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Supporting Planning Statement

Proposed demolition of existing redundant mill premises and the erection of 55 dwellings with associated parking and open space at Cellars Clough Mills, Manchester Road, Marsden, Huddersfield

Date; April 2016

Reference; DSP0114

1.0 INTRODUCTION

1.1 This Supporting Planning Statement is submitted by ***David Storrie Planning*** on behalf of the applicant, Cellars Clough Properties Limited, to support a full planning application for the demolition of the existing redundant mill and the erection of 55 no. dwellings with associated car parking and open space.

1.2 A number of associated reports have been submitted to support the application:

Transport Statement – PAH Highway Consultants

Phase 1 Report – Ashton Bennett

Ecology – Quants Environmental

Flood Risk Assessment – Haigh Huddleston

Design & Access and Heritage Statement – David Storrie Planning

1.3 The application is also accompanied by a number of detailed drawings as follows:

Dwg no. 61A – Site layout

61B – Plots 1-4

61C 1 – Plots 5-24

61C 2 – Plots 5-24

61C 3 – Plots 5-24

61D 1 – Plots 25-26

61D 2 – Plots 25-26

61E Plots 27-30

61F - Plots 1-33

61G – Plots 34-46

61H – Plot 47

61J – Plots 48-50

61K – Plot 51

61L – Plot 52

61M – Plot 53

61N – 1 Plot 54

61N – 2A Plot 55

61N – 2B Plot 55

61P – Strip Elevations

61S 1 – Cross Sections

61S 2 – Cross Sections

61T 1 – Site Plan 1:1250

2.0 RELEVANT PLANNING HISTORY

2.1 **Application Reference 2007/93456** - *CONVERSION OF MILLS 1, 2, 3 & 4 AND FORMER OFFICES TO 101 DWELLING UNITS, 9 LIVE/WORK UNITS, RESIDENTS' GYM, POOL, SHOP, MEETING ROOM AND BIKE STORE. DEMOLITION OF OTHER BUILDINGS.* CAR PARKING & LANDSCAPING IMPROVEMENTS TO ACCESS ROAD – Permission granted 26 November 2008.

2.2 **Application Reference 2011/91795** - *EXTENSION TO TIME LIMIT TO IMPLEMENT EXISTING PERMISSION NO. 2007/62/93456/W1 FOR CONVERSION OF MILLS 1, 2, 3 & 4 AND FORMER OFFICES TO 101 DWELLING UNITS, 9 LIVE/WORK UNITS, RESIDENTS' GYM, POOL, SHOP, MEETING ROOM AND BIKE STORE. DEMOLITION OF OTHER BUILDINGS. CAR PARKING & LANDSCAPING IMPROVEMENTS TO ACCESS* ROAD – Approved 11 October 2011.

2.3 **Application Reference 2013/90037** - *Alterations to existing mill and erection of extension to form 133 apartments, formation of associated parking for 190 cars, part demolition of part of existing complex and construction of a new access road with improvement of the site access off Manchester Road – Application withdrawn.*

2.4 Following the withdrawal of the above planning application the applicant has been involved in extensive discussions with Council Officers from Development Management and Conservation regarding the redevelopment of the site. The existing mill buildings are not suitable for conversion so the discussions have centred on the redevelopment of the site in line with advice in the National Planning Policy Framework (NPPF).

3.0 RELEVANT PLANNING POLICY

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decision makers to have regard to the development plan for the purposes of determination of any planning application. The determination must be in accordance with the plan unless material considerations indicate otherwise.

3.2 The development plan for the area is the Kirklees Unitary Development Plan (UDP) adopted in March 1999. The site falls within designated Green Belt in the UDP. Consideration relates to those policies within the UDP saved under the direction of the Secretary of State of September 2007. The Plan covered the

period 1st April 1993 to the 1st April 2006 and is now way beyond its intended period of operation. Notwithstanding the saved UDP policies, the plan is out of date and limited weight should be attached to policies in the plan where they conflict with more recent government policy.

3.3 The following are material considerations in the assessment of this planning application: -

- National Planning Policy Framework (published March 2012)
- Technical Guidance to National Planning Policy Framework (March 2012)
- Written Ministerial Statement by the Right Honourable Greg Clark MP – Planning for Growth (2011)

National Planning Policy Framework

3.4 The NPPF sets out the relevant planning policy guidance at a national level for the determination of all planning applications. It carries significant weight in cases where the local development plan is either silent, absent or out of date.

3.5 The Framework is founded on the core principles of creating sustainable development. At paragraph 6 of the Framework it states that all the policies in paragraphs 8-219 of the Framework "taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system."

3.6 There are three dimensions of sustainable development set out in the Framework; economic, social and environmental. These roles are mutually dependent and should not be considered in isolation (para 8).

3.7 The Framework carries a presumption in favour of sustainable development. Paragraph 14 identifies how this presumption is to be applied in determining individual applications.

Approving development proposals that accord with the development plan without delay; and

- **Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:**

-Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

-Specific policies in this Framework indicate development should be restricted.

3.8 Paragraph 49 of the Framework states that housing applications are to be considered in the context of the presumption in favour of sustainable development and relevant policies regarding housing supply should not be considered up to date if a five year supply of deliverable sites cannot be demonstrated.

3.9 Section 9 of the Framework deals with 'Protecting Green Belt land.' The "fundamental aim of Green belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence."

3.10 Paragraph 89 of the Framework sets out a number of exceptions to inappropriate development in the Green Belt. The final exception set out in paragraph 89 is key to the case for residential development of the application site;-

"Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development."

3.11 Paragraph 187 of the Framework notes that local planning authorities should "look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible." This includes working proactively with applicants to "secure developments that improve the economic, social and environmental conditions of the area."

KIRKLEES UDP

3.12 The weight to be given to the Framework is clear. Whilst the UDP is so clearly out of date, saved policies are considered relevant. The following saved policies are pertinent to consideration of this planning application: -

Policies BE1, BE2, BE11, BE12, EP11, NE8, T10, T16, T17, T19, B1, B4, H1, H10 and H18.

3.13 Following the withdrawal of the Council's LDF Core Strategy in October 2013 the Council are currently in the process of considering comments made on the first stage consultation on the emerging Local Plan. Further consultation is expected towards the end of 2016 with final adoption expected in 2018. As a consequence, little weight can be given to emerging planning policy.

3.14 **Supplementary Planning Document 2 – Affordable Housing (adopted November 2008).** The guidance seeks to secure 15% of a brownfield sites capacity (floorspace) as affordable housing on developments of 5 or more

dwellings unless material considerations indicate otherwise. The applicant is open to discussion on whether the full affordable requirement should be provided on site or whether part should be via an off-site contribution. Also whether they be for rent or intermediate housing.

4.0 THE PROPOSAL

4.1 The proposal is to demolish the existing redundant mill buildings and construct 55 dwellings with associated parking and open space. Access would be as existing from Manchester Road.

4.2 The buildings have been designed to reflect the industrial context of the site sandwiched between the canal and the river Colne with a more industrial appearance and 3-storey on the canal side of the site.

4.3 The majority of the development takes place on the site of the existing mill building and the concrete apron around it. A small portion (plots 25-26 and 53-55) are located on a grass area to the north-east of the concrete apron but within the boundary/curtilage of this brownfield site.

THE PLANNING CASE FOR THE DEVELOPMENT

5.1 Notwithstanding the Green Belt status of the site, there is a strong planning case in support of the proposed development. The Framework at paragraph 89 makes it quite clear that the redevelopment of brownfield sites in the Green Belt is appropriate as long as it can be demonstrated that the new development has no greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

5.2 Given the above, the main test is to show that the openness of the Green Belt is not reduced as a result of the proposed development and that the purpose of the Green Belt is not undermined.

5.3 This is achieved largely by a quantitative assessment of the amount of development that exists/will exist on the site. This is measured by calculating the footprint and volumes of the buildings that exist and are proposed. The figures as calculated are as follows:

Existing footprint 4,137 sqm (44530 sqft)

Proposed footprint 3562 sqm (38,341 sqft)

Existing Volumes 54,600 m3

Proposed Volumes 25,518 m3

5.4 This demonstrates that the new development will have no greater impact on the openness of the Green Belt than the existing development, both footprint and

volume of buildings are less than the existing development on the site, thus satisfying part of the key test of paragraph 189 of the Framework. The volume is significantly less by some 53% whilst the overall footprint is some 14% less than the existing. Furthermore, the scale of the proposed development, in terms of height of buildings, will be significantly reduced, thus resulting in reduction in impact on openness in terms of height of buildings.

5.5 The second key test of paragraph 89 is to show that the proposed development does not have any adverse impact on the purposes of the Green Belt than the existing development.

5.6 The main purpose of the Green Belt is to prevent urban sprawl. In this case, the existing site is contained within the landscape with clearly defined landscape boundaries and hard surfacing and buildings set out within the site. That will not change as part of the proposed development. It will not result in urban sprawl.

5.7 The proposed development does not have any adverse impact on the remaining four purposes or functions of the Green Belt in this area. No development is proposed beyond the existing development boundaries that would lead to the merging of towns or smaller settlements. The countryside is safeguarded from encroachment as the development does not go beyond the existing built envelope boundary of the site. This redevelopment scheme has clear economic benefits and will not prejudice any ongoing or planned urban regeneration schemes in this part of Kirklees or other large settlements in the District.

5.8 Finally, given the design ethos of the proposed development, the proposal will lead to significant enhancements of visual amenity of this part of the Green Belt, introducing a more appropriate rural vernacular with new open areas and landscaping ensuring the site blends well within this semi-rural landscape.

SUSTAINABLE DEVELOPMENT

5.9 As stated early in this report, the Framework carries a presumption in favour of sustainable development.

5.10 The National Planning Policy Framework (NPPF) states that the purpose of the planning system "is to contribute to the achievement of sustainable development." (para 6). NPPF notes that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in peoples' quality of life (para 9). NPPF identifies the dimensions of sustainable development as economic, social and environmental roles (para 7). It states that these roles are mutually dependent and should not be undertaken in isolation. "Economic, social and environmental gains should be sought jointly and simultaneously through the planning system." (para 8). NPPF stresses the presumption in favour of sustainable development. The proposal has been assessed against each role as follows:

Economic

5.11 A proposal for 55 dwellings provides some economic gains by providing business opportunities for contractors and local suppliers. In accordance with the NPPF new houses will support growth and satisfy housing needs thereby contribute to the building of a strong economy.

Social

5.12 There would also be a social gain through the provision of new housing at a time of general shortage, the site is a short distance from Marsden town centre and employment and entertainment provision within the wider Colne Valley area. Wider connections are available from the bus services in Marsden town centre and there are good public footpath links from the site.

5.13 The proposal is subject to a requirement to provide affordable housing which will be a positive component of the social role of the development.

Environmental

5.14 The development of a brownfield site represents an opportunity for environmental gain. National policy encourages the use of brownfield land for development. The bat and ecology report highlights the ecological opportunities that the redevelopment proposal offers.

5.15 Accessibility is one element of sustainable development but not the ultimate determining factor. The Highway statement submitted with the application deals with accessibility issue.

UDP Policy B4

5.16 From the planning history of the site detailed at Section 2 of this report it can be seen that there have been planning permissions for the conversion of the former mill building to residential. During the processing of these planning applications, the issue of policy B4 was fully considered.

5.17 The site has been vacant for a number of years now and in a state of disrepair. Resurrecting the site for employment purposes is not an option. Given this and the planning history for the site we see no conflict with policy B4.

HOUSING SUPPLY

5.18 The Framework sets out a requirement for local planning authorities to identify a supply of specific deliverable sites sufficient to provide a rolling 5 year supply of land for housing. This includes an additional 5% buffer to ensure choice and competition in the market for land.

5.19 The position in Kirklees is that the Council cannot currently demonstrate a rolling 5 year supply of deliverable housing land. Whilst the case for this development does not rely on a 5 year housing land supply argument it is nevertheless a material consideration that adds further weight in support of the proposed development.

OTHER POLICY CONSIDERATIONS

5.20 The application is supported by a number of reports that demonstrate that there are no adverse impacts arising from the development in relation to biodiversity, drainage and flood risk, transport and ground conditions. On the contrary, given the design approach, the proposed development will significantly improve the qualities of the local environment.

5.21 The design approach has been discussed pre-application with the Council and seeks to deliver a high quality, innovative scheme that reflects the semi-rural and industrial character of the site. Strong landscaping, both hard and soft, will further add to the quality of the scheme.

5.22 The Design and Access Statement submitted as part of the planning application gives greater detail about the design ethos of the development.

5.23 Our view is that the whole site is defined as brownfield. Notwithstanding this view, if the Council do not accept this view in relation to the 5 dwellings in the north-east corner of the site then we advance the following *very special*

circumstance case. The brownfield status of the site extends to the west of the site including the former mill pond areas that were used in the industrial process carried out from the site. During pre-application discussions with Council Planners, the preference was to keep all the development contained within the mill building location. It is for this reason that the 5 plots on the grassed area adjacent to the concrete apron of the mill, and within the physical boundary of the mill site, were included rather than building on these other brownfield parts of the site to the west of the mill.

5.24 The development also opens up a real opportunity to open up public access to the site with nature trails and walks around the existing water features.

6 CONCLUSIONS

6.1 The redevelopment of this site in the form proposed would not have any greater impact on the openness of the Green Belt. In fact, given that the proposed footprint and volume is less than the existing, it would result in an increase in openness. Furthermore, it would not harm any of the purposes of the Green Belt. The proposal therefore is fully compliant with the NPPF.

6.2 The design of the development is of high quality and respects the semi-rural character of the site providing close knit units with character.

6.3 All the reports submitted with the application support the development and we trust the Council are able to support the development.