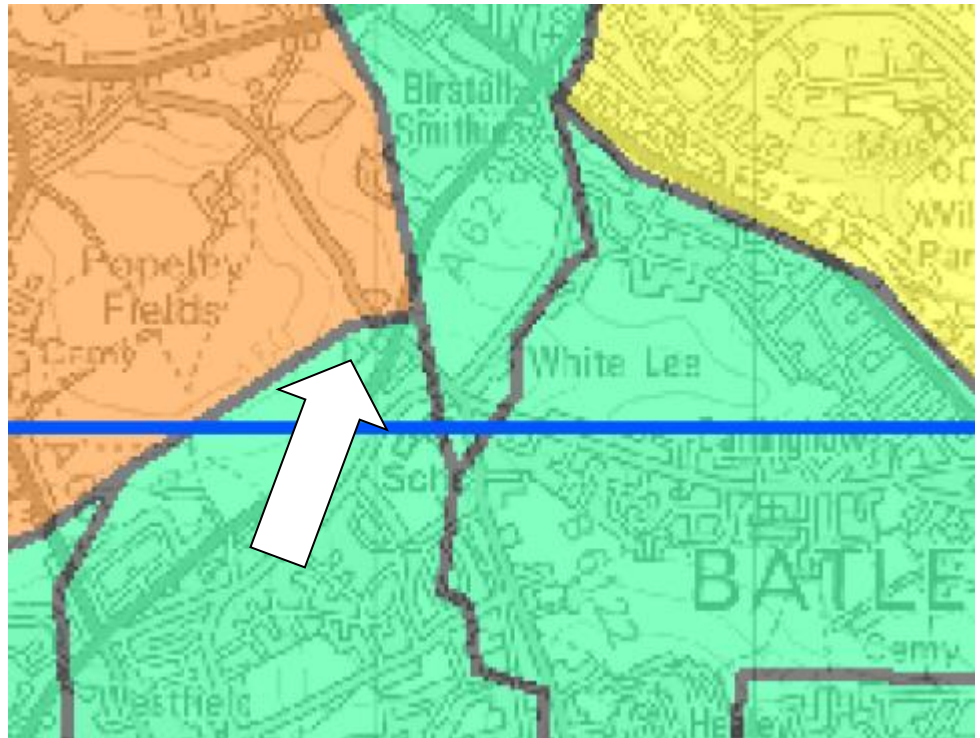
- 4.8 The Council has the following Supplementary Planning Document of relevance to the Application proposals. NB – this is a Draft document that is currently the subject of consultation ahead of examination.

- Highway Design Guide Supplementary Planning Document (SPD)

COMMUNITY INFRASTRUCTURE LEVY

- 4.9 The CIL Draft Charging Schedule has been submitted to the Secretary of State for Communities and Local Government together with the Kirklees Local Plan. The Council has now received the Examiners formal recommendations on the Kirklees Community Infrastructure Levy Draft Charging Schedule and will consider the Examiners recommendations and the formal adoption of CIL.
- 4.10 The site appears to fall within Charging Zone 4 (£5 per sq. m of residential development over 10 dwellings) – identified by the green shading below.

PLANNING POLICY CONTEXT



- 4.11 The Charging Schedule has not yet been Adopted however and so is not directly relevant to the proposal at the current time.
- 4.12 The following chapter of my Statement therefore examines the case for planning within this Development Plan and planning policy context which includes the NPPF and NPPG, and the evidence base that has been completed to inform the emerging Local Plan.

ASSESSMENT OF PLANNING CASE

- 5.1 The proposal is to demolish the existing buildings on the site and to construct 15 new dwellings on the site of the demolished buildings and the previously developed part of the site (former hard standing/car park area around the complex). The proposed 15 dwellings are within the statutorily defined Green Belt.
- 5.2 A full set of drawings including site layout have been included with these submissions.
- 5.3 This proposal raises the 'in-principle' issue:
 - 1. Whether the demolition of existing structures and development of 15 dwellings on the site within the Green Belt is appropriate development and/or there are enough exceptional circumstances to justify the proposal.

ISSUE 1 - PRINCIPLE OF RESIDENTIAL DEVELOPMENT

- 5.4 The main policies of relevance to the principle of development are Policies LP1 and LP3 (regarding overall spatial strategy) and Policy LP59 regarding brownfield development sites in the Green Belt.
- 5.5 Policy LP1 sets out the 'principles of sustainable development' and therefore reflects the main emphasis of the NPPF.
- 5.6 Policy LP3 seeks to guide the location of new development taking account of various criteria, including the need for housing relative to 5-year land supply. In this regard, the site is on the edge of the existing urban area (in a highly sustainable location) and the proposal should, therefore, be regarded as a 'windfall' site that accords with the spatial strategy of the plan. Criterion (c) also emphasises the importance of realising opportunities for development on brownfield (previously developed) sites early in the plan period. Having regard to the accessibility of the site to both green infrastructure, key local services (schools and shops) and a range of transport choices, the proposal accords with the aims and objectives of Policies LP1 and LP3 and the principle of residential development should therefore be acceptable against these Development Plan policies.

ASSESSMENT OF PLANNING CASE

5.7 The Green Belt designation does, however, place a restrictive planning policy on the site. The presumption is against inappropriate development and, in principle, new housing development would be regarded as 'inappropriate development' subject to a list of exceptions.

5.8 In this regard, both Government Policy and the new Local Plan policy LP59 make provision for the re-development of 'brown field' sites in the Green Belt – but only subject to several criteria. Paragraph 145 of the NPPF criterion (g) states:

*"g) limited infilling or the partial or **complete redevelopment of previously developed land**, whether redundant or in continuing use (excluding temporary buildings), which would:*

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority."

5.9 Local Development Plan Policy LP59 deals with proposals on previously developed land in the Green Belt:

"Proposals for infilling within existing brownfield sites or for their partial or complete redevelopment will normally be acceptable, provided that:

a. in the case of infilling, the gap is small and is located between existing built form on a brownfield site;

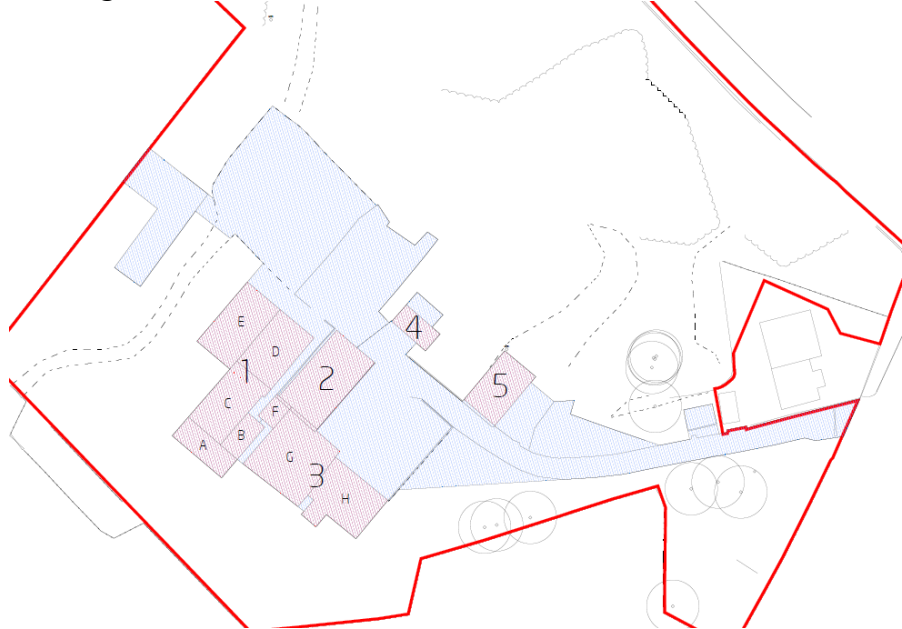
b. in the case of partial or complete redevelopment the extent of the existing footprint is not exceeded; and

c. redevelopment does not result in the loss of land that is of high environmental value which cannot be mitigated or compensated for."

5.10 Having regard to the criteria of this policy the proposed dwellings are located essentially on the previously developed land within the site and the proposal does not result in the loss of any land that has a high environmental value.

ASSESSMENT OF PLANNING CASE

- 5.11 Drawing 3060-0-004A Demolition Plan 18-05-2020 shows the approximately the extent of existing buildings and car park areas, although there are other areas underlain with hard core:



- 5.12 The proposed layout – and the extent of the built form of the proposed dwellings - closely reflects the extent of the existing buildings and hard standing areas.



ASSESSMENT OF PLANNING CASE

5.13 The extent to which the redevelopment "...does not result in the loss of land that is of high environmental value which cannot be mitigated or compensated for" is considered in the Visual Appraisal submitted with the Application (reference H3a - Landscape Visual Assessment 21-05-2020).

5.14 In relation to the site, this concludes that the site does not contain any designations or landscape features that would be damaged by the proposed scheme; that the existing dry stone walls to the northern site boundary with Muffitt Lane will be retained; and that the open space to the northern boundary will be enhanced with native species planting to create further habitat on site and to replace the small groups of poor quality existing vegetation.

5.15 The Appraisal goes on to conclude that the site is of low landscape value and in relation to the impact of the proposals concludes that:

"For pedestrian, vehicle and the majority of residential receptors the impact of the site would be neutral or minor adverse, as the proposals do not make a significant change to the overall landscape. The nature of the existing view will not change dramatically with the exception of the opening up of the view from Muffitt Lane through the access road. The retention of the open space at the front of the site will provide the opportunity to strengthen the green space on this road frontage."

5.16 Whilst the re-development of the site will alter its character the level of change is restricted to the existing extent of development and is well contained by existing trees, limiting the overall change in character and loss of openness within the setting of the Green Belt.

5.17 The development of the fifteen dwellings in this area will constitute built development within the Green Belt but due to its previously developed character and contained setting it cannot be considered as unrestricted urban sprawl.

5.18 The visual effects associated with the development of the fifteen dwellings on previously developed land will be extremely limited and its impact on the local character and identity of the settlement has been substantially mitigated through its considered design and scale; and through enhancing the landscape and visual appearance of the site from the public realm of Muffitt Lane to the east.

ASSESSMENT OF PLANNING CASE

- 5.19 The extract from the landscape plan below submitted with the application (reference H3b - Drawing R-2347-1B-Landscape Masterplan 500@A1 21-05-2020) shows a substantial landscaped amenity area which will be planted with indigenous species and managed as part of the development. The visual appearance of this part of the Green Belt will be significantly enhanced - as will the appreciation of openness by users of the proposed footpath.



- 5.20 The proposal therefore accords with Development Plan Policy LP59. It also accords with Paragraph 145 criterion (g) of the NPPF as no substantial harm would be caused to the openness of the Green Belt through the development of the previously developed land in this location. As the proposal accords with both the NPPF and the Development Plan, there is no need to demonstrate special

ASSESSMENT OF PLANNING CASE

circumstances to justify this element of the proposal which must be considered as acceptable in principle.

- 5.21 Given the proposal is for a relatively small number of dwellings (15 in total) and that the applicant is a developer of small/medium sized residential schemes, the NPPF also lends added weight to the role that such sites can play in boosting housing supply.
- 5.22 Chapter 5 of the NPPF clearly identifies that Local Authority's should seek to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 68 of the NPPF recognises that *"...small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. 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 – giving great weight to the benefits of using suitable sites within existing settlements for homes"*.
- 5.23 The redevelopment of the site would result in the erection of 15 houses that would make a significant contribution to housing delivery in a District.
- 5.24 For completeness, I have also undertaken an assessment of the proposals against the policies of the NPPF as follows:

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 5.25 The NPPF states that there are three dimensions to sustainable development:
Economic;
Social; and
Environmental.
- 5.26 The proposal to develop 15 dwellings on a Previously Developed Site in a highly sustainable location is precisely the type of development that the NPPF says there should be a presumption in favour of granting planning permission for. I assess the proposed development against the relevant core principles of the NPPF as follows:

ASSESSMENT OF PLANNING CASE

DESIGN, HOUSING MIX AND DENSITY

- 5.27 Regarding the design of the scheme, Policy LP24: Design - sets out the primary objective that new housing development should be high quality and achieve good design.
- 5.28 The design has evolved from a thorough understanding of the site and its context, together with pre-application discussions with the Council's planning and design officers. A Design and Access Statement has been prepared which sets out the context of the site, and the evolution of the design process. This is included with the Application submission with Reference: H4 - Design and Access Statement 3060-1-DAS Rev C 18-05-2020.
- 5.29 The design and layout provide good quality amenity space for residents and is of a high quality to reflect the importance of the location within the Green Belt. In my view, the proposal clearly accords with Policy LP24.
- 5.30 Regarding housing mix, Policy LP11: Housing Mix seeks to ensure that a mix and balance of housing is provided to meet the needs of the District's growing and diverse population. The policy requires the exact mix to be based both on market demand and evidence of local need within the District's SHMA together with any other robust local evidence or information. The location and nature of the site and its surroundings and the profile of the existing stock in the area should also be considered. The Policy requires the provision of 20% of the total number of dwellings proposed on a site, as affordable dwellings (subject to viability).
- 5.31 The submitted proposal provides for the following housing mix. This would include three of the proposed dwellings being allocated as Affordable Housing in accordance with Policy LP11 (subject to an assessment of Vacant Building Credit):
- 3 two-bed houses
 - 7 three-bed houses
 - 3 four-bedroom dwellings
 - 2 five-bedroom dwellings

ASSESSMENT OF PLANNING CASE

- 5.32 The Council's evidence base (the Strategic Housing Market Assessment 2016) is somewhat out of date and is not a useful tool to guide housing mix on this site.
- 5.33 Nevertheless, the proposal adds a varied mix of residential accommodation to that which is currently available in this location and helps to meet the housing requirement across a range of housing need, including for young people/start up families in the smaller two and three bedroom dwellings.
- 5.34 Indeed, the proposed mix includes a balanced mix of accommodation of different types and sizes which are specifically designed to meet local housing market needs for families. In my view, the proposal clearly accords with Policy LP11 of the Development Plan.
- 5.35 Regarding density, national policy aims to achieve the efficient use of land. The gross developable area of the site is approximately 1.78 hectares; however, the net developable area is significantly lower than that allowing for the extensive amenity and landscaped spaces needed to address Green Belt policy impacts. The net developable area is approximately 0.75 ha. This would result in the overall density of approximately 20 units per net developable hectare.
- 5.36 Local Plan Policy LP7 seeks to achieve a minimum density of 35 dwellings per Ha 'where appropriate', but criterion C recognises that *"lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development"*.
- 5.37 In this case, the design objective is to achieve a form of development that has no significant greater impact on the openness of the Green belt compared to the existing structures and which seeks to ensure the form of the development is compatible with its surroundings. The number of units proposed reflects the scale and volume of existing structures, the extent of previously developed land and the visual objective of enhancing the character and appearance of the site. These 'constraints' result in an overall density which is lower than the 'norm' but which nevertheless reflects the circumstances of the case.

ASSESSMENT OF PLANNING CASE

- 5.38 Acknowledging the site constraints and the design objectives results in a scheme that in my view makes efficient use of the site and conforms with criterion C of Policy LP7.

HERITAGE ASSETS

- 5.39 Development Plan Policy LP35 deals with the 'Historic Environment' and states that proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset. It goes on to states that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development.
- 5.40 The current structures on the site cannot be considered as non-designated heritage assets given their age and nature and there is therefore no conflict with Policy LP35.

TRANSPORT AND HIGHWAYS

- 5.41 Regarding the impact of the proposals on the highway network, the proposal is to create a new access into the site from Muffit Lane, with the existing access altered to be a no through road, providing access to the existing dwelling adjacent to the Eastern boundary.
- 5.42 There is an existing historic access point to the site off Muffit Lane which leads to an access route through the green space to the North. This has since been closed with the placement of concrete blocks at the roadside but has the potential to be re-instated.
- 5.43 The new access route will be in the form of a private access road, shifting the existing historic access to a more suitable position in terms of visibility splays.
- 5.44 Vehicular turning facilities have been afforded where necessary using private access roads and private driveways within individual plot curtilages. Adequate sight lines have been accounted for at the site access and within the scheme, with the internal layout designed to maintain vehicle speeds of no more than 15mph, with the internal

ASSESSMENT OF PLANNING CASE

layout of the developed area predominantly a shared surface arrangement.

5.45 The proposed scheme accommodates pedestrian accessibility along Muffit Lane in both directions from the proposed site entrance through the inclusion of a roadside footpath within the site layout, and within the site along the access road.

5.46 The development proposals have been prepared with input from a specialist consulting engineer and a Transport Statement prepared. This is included with the Application submissions with reference: H6 - Transport Statement 16-1091 03-04-2020.

5.47 Development Plan Policy LP21 deals broadly with the impact of development proposals on the highway network and seeks to reduce congestion and encourage changes in travel patterns to more sustainable modes such as walking, cycling and use of public transport. It states:

"Proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. 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 development are not severe."

5.48 The submitted Transport Assessment has firstly assessed the condition of the local network, including undertaking traffic counts and speed surveys in order to understand how the local highway environment around the Application site operates. The Assessment then considers the potential impact of the traffic that would be generated by the proposal, considering the historical use of the site (for general industrial use).

5.49 The Transport Assessment summarises that the site is in a highly sustainable location in proximity to a range of services and facilities and public transport modes. These facilities are within established walk and cycle distance.

5.50 The Transport Assessment concludes that there are no local highway capacity or safety issues along the road frontage to the Application site. Walking and cycling are catered for by direct connection onto

ASSESSMENT OF PLANNING CASE

the network and the trips that will be generated will have little or no impact on the network assessed.

- 5.51 The Transport Assessment therefore shows that there are no transport or highway reasons that would prevent the site from being taken forward for residential development. In accord with Paragraph 109 of the NPPF the proposal should not be prevented or refused on highways grounds as there would clearly not be an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe. I consider therefore that the proposal also meets the terms of Policy LP21.
- 5.52 Policy LP22 seeks to manage car parking to help manage travel demand, support the use of sustainable travel modes, meet the needs of disabled and other groups whilst improving quality of place. The Policy is designed to be flexible to reflect the site circumstances and access to sustainable alternative travel modes.
- 5.53 In this proposal, the proposed parking ratios have been designed in direct response to the pre-application advice of the Highway Authority.
- 5.54 The proposed levels of car parking within the site are therefore designed to ensure there is no risk of pressure for residents to park on the local highway network. Parking provision has also been sensitively designed to support the street scene and local character and create a safe and pleasant environment within the development.
- 5.55 In summary, my view is that the proposal accords with Development Plan policies LP21 and LP22.

FLOOD RISK AND DRAINAGE

- 5.56 Regarding flood risk, the development proposals have been prepared with input from a specialist consulting engineer and a Flood Risk Assessment undertaken. This is included with the Application submissions with reference: H7a - Flood Risk Assessment 19389 - FRA Rev C 19-03-2020; and H7b - Drainage Strategy 19389-DR-C-0100 P1 16-12-2019.
- 5.57 Development Plan Policy LP27 deals with Flood Risk. Policy LP28 deals with drainage to ensure that development proposals have

ASSESSMENT OF PLANNING CASE

adequate drainage design and to ensure the development will not be at risk of flooding or exacerbate flooding problems off site.

5.58 The areas of land covered under this planning application are wholly located in Flood Zone 1, Low Probability according to the Environment Agency Flood Risk Map. Flood Zone 1 has a less than 1 in 1,000 annual probability of river or sea flooding.

5.59 Nevertheless, given the gross site area is great than 1Ha, the proposal constitutes 'Major development' with respect to the NPPF and so a full Flood Risk assessment has been carried out.

5.60 The Flood Risk Assessment concludes that the risk of flooding on the development site (or off site) is low with appropriate mitigation measures identified. A detailed drainage design has also been prepared to accompany the application. The FRA concludes that:

"This report demonstrates that the proposed development is not at significant flood risk, and simple mitigation measures have been recommended to address any residual risks that may remain."

5.61 The FRA demonstrates therefore that the proposal accords with the terms of Development Plan policies LP27 and LP28 and accords with Section 14 of the NPPF.

TREES

5.62 Regarding potential impact on trees, the development proposals have been prepared with input from a specialist tree consultant and a Tree Impact Assessment undertaken. This is included with the Application submissions with reference: H8 - Tree Impact Assessment 14-04-2020.

5.63 Development Plan Policy LP33 deals with tree issues and seeks to preserve and enhance the contribution that trees and areas of woodland cover make to the character of the District. It states:

"The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity."

ASSESSMENT OF PLANNING CASE

Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks.

Proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction. Where tree loss is deemed to be acceptable, developers will be required to submit a detailed mitigation scheme."

- 5.64 There are several trees within the application site and immediately adjacent to the site. This includes a mixture of trees to the boundaries but also several poor-quality trees and groups of self-seeded trees and brush.
- 5.65 Table A page 4 of the Tree Report assesses that one tree was categorised as moderate quality (i.e. 'B' category), 4 trees, 12 groups and one hedge were categorised as low quality (i.e. 'C' category), and seven trees and four groups were classed as unsuitable for retention (i.e. 'U' category) regardless of the development proposals due to poor structural form and/or physiological condition or where projected to conflict with built structures through future growth.
- 5.66 As can be seen from the survey most trees within the site are of a poor quality with several recommended for removal irrespective of the development due to their condition.
- 5.67 The layout of the development has however been carefully prepared to ensure that the maximum number of good and reasonable quality tree specimens are retained. The proposed development will require the removal of three low quality (i.e. 'C' category) trees, five low quality groups, and parts of two further low quality groups, as well as one group that is categorised as unsuitable for long term retention (i.e. category 'U').
- 5.68 As indicated on the Landscape Proposal Plan submitted with the Application, a significant number of new trees, plus a substantial number of shrubs and several lengths of hedge, are proposed as a component of the site's landscaping scheme. The delivery of the proposed landscaping scheme will therefore more than adequately compensate for the identified necessary tree losses.

ASSESSMENT OF PLANNING CASE

- 5.69 Overall, the proposal will not result in the loss of any medium or high-quality tree specimens and will not result in a net loss of tree cover. Moreover, the quality of the natural environment will be enhanced through the proposed landscaping plans together with landscape management. The proposal therefore accords with the terms of Policy LP33.

ECOLOGY

- 5.70 Regarding potential impact on ecology, the development proposals have been prepared with input from a specialist ecologist. A Preliminary Ecological Appraisal (PEA) has been undertaken. This is included with the Application submissions with references: H9 - Preliminary Ecological Appraisal 25-04-2020. In addition, surveys for bats are currently underway (as recommended in the PEA) and the results will be provided during the Application process.
- 5.71 Development Plan Policy LP30 deals with 'Biodiversity and Geodiversity' and sets out criteria for the assessment of the impact of proposals on ecology. The Policy seeks to ensure that proposals contribute positively towards the overall enhancement of the District's biodiversity resource.
- 5.72 The PEA submitted with the Application assesses the ecological baseline conditions at the Application site and identifies any potential ecological constraints to the proposed residential development. There are no statutorily designated sites located within a 2 km radius of the Application site. The PEA summary states:
- "Taken in combination, site habitats are considered to be of importance to nature conservation at the local level. The site's importance to roosting and foraging bats has not yet been fully established; however, it is not considered to be of importance to other species or species groups at greater than the site level."*
- 5.73 Further surveys were identified as required to fully determine the species present, their use of the site, potential impact of the proposed development, and to inform any mitigation. Accordingly, protected species surveys are currently being carried out.

ASSESSMENT OF PLANNING CASE

- 5.74 The PEA sets out the ecological measures required to maintain and enhance habitat quality after the development has been completed, ensuring the long-term conservation of the site. This will ensure the development meets the local planning authority requirements (as set out in Policy LP30) to conserve and enhance local biodiversity.
- 5.75 The PEA concludes that the implementation of the identified ecological mitigation measures will ensure that the proposed development will not have a significant negative impact on the ecological value of the site, or the local area; and that a net gain in the biodiversity value of the site can be achieved. On that basis, the submitted evidence shows that the proposal will accord with Development Plan Policy LP30.

CONTAMINATION

- 5.76 Development Plan Policy LP53 deals with 'Environmental Protection' and seeks to ensure that development proposals will not adversely affect human health. This includes the need for appropriate investigations into the quality of land which is particularly important for sites such as the Application site (previously developed land). An investigation into potential contamination of the site has therefore been undertaken and is included with the Application submissions with Reference: H10a - Phase 1 Geo-Environmental C314_19_E_470 21-11-2019 Reduced.
- 5.77 An appropriate detailed investigation and Remediation Strategy will be prepared to show how the environmental risks at the site will be managed during the construction process. The Assessment shows therefore that there is a thorough understanding of the environmental conditions at the site and that the development proposal will result in a fully remediated site and appropriate residential environment. The proposal therefore accords with the terms of Policy LP53.
- 5.78 In relation to assessing the 'planning balance', the above paragraphs have set out that the proposals will not cause any adverse effects and will deliver significant benefits including:
- Boosting the supply of market housing
 - Delivering high quality homes to a high standard of design

ASSESSMENT OF PLANNING CASE

- Delivering economic benefits through construction and resident spend, adding to the viability and vitality of the local community.
- Delivering the regeneration of Previously Developed Land.
- The improvement of the visual appearance and biodiversity of the site

5.79 I also consider that the proposals will not have any significant adverse effect:

- On the residential amenity of existing occupiers adjacent to the site
- On drainage or flood risk
- On any known heritage assets
- On highway safety

5.80 Through the above assessment of the proposals against the core principles of sustainable development set out in the NPPF, it has been demonstrated how the proposals will deliver significant economic, social and environmental benefits. As there are no other material considerations which would indicate otherwise, in accordance with the NPPF the proposed development should be approved without delay as it represents sustainable development.

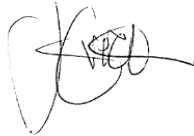
SUMMARY AND CONCLUSIONS

- 6.1 My intention in this Statement was to deal with the planning case for the proposal to demolish the existing former industrial structures on the site and construct 15 high quality family homes, together with significant improvements to the landscape within the site..
- 6.2 In relation to the principle of development, the site is adjacent to the existing urban area and in proximity to a range of services and facilities. The site is also entirely previously developed land. My assessment shows that the principle of the development is acceptable having regard to the policies of the Development Plan. Moreover, the site is in a sustainable location and accords with the basic principles of the NPPF.
- 6.3 Having regard to my assessment of the Planning Balance I have then considered whether there any other material circumstances that would outweigh the NPPF presumption that sustainable development should be permitted. I have concluded that the Application proposals will not cause any adverse effects and will deliver significant benefits including:
- Boosting the supply of market and affordable housing
 - Delivering high quality homes to a high standard of design
 - Delivering economic benefits through construction and resident spend, adding to the viability and vitality of this rural community.
 - Delivering the regeneration of a 'brownfield' developed site in the Green Belt..
 - The improvement of the visual appearance and biodiversity of the site
- 6.4 I also consider that the proposals will not have any significant adverse effect:
- On the residential amenity of existing occupiers adjacent to the site
 - On drainage or flood risk
 - On any known heritage assets
 - On highway safety
- 6.5 Through the above assessment of the proposals against the core principles of sustainable development set out in the NPPF, it has been demonstrated how the proposals will deliver significant economic, social and environmental benefits. As there are no other material considerations which would indicate otherwise, in accordance with the NPPF the proposed development should be approved without delay as it represents sustainable development.
- 6.6 I conclude that the Application proposals are in conformity with the Development Plan and the Policies of the NPPF and should be granted planning permission.

SUMMARY AND CONCLUSIONS

Statement of Truth

"The evidence which I have prepared and provide for this Statement is to the best of my knowledge true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions."



Signature:

Date: 25th May 2020.....

JAY EVERETT BSc HONS, MRTPI