

Miller Homes

Dewsbury Riverside – Land off Lees Hall Road

Planning Statement

November 2016



Revision Record

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Appendix I: ES Screening Request and Opinion

I. Introduction

- I.1. Spawforths have been instructed by Miller Homes to prepare and submit an outline planning application for the site at Lees Hall Road, Dewsbury. The proposal comprises:

Outline application for residential use (C3) including means of access.

Matters relating to layout, appearance, scale and landscaping are reserved for approval later.

- I.2. The applicants have taken professional advice from a development team and supplementary information has been prepared in support of the application by the following consultants. This Statement should be read in conjunction with these reports.

- Spawforths - Planning Statement
- Spawforths – Indicative Masterplan and Design and Access Statement
- Spawforths – Statement of Community Involvement
- ARP - Flood Risk Assessment
- Lithos- Ground Conditions
- Aecom – Ecology
- I-Transport - Transport Assessment and Travel Plan
- BWB - Heritage Assessment
- Iain Tavendale – Tree Survey

Development Proposals

- 2.4. The proposal will be an outline planning application as described below:

Outline application for residential use (C3) including means of access.

Matters relating to layout, appearance, scale and landscaping are reserved for approval later.

- 2.5. The development proposals forming part of the outline planning application comprise an outline application for the uses with full details for the creation of the means of access.

Use Class	Site Area
Housing (C3)	4.43
TOTAL	4.43

- 2.6. Vehicular access will be taken from Lees Hall Road via a priority junction. The illustrative layout shows a series of residential development cells accessed from the linear road and a drainage basin in the northeast corner of the site.
- 2.7. The scheme shown retains the existing farmstead and trees and creates a courtyard feature in the heart of the scheme. The illustrative layout shows approximately 120 dwellings which has been informed by the narrow linear nature of the site, neighbouring land uses and the creation of an access road via a tree-lined boulevard. The proposed drainage infrastructure will work with the topography of the site.
- 2.8. The illustrative masterplan shows strategic landscaping and green infrastructure and pedestrian linkages through to Lees Hall Road:



3. Stakeholder Engagement Summary

- 3.1. This section sets out the statutory and non-statutory consultation undertaken, including consultation with the local community, local stakeholder and pre-application discussions with the local authority. This section should be read in conjunction with the Statement of Community Involvement.

Engagement with the Local Planning Authority and Statutory Bodies

Pre-application Discussion

- 3.2. Pre-application meetings have been held with Officers at the Council during the preparation of this planning application. The meetings are listed below with details of the issues discussed later.

Date	Venue	Attendees	Purpose of Meeting
10 May 2016	Civic Centre 3	Steve Hopwood – KMC Mathias Franklin – KMC Simon Taylor – KMC Andrew Rose – Spawforths Carol Mather – Spawforths Tim Williams – Miller Homes Steve Egglestone – I-Transport	Initial pre-application meeting to introduce development proposals to the Council.
6 October 2016	Civic Centre 3	Steve Hopwood – KMC Keith Bloomfield – KMC John Buddle – KMC Andrew Rose – Spawforths Adrian Spawforth – Spawforths Tim Williams – Miller Homes Greg Jones – I-Transport	Follow up pre-application meeting.

Environmental Impact Assessment

- 3.3. An EIA Screening Opinion request was submitted to Kirklees Council on 5 September 2016. The request was based on the development of 5.15 hectares. A screening response was received from Kirklees Council on 5 October 2016 which confirms that an Environmental

Impact Assessment is not required for the development proposals on this site. A copy of the screening request and opinion are provided at Appendix I.

- 3.4. Whilst the development proposals have changed from those previously screened by the Council, the changes have involved a reduction in the site area to below 5 hectares, and as such the proposals do not trigger the requirement to screen for an Environmental Impact Assessment.

Statutory Body Engagement

- 3.5. Discussions have taken place with statutory bodies and these are summarised in supporting technical reports.

Community Engagement

- 3.6. A detailed summary of the Community Engagement undertaken is provided within the Statement of Community Involvement with this planning submission.
- 3.7. The primary consultation method undertaken was a consultation exhibition event, which was held at Thornhill Community Centre. The event was an opportunity for local people to learn about the proposal, ask questions and make comments.
- 3.8. The community exhibition event took place between 3pm and 7 pm on Thursday 10 November 2016.
- 3.9. The key issues raised at the event include:

- Principle of development
- Highways and Traffic impact of development
- Drainage
- Schools
- Housing mix and type of properties
- Interest in purchasing properties

4. Statutory Policy Context and Other Relevant Policies

- 4.1. Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2. This section identifies the planning policies and other material considerations which are relevant to this proposal.

Statutory Development Plan

- 4.3. The statutory Development Plan for the consideration of this application comprises:

- the saved policies of the Kirklees Unitary Development Plan ('UDP') (adopted 1999)

- 4.4. The Kirklees UDP was adopted some 17 years ago in 1999 and is predicated on an evidence base that pre-dates its adoption by a number of years. Furthermore, as the Plan was only intended to cover the period from 1st April 1993 to 1st April 2006, it is time expired by over 10 years. The Kirklees UDP as a whole therefore is not up to date and most of it is inconsistent with the Framework.

Site Specific Allocation

- 4.5. The site at Lees Hall Road is allocated in the UDP as an area of Provisional Open Land through Policy D5. This policy is effectively the equivalent of safeguarded land as defined in the Framework. The UDP states in paragraph 2.15 that:
- 4.6. *These sites are also judged to be capable of development either now or when new infrastructure such as roads and sewers can be provided. The aim of the provisional open land designation is to maintain the character of the land so designated at least during the period until the plan is reviewed when it will be considered for allocation for development.*

- 4.7. *Reviews of the plan are required at least every 5 years. The reassessment of provisional open land will involve determining for each site whether in the prevailing circumstances there is a case for releasing some or all of the land for development, or whether it should be maintained as provisional open land until the next review of the plan. Reallocation of provisional open land as green belt or urban greenspace will occur only in exceptional circumstances.*
- 4.8. *It is intended that there will be an early review of the plan in the context provided by up-dated regional planning guidance which will take into account the latest population projections. The review will follow the guidance in PPG2 concerning safeguarded land, so that, exceptionally, some land may be removed from the provisional open land designation because it is unfavourably located in terms of achieving sustainable development.*
- 4.9. *In view of the function of POL and its value as open land, development will generally not be appropriate. However, it is recognised that some forms of development will not prejudice the function and value of the land and may also help to ensure that the land is properly looked after. It will therefore be appropriate to permit development required in connection with established uses, or change of use to an alternative open land use or to temporary uses which would not prejudice the possibility of development after the plan is reviewed, nor be detrimental to the character of the site and its surrounding.*
- 4.10. The other saved UDP policies relevant to this application are as follows:

Policy	Topic
H1	Housing Need
H 10/12	Affordable Housing
BE 1/2	Design and the Built Environment
BE12	New dwellings providing privacy and open space
BE23	Crime prevention measures
EP10	Energy efficiency
EP11	Landscaping
T10	Highway safety/environmental problems
T16	Pedestrian Routes

Policy	Topic
T19	Off street parking
H18	Provision of Open Space
G6	Contaminated Land

- 4.11. Whilst a number of UDP policies, including H1 were “saved” in September 2007, the Secretary of State’s Direction Letter is clear that these saved policies would not necessarily be endorsed if they were presented as new policy and that *“the extended policies should be read in context. Where policies were adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions”*. The LPA accepts this position through its preparation of a new Local Plan.
- 4.12. The policy framework that operates now is also fundamentally different from that operating when the UDP was adopted and during its plan period. At that time there was a regional planning policy dimension in the form of the Regional Planning Guidance for Yorkshire and the Humber (1996) and also a series of national Planning Policy Guidance Notes and Statements that supported a ‘brownfield’ first approach to housing development. Therefore many of the UDP policies are now time expired and out-of-date as they would no longer comply with the Framework approach to meeting all development needs in sustainable locations.
- 4.13. On this basis, paragraph 215 of the Framework is engaged and this directs that due weight should only be given to existing UDP policies according to their degree of consistency with the Framework.

National Planning Policy Framework (The Framework)

- 4.14. The National Planning Policy Framework (The Framework) is a key material consideration as the statement of national policy and should therefore be taken into account and given appropriate weight when assessing this application.
- 4.15. Adopted as an expression of national planning policy, The Framework sets out the presumption in favour of sustainable development and the Government’s key objective to

increase significantly the delivery of new homes. Where relevant policies are out of date, for example where a five year housing land supply cannot be demonstrated, it states planning permission should be granted.

4.16. In summary, the key elements of The Framework relevant to the proposals are:

- Achieving sustainable development
- Building a strong, competitive economy
- Delivering a wide choice of high quality homes
- Decision-taking

4.17. Paragraph 14 states that “*at the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision taking*”. In relation to decision taking this means:

- 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:
 - o 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
 - o Specific policies in this Framework indicate development should be restricted 9

4.18. In determining applications, paragraph 196 requires that “*applications for planning permissions must be determined in accordance with the development plan, unless material considerations indicate otherwise*” in line with the established plan-led planning system. Paragraph 197

confirms that in assessing and determining development proposals, “*local planning authorities should apply the presumption in favour of sustainable development*”.

- 4.19. Paragraph 214 of the Framework states that “*for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004, even if there is a limited degree of conflict with this Framework*”. Footnote 39 to this paragraph notes that this only applies to policies adopted in development plan documents in accordance with the Planning and Compulsory Purchase Act 2004.
- 4.20. Paragraph 215 continues to note that “*in other cases...due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework*”.
- 4.21. Paragraph 216 states that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent of unresolved objections to relevant policies and the degree of consistency with the Framework.
- 4.22. The Framework aims to deliver a wide choice of high quality homes. Paragraph 47 states that local planning authorities should boost significantly the supply of housing. Paragraph 49 stipulates that housing applications should be considered in the context of the presumption in favour of sustainable development. It notes that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

Paragraph 50 explains that a wide choice of high quality homes are to be delivered and opportunities for home ownership are to be widened by planning for a good mix of housing based on the needs of different groups and local demands.

National Planning Practice Guidance (PPG)

- 4.23. The National Planning Practice Guidance (PPG) provides guidance to support the policies within The Framework, and in that sense does not provide additional policy but rather more detailed consideration of how policies within The Framework should be approached and met. The guidance covers all relevant planning policy areas under separate topics and will be updated online as and when required.

- 4.24. Detailed assessment of the proposal against the relevant guidance within the PPG will be considered in chapter 7 of this Planning Statement.

Other Relevant Policies

Emerging Local Policy

- 4.25. The Council is currently preparing a new Local Plan for Kirklees, initial consultation took place between November 2015 and February 2016. The Publication Draft Kirklees Local Plan has been produced and was approved by Cabinet on 12th October 2016 to proceed to a further round of consultation. This consultation is taking place from 7th November 2016 until 19th December 2016.
- 4.26. The Application Site forms part of the Dewsbury Riverside housing allocation H2089, which is identified to deliver 4,000 new homes.

Other Policy Considerations

SPG2: Affordable Housing

- 4.27. Supplementary Planning Guidance (SPG) 2: Affordable Housing was adopted on 12 November 2008 and sets out the guidance on the Council's requirements for the provision of affordable housing in relation to market housing developments.
- 4.28. SPG 2 refers to Policies H10, H11 and H12 of the Kirklees UDP which indicate that the provision of affordable housing will be a material consideration when considering applications for residential development. In considering the approach to affordable housing paragraph 6.1 identifies that the Council will seek to:

Secure 30% of a "greenfield" site's capacity as affordable housing on developments of 5 or more dwellings unless material considerations indicate otherwise;

- 4.29. When considering the type of affordable housing the Council will seek 90% to be social rented and 10% as intermediate housing such as shared ownership. The proportion will vary depending on location according to the assessed need.
- 4.30. The Council is seeking to introduce an Interim Affordable Housing policy which will replace SPG2. This Interim Policy will be in line with the emerging Affordable Housing policy in the Local Plan. The Interim Policy has been endorsed by Cabinet on Tuesday 15 November but still needs to be presented to Full Council for approval. The Interim Policy will seek 20 percent affordable housing on schemes of 10 units and above and be based on the number of units rather than floorspace.

5. Reasoned Justification for Proposed Development

- 5.1. The application proposes residential development including construction of access from Lees Hall Road. The following section considers the proposed scheme in the context of relevant planning policy.
- 5.2. It will be shown that the application proposals accord with the provisions of the development plan and there are no material considerations, which warrant a refusal of planning permission for this scheme.
- 5.3. This section evaluates the application proposals against the following issues:

- Principle of Development
- Design
- Other Material Considerations
- Planning Obligations
- Conformity with the Development Plan / The Planning Balance

Principle of Development

- 5.4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for the consideration of this planning application comprises the saved policies of the Kirklees UDP (adopted 1999).
- 5.5. However, the UDP was adopted prior to 2004 and therefore the Framework states that “due weight should be given to the relevant policies in existing plans according to their degree of consistency with this framework”. The Kirklees UDP was adopted some 17 years ago in 1999 and is predicated on an evidence base that pre-dates its adoption by a number of years. Furthermore, as the Plan was only intended to cover the period from 1st April 1993 to 1st April 2006, it is time expired by over 10 years. The Kirklees UDP as a whole therefore

is not up to date and most of it, and in particular the housing policies, are inconsistent with the Framework.

- 5.6. The site at Lees Hall Road is allocated in the UDP as an area of Provisional Open Land through Policy D5. This policy is effectively the equivalent of safeguarded land as defined in the Framework. The UDP states in paragraph 2.15 that:
- 5.7. *These sites are also judged to be capable of development either now or when new infrastructure such as roads and sewers can be provided. The aim of the provisional open land designation is to maintain the character of the land so designated at least during the period until the plan is reviewed when it will be considered for allocation for development.*
- 5.8. *Reviews of the plan are required at least every 5 years. The reassessment of provisional open land will involve determining for each site whether in the prevailing circumstances there is a case for releasing some or all of the land for development, or whether it should be maintained as provisional open land until the next review of the plan. Reallocation of provisional open land as green belt or urban greenspace will occur only in exceptional circumstances.*
- 5.9. *It is intended that there will be an early review of the plan in the context provided by up-dated regional planning guidance which will take into account the latest population projections. The review will follow the guidance in PPG2 concerning safeguarded land, so that, exceptionally, some land may be removed from the provisional open land designation because it is unfavourably located in terms of achieving sustainable development.*
- 5.10. The site is therefore safeguarded for development and is “judged to be capable of development” and as such forms a reserve of sites when required. Such a requirement is when the Council is unable to demonstrate a five year supply of deliverable housing sites.
- 5.11. The Council accept that they cannot currently demonstrate a five year housing land supply, stating in recent Planning Committee Report 8 September 2016 for application 2016/91158 that:
- 5.12. *The weight that can be given to policy D5 in these circumstances was assessed in October 2013 by a Planning Inspector in his consideration of an appeal against refusal of permission for housing on a POL site at Ashbourne Drive, Cleckheaton (ref: APP/Z4718/A/13/2201353). The inspector concluded (paragraph 42):*

5.13. *“The lack of a five-year supply, on its own, weighs in favour of the development. In combination with other paragraphs in the Framework concerning housing delivery the weight is increased. The lack of a five-year supply also means that policies in the UDP concerning housing land are out of date. Policy D5 clearly relates to housing and so it, too, is out of date and its weight is reduced accordingly. This significantly reduces the weight that can be given to the policy requirement for there to be a review of the plan before the land can be released. In these circumstances, the Framework’s presumption in favour of sustainable development is engaged.”*

5.14. The latest information utilising the Council’s own figures show a five year supply of housing land of circa 2.66 years. This is based on the information below:

Housing Need

5.15. The Publication Draft Local Plan (November 2016), which was published for consultation on 7th November 2016, proposes 31,140 new dwellings between 2013 and 2031, which is an annual average of 1,730 new dwellings (gross). This is an increase from the previous version of the emerging plan in November 2015 which proposed 1,630 new dwellings per annum (gross).

Completions

5.16. The Publication Draft Local Plan shows net completions from 2013/14 – 2014/15. The Council has also provided completion figures for the year 2015/16, although these have not been verified. This shows there have been 2,840 completions and that there has been a consistent under delivery on the housing requirement since the start of the emerging Local Plan period as set out in below:

Year	Annual Requirement	Actual net supply	Difference
2013/14	1,730	1,036	-694
2014/15	1,730	670	-1,060
2015/16	1,730	1,134	-596
Total	5,190	2,840	-2,350

- 5.17. In accordance with the Planning Practice Guidance, the under delivery in housing should be addressed in the first five years (i.e. the Sedgefield Method should be adopted) (3-036-20140306). The shortfall in housing delivery since 2013 is 2,350 and is equivalent to 1.35 years supply. The Council has therefore only delivered 54.7% of the housing requirement since 2013.
- 5.18. The emerging Local Plan period commences in 2013. The most up to date assessment on the net annual housing requirement utilises evidence which informs the emerging Local Plan. Therefore, the assessment on previous years under provision is taken from 2013.

Housing Requirement

- 5.19. Paragraph 47 of the Framework states that where there is a persistent under delivery of housing, Local Planning Authorities should increase the requirement by a further 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land
- 5.20. There has been persistent and significant under delivery since 2008 and over 2,350 houses since the start of the emerging plan period in 2013. The Council accepts at paragraph 6.7 of its Technical Paper: Housing (2016) that it has persistently under delivered and in accordance with the Framework a buffer of 20% should be provided to the annual requirement plus the shortfall, which is in accordance with recent appeal decisions (Great Ayton: APP/G2713/A/14/2218137; Stokesley: APP/G2713/A/14/2223624). The Inspector in the Great Ayton appeal (paragraph 32) stated: *“the buffer can only be added to the requirement once the shortfall has been added on. To do otherwise would be to ignore a part of the requirement (the shortfall) in ensuring that there is a sufficient supply to meet that requirement, plus an additional 5%.”*
- 5.21. In light of the above, the Council accepts that it is a ‘20% Authority’ and a 20% buffer should be applied. The net five year requirement for Kirklees should therefore be:

1,730 x 5 years	8,650
Plus historic under provision	2,350
<i>Sub-Total</i>	<i>11,000</i>
Plus 20% NPPF buffer	2,200

Total	13,200
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- 5.22. Due to the historic under provision, the housing requirement is the equivalent of **2,640 net new dwellings per annum** over the next five years. The scale of this shortfall is significant and it is imperative that this undersupply is addressed in the short term, in accordance with the Framework and PPG.

Housing Supply

- 5.23. The Council have identified an unverified and unconstrained supply position of 7,029 dwellings, which the Council expect to come forward within the five year period of 2016-2021.
- 5.24. Kirklees Council explains in the Publication Draft Local Plan, an allowance for the loss of residential units through demolition, conversion and change of use. Based on trend analysis, the allowance is 90 dwellings lost per annum.
- 5.25. In the Publication Draft Local Plan, the Council makes an allowance for windfalls from the reporting year 2020-2021 onwards of 450 dwellings per annum.

Sites with planning permission	7,029
Windfall Allowance for 2020/21	450
Demolitions (5 years x 90)	-450
Total	7,029

- 5.26. The Council's supply position therefore shows that with an annual requirement of 2,640 dwellings, the authority claims to have at best no more than a **2.66** year supply of available housing land.
- 5.27. We have not verified the Council's provision of sites that relate to their five year housing land supply. However, at an unconstrained position of 7,029 dwellings, this is insufficient and only provides, at best, for **2.66** years of housing supply.

- 5.28. This is significantly below the position the Council needs and requires. Furthermore, this position is based on an unconstrained capacity. Many sites have an enabling phase, including provision of infrastructure, site remediation and ground works, which can feasibly be anywhere between 3-6 months and up to 9-18 months depending on constraints. Sites will also tend to progress at a rate of 30-35 dwellings per annum for a single housebuilder.
- 5.29. Therefore, in undertaking a quick high level assessment of sites it is evident that from the Council's unconstrained capacity of 7,029 dwellings, a more feasible capacity is circa 6,000 dwellings. However, this is without analysing in detail each individual site. If such an assessment were undertaken, it would most likely reveal that the capacity would be below the circa 6,000 dwellings and, consequently, this figure should be taken as a maximum.
- 5.30. Furthermore, the Council is including an element of windfalls within its supply position. The Framework states a windfall allowance can be included within the Local Plan (para 48), however this must be based upon robust and compelling evidence that such sites have come forward in the past and will continue to come forward. That evidence must therefore be published to justify such an approach.
- 5.31. The Kirklees Housing Technical Paper (November 2016) provides insufficient evidence on the derivation and analysis of windfalls to justify a level of windfalls equivalent to 26 percent of the annual requirement. This is a significant level of housing provision to come from unknown sources.
- 5.32. We consider that delivery from windfalls will reduce in future years compared to past trends due to the effect of having an up to date plan with allocations and a more rigorous and up to date Strategic Housing Land Availability Assessment (SHLAA). In particular, we consider that large sites will be included in the SHLAA and/or allocated for development and therefore the proportion of large site windfalls will diminish.
- 5.33. Therefore, the expected rate of windfalls would be less than the 450 dwellings that the Council proposes.
- 5.34. On this basis, we consider that the maximum five year supply identified for the period 2016-2021 is circa 6,000 dwellings. This is a maximum figure and if each individual site were assessed in detail it is expected that this figure would reduce, especially with the windfall allowance reducing to only allow for small sites. We therefore consider that the Council's

housing supply position to be more in the region of 2.27years, which as discussed above is a best case scenario.

- 5.35. Therefore, on a best case scenario, the Council is unable to identify a five year housing land supply.
- 5.36. If this site were approved, it could come forward immediately and start to deliver housing within year 2017/18 and hence deliver within the 5 year period. This position is reflected in the emerging Local Plan which shows in the anticipated trajectory of sites in Appendix 3 the site coming forward from 2017/18.
- 5.37. Given the absence of a deliverable five year housing land supply, paragraph 49 of the Framework is triggered, which states:
- 5.38. *Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*
- 5.39. Therefore, the planning application should be considered in the context of the presumption in favour of sustainable development and paragraph 14 of the Framework.
- 5.40. Paragraph 14 states that where relevant policies are out-of-date, planning permission should be granted “unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole.
- 5.41. Footnote 9 lists examples of restrictive policies but this does not include land allocated as Provisional Open Land.
- 5.42. The Framework identifies the dimensions of sustainable development as economic, social and environmental roles. 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” (paragraph 8). The ‘economic’ role includes providing support for growth and development requirements, while the ‘social’ role states the need to support communities by providing housing to meet the needs of present and future generations.

Affordable Housing

- 5.43. Planning for housing delivery is not just about meeting general housing requirements. The Framework states that local planning authorities should encourage the delivery of a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 5.44. The proposed scheme will bring forward not only market housing but also contribute towards provision of affordable housing to meet an identified need. The emerging Local Plan is proposing 20% affordable housing on sites over 10 units in size.
- 5.45. The 2016 SHMA (Table 7.9) identifies an annual affordable housing requirement for newly forming households of 1,209 new homes. It can be seen from the table below that Kirklees Council has significantly under delivered in respect of affordable housing in recent years when compared against this identified need.

Year	Affordable Homes Total
2008/2009	204
2009/2010	215
2010/2011	192
2011/2012	214
2012/2013	268
2013/2014	320
Total	1,413

- 5.46. The Council's published data does not extend beyond 2014, however the table above shows that over a 6 year period, the Council has significantly under delivered on the affordable housing needs of the district. The proposed scheme can therefore contribute towards the provision of much needed affordable housing in the area.

Housing Mix

- 5.47. The application proposals addresses the Framework requirements (paragraph 50), by achieving a good mix of housing and creating sustainable mixed communities.

- 5.48. The proposed development provides a varied mix of dwellings, including the potential for an element of affordable housing to meet the needs of the local area and to meet the requirements of the Framework.

- 5.49. The Framework states that a wide choice of high quality homes should be delivered, and that local authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

- 5.50. The proposals will help to ensure that there is a range of housing available to meet the needs, preferences and aspirations of existing, emerging and incoming households. The SHMA 2016 shows a need and demand for all types of housing.

- 5.51. The proposed scheme will therefore assist in furthering the economic development and regeneration ambitions of the Council. The precise housing mix will be determined through subsequent Reserved Matters submissions. The Design and Access Statement explains how the site context, constraints and opportunities have been taken into account and how the scheme proposals have evolved.

Sustainability

- 5.52. There are three dimensions to sustainable development: economic, social and environmental and the development proposals are assessed against each of the three elements:

Economic Sustainability Benefits

- 5.53. The development will provide an economic sustainability benefit to the area through increased use of local shops, services and facilities and will provide a domino effect through provision of local jobs in the area. The increase of residents within an area will have an impact on existing services and businesses within Dewsbury including increased demand for local services and increased expenditure within the local area. This will assist in building confidence for existing businesses within the area and attract new firms to move into the area. The proposed development will provide a range of employment opportunities within the area, including direct job opportunities through construction.

5.54. The proposed scheme will contribute towards significant regeneration and economic growth aspirations for Dewsbury and Ravensthorpe. The proposed scheme, based on 120 units, will contribute towards the following benefits:

- Provision of market and affordable housing to meet local needs and demands
- Assist in addressing deprivation in one of the most deprived wards in the District.
- £3.25m of additional economic output - expected additional Gross Value Added (GVA).
- 180 temporary construction jobs.
- 240 sustainable new jobs in the local economy, supported in the supply chain and new residents.
- £600,000 first occupation expenditure
- £2.6m annual household expenditure in the local economy
- Creation of green infrastructure through landscaping, ecological works and drainage features.
- A commitment to local employment initiatives
- £150,000 additional Council Tax revenues per year
- £1m New Homes Bonus payment

5.55. The scheme forms part of the first phase of Dewsbury Riverside (H2089) which is a proposed allocation in the emerging Local Plan. This scheme aims to:

- Deliver the regeneration and urban renaissance of Dewsbury and Ravensthorpe through housing delivery of sufficient quantity to generate transformational change.

- Rejuvenate Dewsbury Town Centre through creation of distinctive quarters, new linkages and reconnection with the Riverside.
- Address all sectors of market demand and affordable housing need in south Dewsbury.
- Enhance the level of service provision and recreation and leisure opportunities.
- Open up the potential for the delivery of improved infrastructure and connections whilst extending and enhancing green corridors and linkages.

5.56. The aim is to regenerate Dewsbury to the benefit of residents, employers, investors and visitors. The aim is to position Dewsbury as a quality place to attract new investors, employment opportunities and housing. The scheme aims to reduce future forecast congestion in Dewsbury and Ravensthorpe and deliver environmental improvements. It will reinstate Dewsbury as a place of economic and cultural activities in the Leeds City Region. In its wider context, the project will act as a catalyst for further investment and development across the Leeds City Region.

5.57. The vision for Dewsbury Riverside is to deliver transformational change and investment in this area and create a high quality gateway. The key element being to drive forward the economy in the region, enhance the residential offer, regenerate the Town Centre, improve the environment, create excellent transport connectivity and improved access to employment opportunities. The redevelopment of the area will accelerate the urban renaissance of Dewsbury and enhance the connectivity between the existing communities and the environment beyond. Creating the potential for new active leisure opportunities within Dewsbury, promoting healthy living and an improved environment. The renewal of Dewsbury would help the town to achieve its economic growth aspirations over the coming decades. Consequently, it would enhance the effectiveness of previous and ongoing investment to revitalise Dewsbury Town Centre, as well as providing the opportunity to help support and enable housing growth.

5.58. In addition, the redevelopment of Dewsbury offers the opportunity to develop the town's road network, improving connectivity and access to neighbouring communities and the Town Centre. It would also allow the coordination of public transport services in the area,

enabling better access to employment opportunities across the District and Leeds City Region as a whole. Through such sustainable redevelopment, Dewsbury Riverside will deliver economic, social and environmental benefits and improve the quality of life for its local population and beyond.

Social Sustainability Benefits

- 5.59. The proposal will provide a social sustainability benefit through the provision of a mixed range of dwellings to meet a range of needs, encouraging interaction and balanced communities. The scheme contributes towards provision of affordable housing.
- 5.60. The site is located in close proximity to services and facilities, in Dewsbury as well as existing employment and residential areas. There are also good transportation linkages with frequent bus services providing a sustainable location for residential development.

Environmental Sustainability Benefits

- 5.61. The application site is sustainably located within the urban area, which is a high order settlement in the Development Plan. The proposal therefore provides increased benefits towards environmental sustainability by being located in an appropriate location. It will work towards reducing the need to travel, reducing pollution overall in the locality. The UDP and Framework set out that accessibility to jobs and services by sustainable transport is important to building sustainable communities in the district. The policy requires that development is located in order that travel is reduced and essential travel needs can be met by the use of transport modes other than the car. The proposal is therefore in keeping with the requirements of the UDP and Framework.

Design

- 5.62. Within paragraph 114-123 of the Framework there is specific attention paid to the role and requirement for high quality design within new development proposals. The Framework states:

"Good design is indivisible from good planning and should contribute positively to making places better for people. The Government's objective for the planning system is to promote good design that ensures attractive, usable and durable places. This is a key element in achieving sustainable development."

- 5.63. The Design and Access Statement submitted with this application provides a detailed assessment of the proposed development in terms of design and demonstrates that the proposed scheme fully accords with UDP saved Policies BE1 and BE2 and the Framework.
- 5.64. The site also forms part of an early first phase for the Dewsbury Riverside scheme, which is being promoted through the emerging Local Plan (proposed housing allocation H2089). Dewsbury Riverside is already part allocated in the UDP via a housing allocation (H10.5) and Provisional Open Land. However, the vast majority of the land is presently in the Green Belt and is subject to due process through the Local Plan and independent Examination in Public and subsequent adoption of the Local Plan, which is anticipated to be in 2018. A Masterplan Framework is being prepared, which will show the context of the scheme in relation to the wider Dewsbury Riverside site. Nevertheless, this first phase is able to come forward independently in the short term within the provisions of the UDP and Framework.
- 5.65. The Design and Access Statement demonstrates that the proposed scheme works as an independent schemes but sits within the context of a wider masterplan and can be developed without prejudicing delivery of the wider scheme.

Cultural Heritage

- 5.66. BWB Consultancy has prepared a Heritage Assessment which includes a search of cartographic records, records of archaeological interventions and the Historic Environment Record.
- 5.67. The Assessment concludes that no heritage assets have been recorded within the proposed development site and there is no evidence within the immediate area to suggest that it has been used for any purpose other than agricultural activity between the medieval and modern periods.

- 5.68. There has been little archaeological excavation in the study area. Excavations to the southeast identified medieval remains, which are likely to be focused with in the immediate environs of Thornhill rather than the site.
- 5.69. It is likely that the site was farmed during the medieval period. Such activity continued throughout the post-medieval and modern periods. Features associated with such use are likely to survive but these are of limited significance to warrant any investigation.
- 5.70. The proposed development site occupies land that has been used solely for agricultural purposes throughout its researchable history and remains undeveloped to the present day. There is no evidence for earlier activity within the site or its immediate environs.
- 5.71. Through the research undertaken it has been determined that there is little potential for archaeological deposits and or features to occur within this development parcel given the lack of archaeological evidence and the wider area. On this basis no further works are recommended.
- 5.72. The development proposals are therefore in accordance with the saved policies of the UDP and the Framework.

Other Material Considerations

Highways and Transportation

- 5.73. The Framework sets out the Government's aims for achieving sustainable development. As part of NPPF the Government sets out a presumption in favour of sustainable development.
- 5.74. The Framework acknowledges that the definition of sustainable transport will, by necessity, vary across the country and between areas such as City Centres and areas which are not as urban, however it sets out general guidance to be followed where practical.
- 5.75. A key part of achieving the sustainable transport requirements is through the provision of a Travel Plan. The developer fully recognises the importance of Travel Planning and a Travel Plan.
- 5.76. Importantly, the Framework states that:

“Development should only be prevented or refused on transport grounds where the residual impacts of development are severe.”

- 5.77. I-Transport has prepared a supporting Transport Assessment and Framework Travel Plan to support the planning application.
- 5.78. The means of access is proposed via the creation of a new simple priority junction on Lees Hall Road, to the west of Parker Road. The proposed access arrangements are shown in principle on Drawing ITY11389-GA-001A.
- 5.79. It is proposed to relocate the existing speed table on Lees Hall Road adjacent to the site access junction circa 25m west of its current position. Doing so places the speed table equidistant between junctions and would not impede access to existing properties.
- 5.80. The site access junction arrangement is capable of being converted at a future date to afford suitable access for a greater quantum of development, should the wider emerging allocation come about through the Local Plan process
- 5.81. The traffic flows generated by the site will represent a small proportion of the existing traffic in the area. Analysis of the capacity of the adjacent highway network has demonstrated that the trip generation of the proposed residential development will not have a material or severe impact on the operational performance of the surrounding highway network.
- 5.82. The development is proposed to be accessed via the creation of a new priority junction on Lees Hall Road, to the west of Parker Road. The proposed access has been designed to a feasibility level of detail, cognisant of prevailing design guidance. Suitable crossing facilities are incorporated into the design. Swept path analyses have been undertaken to demonstrate the proposed access can accommodate a Refuse Collection Vehicle and operational assessments demonstrate that the site access junction will operate satisfactorily. The proposed site access arrangements are, therefore, considered fit-for-purpose.
- 5.83. Collision data in the vicinity of the site has been analysed and it is concluded that there is no inherent road safety issue that would preclude the proposed site access, or the development, coming forward.

- 5.84. In summary there are a large number of local destinations to the north of the site which can be accessed on foot within an acceptable distance. Existing and proposed crossing facilities mean that trips can be made on foot safely.
- 5.85. Existing bus stops and services can be used to access destinations further afield.
- 5.86. It is therefore concluded that the site is readily accessible to a large number of facilities and services by sustainable modes of transport.
- 5.87. A Framework Travel Plan has been prepared in support of the planning application (ref ITY11389-002 R). It builds upon the accessibility of the site through the formulation of Travel plan measures to encourage sustainable travel at the site from the outset of development.
- 5.88. It is therefore concluded that the site is a suitable location for the development proposed, it can be accessed satisfactorily, traffic impacts will not be severe and it is accessible by sustainable modes. There are therefore no overriding highways or transport reasons why planning permission for residential development on the site should not be granted. The development proposals are therefore in accordance with UDP saved Policy T10 and the Framework.

Ground Conditions

- 5.89. Saved UDP Policy G6 states that “Development proposals will be considered having regard to available information on the contamination or instability of the land concerned”. Lithos Consulting has undertaken a Geoenvironmental Assessment which included review of a 3rd party report, the site's history and environmental setting.
- 5.90. The Assessment shows that an area of made ground is expected in the area of the farm buildings at Moor Farm and that the natural ground is Coal Measures overlain by Gaciolacustrine Deposits in the north-west.
- 5.91. The site is underlain by known mine workings in both the New Hards and Wheatley Lime coals. Furthermore to the south is a large area of infilled ground, which is associated with former opencasting of coal in the Brown Metals coal. A robust gas risk assessment will be required.

- 5.92. The Assessment concludes that given the undeveloped nature of the site, no significant contamination is anticipated. In terms of foundations if grouting is preferred, shallow footings will need to be at least 300mm thick, and reinforced top and bottom with a layer of mesh. If extraction of coal is undertaken, rafts would likely provide the most appropriate foundation solution, after consideration of potential high wall issues.
- 5.93. The Assessment also states that soakaways are unlikely to provide a suitable means of disposal for the disposal of surface water at the site. Consequently, it may be necessary to consider alternative sustainable drainage systems (SUDS).
- 5.94. The development proposals are therefore in accordance with the saved policies of the UDP and the Framework.

Flood Risk and Drainage

- 5.95. ARP Associates have prepared a Flood Risk Assessment to support the development proposals. The Environment Agency's Flood Map for Planning and Calder Valley Strategic Flood Risk Assessment identifies the site within Flood Zone 1 (low flood risk). The site is not at significant risk of potential flooding from any source and, in accordance with current Planning Practice Guidance, sequential testing is not required.
- 5.96. The site is greenfield and, therefore, in accordance with the current guidelines and regulations, indicative surface water calculations have been undertaken using the IH124 Method of calculating greenfield run-off rates. The greenfield run-off rate for the area is 7.4 l/s.
- 5.97. Based on information available and topography of the site, the disposal of surface water using infiltration techniques may not be feasible. The proposed strategy is therefore considering a combination of below ground and attenuation basins.
- 5.98. The proposed surface water system should be designed to accommodate the 1 in 30 year storm event without flooding and the 1 in 100 year storm plus climate change event should be retained within the site in an area which will not affect the new buildings or third parties from flooding. In line with guidance provided by all statutory consultees, the proposed surface water discharge shall be restricted to the pre-development greenfield runoff rate.

- 5.99. In line with guidance provided by statutory consultees that a side wide surface water management strategy should be adopted. The detention basins are designed to accommodate the 1 in 100 year storm plus an allowance for climate change (subject to detailed design). The Lees Hall Road site will restrict surface water run-off to the pre-development greenfield run-off rate of 7.4 l/s.
- 5.100. Foul water domestic waste should discharge to a point to be agreed with Yorkshire Water as part of a detailed drainage strategy for the site.
- 5.101. The development proposals area therefore in accordance with saved policies of the UDP and the Framework.

Ecology

- 5.102. Aecom has undertaken an Ecological Survey of the site. The Assessment confirms there are no nature conservation designations relevant to the scheme, therefore there are no constraints or opportunities associated with nature conservation designations. All of the designations listed in the report are too distant from the site to be constraints to the development of the site for housing.
- 5.103. The Assessment concludes that the scheme complies with relevant planning policy covering nature conservation designations, as it would not impact any such designations.
- 5.104. The only habitats associated with the site that are considered a specific design consideration are the network of hedgerows and other mature trees. None of the other habitats associated with the site are considered to be mandatory design considerations or require retention.
- 5.105. The proposed scheme does not represent a specific conflict with requirements for the retention of wild bird habitats. Bird surveys have been undertaken to determine the relative value of the site for both wintering and breeding birds, and these have determined that the site is currently of relatively low value due to the baseline habitat conditions and land management regimes i.e. most land is intensively managed arable farmland.
- 5.106. Habitat enhancement opportunities exist, particularly through masterplanning the soft landscaping aspects of the scheme. The site supports a small bat population of local value, and is predominantly used by common pipistrelle bats, particularly foraging along the

southern boundary hedgerow. The final scheme design therefore needs to reflect this and incorporate mitigation measures such as low level lighting and vegetation/landscape enhancement measures.

- 5.107. In accordance with saved UDP policy and the Framework the development of the site for residential use is considered to be acceptable.

Landscape, Arboricultural and Green Infrastructure

- 5.108. Section 5 of the accompanying Design and Access Statement shows the approach towards strategic landscaping and the emerging concept for the wider proposal. This shows how the green infrastructure will transcend the site and into the proposed scheme.
- 5.109. The planning application is supported by a Tree Survey, which confirms that the trees and hedgerows present are of C or U classes, which means that they are of low quality.
- 5.110. Saved Policy EPII of the UDP requires new development to be designed so that important existing landscape features such as trees and hedges are incorporated into the proposal. In accordance with policy the illustrative masterplan shows the incorporation of landscaping within the proposal in appropriate locations.

Planning Obligations

- 5.111. During pre-application discussions, it was agreed that all matters will be conditioned to be confirmed during Reserved Matters stage.

Planning Balance

- 5.112. Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.113. This section draws together the assessment section of this report and demonstrates how the scheme complies with the development plan and the weight to be attached to other material policy considerations.
- 5.114. It has been demonstrated that the saved policies of the UDP pre-date adoption of the Framework and that the Council accept that they do not have a demonstrable five year

supply of deliverable housing sites. Therefore paragraph 49 of the Framework is triggered, which states:

- 5.115. *Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*
- 5.116. Therefore, the planning application should be considered in the context of the presumption in favour of sustainable development and paragraph 14 of the Framework.
- 5.117. Paragraph 14 states that where relevant policies are out-of-date, planning permission should be granted “unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole.
- 5.118. Footnote 9 lists examples of restrictive policies but this does not include land allocated as Provisional Open Land.
- 5.119. It has been demonstrated that the proposed scheme is sustainable and will deliver significant regeneration benefits, including additional economic output, permanent new jobs and temporary construction jobs, additional expenditure in the local economy and additional Council Tax receipts and New Homes Bonus.
- 5.120. Furthermore, the proposed scheme forms part of the first phase of the emerging Dewsbury Riverside scheme, which is a proposal allocation (H2089) in the emerging Local Plan. The fundamental aim of the proposed scheme is to deliver transformational change and investment in this area and create a high quality gateway. The key element being to drive forward the economy in the region, enhance the residential offer, regenerate the Town Centre, improve the environment, create excellent transport connectivity and improved access to employment opportunities.
- 5.121. The emerging Local Plan shows that Dewsbury Riverside will be on site in 2017 delivering housing. To achieve this aspiration the first phases that accord with the UDP and the Framework need to progress in a timely manner. The POL site off Lees Hall Road is one such area of Dewsbury Riverside.

- 5.122. Furthermore, precedent has been established within the Council that Provisional Open Land sites are approved for housing due to the absence of a five year housing land supply. The Council has resolved to approve at planning committee recently sites at Flockton (2016/91158) and Kirkheaton (2014/91831). The Council state in those reports that:

The weight that can be attributed to policy D5 in determining applications needs to be assessed in the context of the National Planning Policy Framework (NPPF) paragraphs 215 and 49.

In the context of paragraph 215 the wording of policy D5 is consistent with NPPF paragraph 85 concerning safeguarded land. However, with regard to paragraph 49 the Council is currently unable to demonstrate a 5 year supply of deliverable housing sites. The weight that can be given to policy D5 in these circumstances was assessed in October 2010 by a planning inspector in his consideration of an appeal against the refusal of permission for housing on a POL site at Ashbourne Drive, Cleckheaton (Ref: APP/Z4718/A/13/2201353).

The Inspector concluded that “The lack of a 5 year land supply, on its own, weighs in favour of the development. In combination with other paragraphs in the Framework concerning housing delivery the weight is increased. The lack of a five year supply also means that policies in the UDP concerning housing land are out of date. Policy D5 clearly relates to housing and so it too is out of date and its weight is reduced accordingly. This significantly reduces the weight that can be given to the policy requirement that there be a review of the plan before the land can be released. In these cases the Frameworks presumption in favour of sustainable development is engaged.”

The presumption referred to by the Inspector is set out in NPPF paragraph 14 which states that where relevant policies are out of date, planning permission should be granted “unless any adverse impacts of granting the permission would significantly and demonstrably outweigh the benefits when assessed against this framework as a whole, or that specific NPPF policies indicate development should be restricted”.

(Footnote 9: lists examples of restrictive policies but this does not include policies concerning safeguard land.)

Paragraph 14 of the NPPF indicates a presumption in favour of sustainable development, and paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development, if the Council is unable to identify a 5 year supply of deliverable housing sites.

The Council is currently unable to identify a 5 year supply of deliverable housing sites.

Assessing the policies in the NPPF as a whole in accordance with the paragraph 14 test, the benefit of providing housing on this green field site is considered to outweigh the environmental harm arising from this development.

- 5.123. The application proposals are therefore in accordance with those parts of the adopted development plan which are in accordance with national policy.
- 5.124. The Planning Statement and the various Technical Assessments have shown that there are no insurmountable issues that cannot be mitigated through appropriately worded conditions. None of these issues warrant a reason for refusal of this application and none of these are adverse impacts which significantly and demonstrably outweigh the benefits.
- 5.125. Therefore, in accordance with Paragraph 14 of the Framework planning permission should be granted without delay.

The material issues that weigh in favour:

- 5.126. The material issues that weigh in favour of the application proposals are as follows:
- The Council is unable to demonstrate a five year supply of deliverable housing land. The proposed development can deliver housing on a site which has been identified for long term development as Provisional Open Land. The application proposals would therefore contribute significantly towards addressing an identified housing land supply. **SIGNIFICANT** weight is attached to this issue in the planning balance.
 - The scheme fully accords with the provisions of the Framework through paragraph 49 and 14, to which should be afforded **SIGNIFICANT** weight in the planning balance.
 - There would be significant indirect regeneration benefits associated with the proposed development, creating confidence in the housing market, and development of a sustainably located site. Through increased household spending in the local area the proposal would support existing shops and

services within Dewsbury. **SIGNIFICANT** weight should be attached to this issue.

- New Homes Bonus and Council Tax payments will be payable in respect of the applications proposals, part of which will benefit the local community. **MODERATE** weight should be ascribed to this issue.

The Balance

- 5.127. In light of the above, it is considered that planning permission should be granted for the application proposals because they accord with the relevant policies of the development plan and the Framework when considered as a whole and the adverse impacts of doing so would **NOT** significantly and demonstrably outweigh the benefits.

6. Summary and Conclusions

- 6.1. The Planning Statement has shown that the application proposal accords with the provisions of the relevant planning policies contained in the statutory development plan and in national planning guidance.
- 6.2. The Council is unable to presently demonstrate a deliverable five year housing land supply. The site is identified for long term development as Provisional Open Land and can therefore provide much needed housing in a sustainable location in Dewsbury.
- 6.3. The proposed development provides new investment through the delivery of new homes that will meet the need and demand in the area and address the housing needs, alongside new job opportunities and generate additional expenditure and regeneration within Dewsbury.
- 6.4. The planning policy context establishes the commitment of the Government to facilitate growth, investment and developments that are clearly sustainable.
- 6.5. Technical reports accompanying this application demonstrate that the site is deliverable and conclude that there are no technical reasons why the application proposal should not be approved. All mitigation measures can be controlled by appropriately worded.
- 6.6. We respectfully request that the application proposals for the site are supported by the Local Planning Authority and Members in order to realise the benefits outline above.

Appendix I: ES Screening Request and Opinion

Steve Hopwood
Planning Department
Investment and Regeneration Service
Civic Centre 3,
Off Market Street
Huddersfield HD1 2EY

BY EMAIL

5 September 2016

Dear Steve

**RE: DEWSBURY RIVERSIDE – PHASE I (LEES HALL ROAD)
REQUEST FOR A SCREENING OPINION FOR THE PURPOSE OF
ENVIRONMENTAL IMPACT ASSESSMENT**

On behalf of Miller Homes, we write in connection with the above proposal and request a screening opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended 2015) in respect of land at City Fields. The development proposals comprise:

Outline application for residential use (C3) including means of access.

Matters relating to layout, appearance, scale and landscaping are reserved for approval later.

We seek your confirmation of whether an Environmental Impact Assessment is required.

The proposals do not fall within Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended 2015) (hereafter referred to as “the EIA Regulations”) where an Environmental Statement (ES) is mandatory. However, the proposals do fall within Schedule 2 of the EIA Regulations as an “Urban Development Project” where the overall area is in excess of five hectares.

An Environmental Impact Assessment (EIA) is not needed however for every Schedule 2 project. The EIA Regulations and Planning Practice Guidance (PPG) are clear that an EIA is required for Schedule 2 projects only if they are likely to give rise to 'significant effects on the environment'.

Spawforths have assessed the proposals against the 'selection criteria' in Schedule 3 of the EIA Regulations for screening Schedule 2 development to assess whether this particular development is likely to have significant effects on the environment.

In accordance with Regulation 5(2) of the EIA Regulations (Requests for screening opinions of the local planning authority), please find enclosed the following:

- A plan sufficient to identify the land (Red Line / Boundary Plan Ref: 3565 dwg I8 rev B),
- A brief description of the nature and purpose of the development and of its possible effects on the environment.
- An assessment against the 'Selection Criteria for Screening Schedule 2 development, in line with the details within Schedule 3 of the EIA Regulations to assist with the Council's consideration of this Request.

On the basis of the recommendations contained within these technical assessments and in the context of Schedule 3 of the EIA Regulations and the PPG, it is our considered opinion that an EIA is not required. Whilst the planning application would therefore not be accompanied by an Environmental Assessment, it will be accompanied by distinct technical information, for example relating to traffic and highways, landscaping, flood/drainage, ecology and ground conditions (including contamination) to assess the possible effects on the environment.

On the basis of the above information we would ask that the Local Planning Authority, should it accept our analysis, issue a Screening Opinion to the effect that the proposals do not require a full EIA to be carried out prior to proceeding to determine the forthcoming planning application.

We request that your formal view on this issue is received within the three week period as outlined within Part 2, Regulation 5(5) of the EIA Regulations. We understand that your Screening Opinion will state the full reasons for your conclusion.

In accordance with Regulation 23 of the EIA Regulations, we request that a copy of this Screening Request along with the Authority's Screening Opinion (once available) is placed on the Public register by the Authority.

Should you require any further information or clarification, please do not hesitate to contact us.

Yours sincerely

ANDREW ROSE BSc(Hons), MSc, PG Dip, MRTPI

Associate: Chartered Town Planner

(andrew.rose@spawforths.co.uk)

Encs: As detailed above

Cc: Tim Williams – Miller Homes

File Ref: P0-TP-SPA-LT-P3565-0014-A

**REQUEST FOR SCREENING OPINION
IN ACCORDANCE WITH TOWN & COUNTY PLANNING (ENVIRONMENTAL
IMPACT ASSESSMENT) REGULATIONS 2011 (AS AMENDED 2015)**

DESCRIPTION OF DEVELOPMENT

DEWSBURY RIVERSIDE – PHASE I (LEES HALL ROAD)

In accordance with Regulation 5(2)(b) of the EIA Regulations 2011 (as amended 2015), this document provides a brief description of the nature and purpose of the development. It also provides a brief description of the possible effects on the environment and should be read alongside the attached schedule which reviews the proposals against the criteria in Schedule 3 of the EIA Regulations.

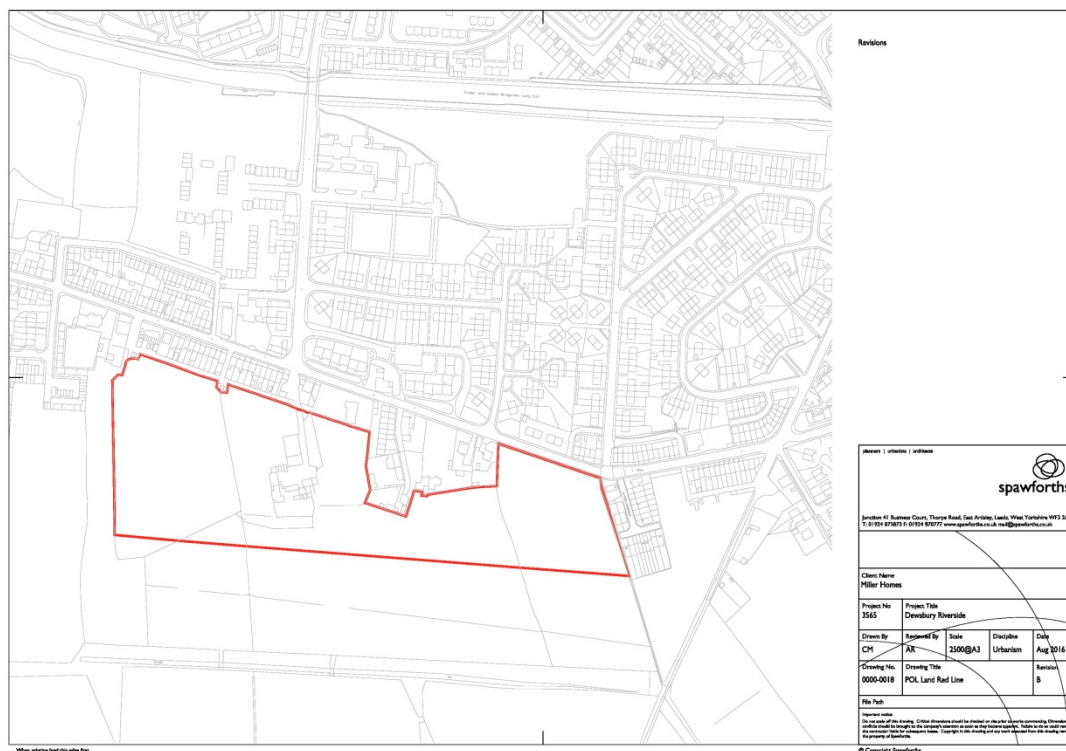
The Site

The site is approximately 5.15ha and is situated to the south of Dewsbury. The site forms part of the Lees Hall Road Protected Open Land within the adopted Unitary Development Plan (1999).

The site is located on the edge of Thornhill Lees, approximately 3.2 kilometres from the centre of Dewsbury, and in close proximity to the large local centres of Ravensthorpe and Thornhill Lees. Ravensthorpe Train Station is near to the site, providing access to Dewsbury, Huddersfield and Leeds.

The site is located to the south of Lees Hall Road, and is a large area of open agricultural land and includes a farmstead. It is bounded to the north by Lees Hall Road and housing, to the west by housing, to the south by agricultural fields and to the east by allotments. To the east is also the land which comprises the remaining Protected Open Land allocation.

The site also forms part of an early first phase for the Dewsbury Riverside scheme, which is being promoted through the emerging Local Plan (proposed housing allocation H2089). Dewsbury Riverside is already part allocated in the UDP via a housing allocation (H10.5) and Protected Open Land. However, the vast majority of the land is presently in the Green Belt and is subject to due process through the Local Plan and independent Examination in Public and subsequent adoption of the Local Plan, which is anticipated to be in 2018. A Masterplan Framework is being prepared, which will show the context of the scheme in relation to the wider Dewsbury Riverside site. Nevertheless, this first phase is able to come forward in the short term as a UDP compliant housing scheme.



Project Description

The proposal will be an outline planning application as described below:

Outline application for residential use (C3) including means of access.

Matters relating to layout, appearance, scale and landscaping are reserved for approval later.

The development proposals forming part of the outline planning application comprise an outline application for the uses with full details for the creation of the means of access.

Use Class	Site Area
Housing (C3)	5.15
TOTAL	5.15

Vehicular access will be taken from Lees Hall Road via a priority junction. The illustrative layout shows a series of residential development cells accessed from the linear road and a drainage basin in the northeast corner of the site.

The scheme shown in the illustrative layout shows approximately 120 dwellings and has been formed and dictated by the topography and creation of development platforms, the narrow linear nature of the site and the farmstead.

The proposed drainage infrastructure will work with the topography of the site and will reflect greenfield run-off rates. The proposed surface water drainage system shall be designed with an allowance for climate change and restricted to the agreed discharge rate with appropriate attenuation incorporated into the design.

The illustrative masterplan shows strategic landscaping and green infrastructure along the edge and through the site.

Consultant Team

The advising team is as follows:

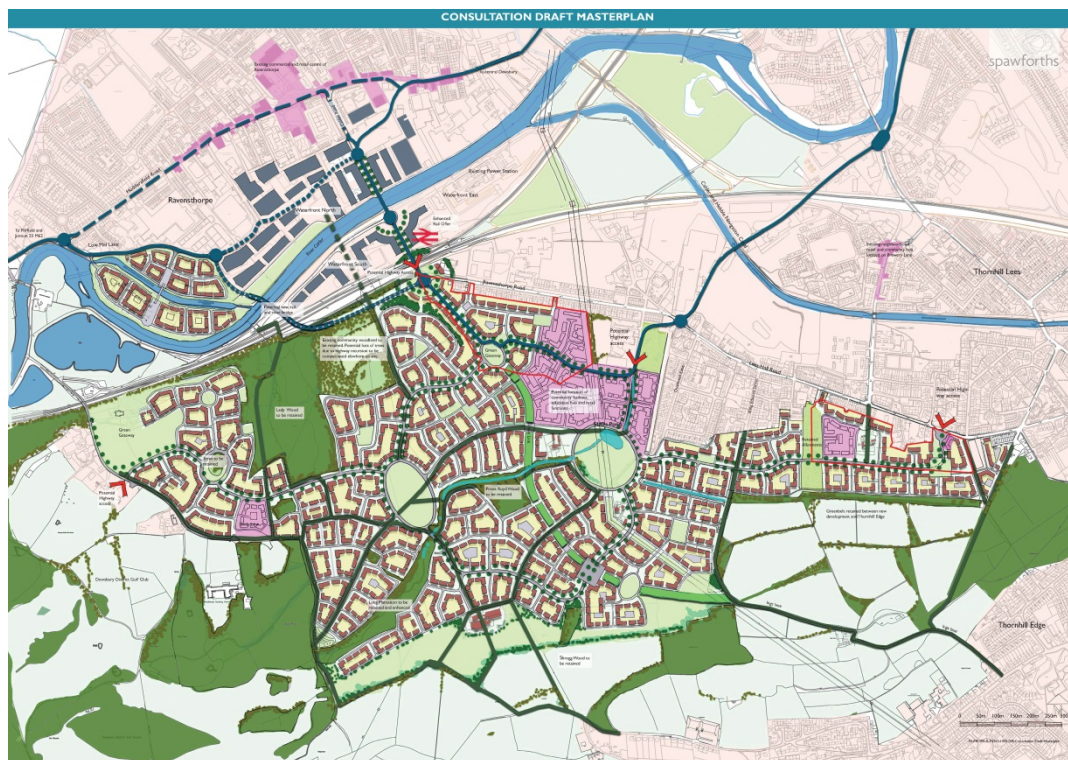
- Planning - Spawforths
- Design and Access Statement – Spawforths
- Masterplan – Spawforths
- Geology and Ground – Lithos Consulting
- Traffic and Transportation – i-Transport
- Flood Risk and Drainage - ARP
- Ecology and Nature Conservation – Aecom

In terms of key technical consideration our conclusions on the likely effects on the environment were drawn from initial technical assessments provided by the Consultant Team advising Miller Homes.

Design Approach and Masterplan

The attached illustrative masterplan shows the design approach to the site. The approach is dictated by the neighbouring land uses, the topography and the narrow linear nature of the site, which dictates the approach to the formation of the access. The approach also reflects the emerging Masterplan Framework.

The illustrative masterplan is shown below:



Summary of possible Effects on the Environment

The site forms part of the Lees Hall Road Protected Open Land allocation and technical assessments have been undertaken on the site and no issues have been identified which are considered to be of sufficient weight in part or in combination with other considerations to require an EIA to be undertaken.

Flood Risk and Drainage

ARP Associates has undertaken a Flood Risk and Drainage Appraisal. The Assessment shows that the Environment Agency confirms that all of the site falls within land assessed as having less than a 1 in 1,000 annual probability of river or sea flooding in any year (less than 0.1%). Therefore, in accordance with Table 1 of the PPG, the site falls within Flood Zone 1 "low probability". The proposed development site is outside the maximum extent of flooding from reservoirs. There are no other canals or artificial sources which will result in flooding on the proposed development site.

Surface water discharge shall be restricted to no greater than the existing greenfield run-off rate with outfall to watercourse. Attenuation storage will be provided on site to store runoff for up to the 1 in 100 annual probability rainfall events plus allowance for climate change, in line with EA guidance.

The proposed surface water drainage system shall be designed with an allowance for climate change and restricted to the agreed discharge rate with appropriate attenuation incorporated into the design.

No special mitigation measures are required for emergency egress during times of flood.

This issue is not considered to be of sufficient weight in part or in combination with other considerations to require an EIA to be undertaken.

Ground Conditions

A Preliminary Geo-Environmental Investigation has been undertaken by Lithos which indicates that the site is suitable for residential development.

The majority of the site is essentially greenfield and no significant contamination is anticipated. Nonetheless, due to previous activities, including mining on some of the site activities remediation and restoration may well be required in certain areas.

Locally, a veneer of made ground associated with existing buildings, hardstand and former railway is anticipated. Deeper made ground associated with a former landfill and backfilled coal pits/ quarries is also anticipated.

Areas of contamination associated with fuel and heating oil tanks (farmyards etc) should be anticipated.

During the operational phase, the proposed development will have a relatively low environmental impact. SUDS will be considered where appropriate. It is unlikely that ground or water contamination will result in any significant impacts.

This issue is not considered to be of sufficient weight in part or in combination with other considerations to require an EIA to be undertaken

Ecology & Trees

Aecom are undertaking ecological surveys to support the planning application. There are no statutory nature conservation designations relevant to the site and there are no non-statutory nature conservation designations that are likely to represent constraints.

Within the Protected Open Land allocation proposal there are no signs of protected fauna species and no significant flora species. The site is primarily improved and poor semi-improved grassland. It comprises species-poor agriculturally improved grassland managed by mowing or grazing. Typical flora includes perennial rye-grass (*Lolium perenne*), creeping buttercup (*Ranunculus repens*) and white clover (*Trifolium repens*).

Areas of unmanaged species-poor semi-improved grassland of recent sown origin occur along arable field margins or on land removed from arable cultivation. Such areas are transitional towards improved grassland and are dominated by robust grasses and herbs, including Yorkshire-fog (*Holcus lanatus*), Timothy (*Phleum pratense*), false oat-grass (*Arrhenatherum elatius*), white clover and meadow vetchling (*Lathyrus pratensis*). In addition various ruderal herbs are present at low frequency, particularly creeping thistle (*Cirsium arvense*), hogweed (*Heracleum sphondylium*) and great willowherb (*Epilobium hirsutum*).

There are also narrow linear strips of enriched, unmanaged poor semi-improved grassland along the edges of fields, tracks and roads. Additional flora in these areas include false oatgrass, common nettle (*Urtica dioica*), cow parsley (*Anthriscus sylvestris*), cleavers (*Galium aparine*) and other species typical of nutrient enriched grassland.

There will be no direct significant adverse impacts on adjacent ecological features. Any potential indirect impacts including risk of pollution during construction and visual impacts will be managed under a construction method statement and through landscaping designs. Ecological survey work and tree surveys are ongoing and ecological enhancement including habitat linkages and landscaping can be incorporated into the masterplanning process creating cohesive corridors to support wildlife and retain connectivity of habitats.

This issue is not considered to be of sufficient weight in part or in combination with other considerations to require an EIA to be undertaken.

Traffic

I-Transport is undertaking a Transport Assessment as part of the planning application. The development of 120 residential units will generate traffic flows that could have environmental effects but given the size of the proposals, and the traffic flows likely to be generated, such effects are concluded to not be significant.

The IEMA's 'Guidelines for the Environmental Assessment of Road Traffic' provides two broad rules to define the need for environmental impact analysis of traffic flows:

- Highway links where traffic flows will increase by more than 30% (or the number of HGV's will increase by more than 30%).
- Any other specifically sensitive areas where traffic flows will increase by 10% or more.

It is considered that there are no specifically sensitive areas and therefore the 30% 'rule' is appropriate.

A development of 120 dwellings will generate daily traffic flows of c.700 vehicles per day (two way). Given the location of the site then these traffic flows will be spread across several routes with vehicles travelling to a range of destinations both locally (such as within Ravensthorpe and to Dewsbury) and further afield (such as Huddersfield and Leeds). The number of HGV's generated by the residential uses will be very low.

The daily development traffic flows have been compared with existing traffic flows on the road network surrounding the site and the results are summarised below:

Table 1: Allocated Site – Comparison of Development Flows with Existing

Highway Link	Existing Daily Flow	Development Flow	Proportion
Calder Road	7,500	230	3.1%
Lees Hall Road (West of Forge Lane)	9,500	230	2.4%
Forge Lane	5,500	0	0.0%
Lees Hall Road (East of Forge Lane)	5,800	230	4.0%
Brewery Lane	2,000	360	18.0%
Lees Hall Road (East of Brewery Lane)	5,400	600	11.1%
A644 Huddersfield Road	24,700	20	0.1%

The above demonstrates that the daily traffic flow increases as a result of the development proposals will be significantly below 30% on all road links. It is therefore concluded that an assessment of the environmental effects of road traffic is not needed.

The planning application will be accompanied by a Transport Assessment (TA) that will consider the impacts of the traffic generated by the proposals on the operation of the local highway network. It will also consider the suitability of the access proposals, road safety and the accessibility of the site.

Benefits of the Development

The proposed scheme represents the delivery of new homes on an area of Protected Open Land, which is the first phase of Dewsbury Riverside. The scheme will contribute towards significant regeneration and economic growth aspirations for Dewsbury and Ravensthorpe. The site will contribute towards the following benefits:

- Residential development of 120 new homes
- Provision of market and affordable housing to meet local needs and demands
- Create additional GVA
- Assist in addressing deprivation in one of the most deprived wards in the District
- Creation of green infrastructure through landscaping, ecological works and drainage features.
- Temporary construction jobs
- Permanent jobs

The proposed scheme will have a positive socio-economic impact and the proposals for the site have a clear benefit to the local and wider area. These will be explained in detail in the Planning Statement, which will be submitted as part of the Proposed Application, but this issue is not considered to be of significant weight in part or in combination with other considerations to require an EIA to be undertaken.

File ref: P0-TP-SPA-RP-P3565-0043-A

Date: August 2016

Dewsbury Riverside – Phase I (Lees Hall Road)

Summary of Selection Criteria for Screening Schedule 2 Development

Based on Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended 2015)

Summary of Proposed Development

Description of Development –

Outline application for residential use (C3) including means of access.

The Site Area –5.15 hectares

Use Class	Maximum Site Area (ha)	Maximum Floor Space (m ²)	No. of Units	Maximum Building Height (m)	Maximum Car Parking Spaces
C3	5.15	Not yet known	120	Not yet known	In accordance with LPA standards
TOTAL	5.15				

Schedule 1 or 2 (as defined within EIA Regulations 2011)

Is it Schedule 1 Development?	No
Is it Schedule 2 Development?	Yes

Summary of Selection Criteria for Screening Schedule 2 Development

Based on Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended 2015)

Issue to be considered For works/development during demolition, construction, operation and decommissioning phases	Likely/Unlikely Potential Impact (i.e. is it likely to be an impact (yes/no) and why)
Characteristics of Development	
Size of the Development	
1 Will the development be out of scale with the existing environment?	No, the site is identified as an area of Protected Open Land for long term development and lies adjacent to existing housing.
2 Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, provision of new water supply, generation or transmission of power, increased housing and sewage disposal)?	No. The site is identified as an area of Protected Open Land for long term development and can be accommodated within existing infrastructure.
The Cumulation With Other Development	
3 Are there potential cumulative impacts with other existing development or development not yet begun but for which planning permission exists?	No.
4 Should the application for this development be regarded as an integral part of a more substantial project? If so, can related developments which are subject to separate applications proceed independently?	The site also forms part of an early first phase for the Dewsbury Riverside scheme, which is being promoted through the emerging Local Plan (proposed housing allocation H2089). Dewsbury Riverside is already part allocated in the UDP via a housing allocation (H10.5) and Protected Open Land. However, the vast majority of the land is presently in the Green Belt and is subject to due process through the Local Plan and independent Examination in Public and subsequent adoption of the Local Plan, which is anticipated to be in 2018. A Masterplan Framework is being prepared, which will show the context of the scheme in relation to the wider Dewsbury Riverside site. Nevertheless, this first phase is able to come forward in the short term as a UDP compliant housing scheme.
The Use of Natural Resources	

Issue to be considered For works/development during demolition, construction, operation and decommissioning phases		Likely/Unlikely Potential Impact (i.e. is it likely to be an impact (yes/no) and why)
5	Will construction or operation of the development use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	No. The scale and nature of the proposals will ensure that the development will not result in any significant effects on natural resources.
The Production of Waste		
6	Will the development produce wastes during demolition, construction or operation or decommissioning?	Yes. Construction waste will be produced and given the history of the site ground remediation will be required which is likely to involve either treatment or off-site removal to landfill of contaminated soils. Potential impacts will be controlled via a detailed remediation design and the development of detailed method statements for key work stages. This will include off-site disposal of contaminated soils, however this will be kept to a minimum with reuse of material where possible. It is unlikely that there will be any significant impacts as a result of the development.
Pollution and Nuisances		
7	Will the development lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No. The majority of the site is essentially greenfield and no significant contamination is anticipated. Nonetheless, due to previous activities, including mining on some of the site activities remediation and restoration may well be required in certain areas. Locally, a veneer of made ground associated with existing buildings, hardstand and former railway is anticipated. Deeper made ground associated with a former landfill and backfilled coal pits/ quarries is also anticipated. Areas of contamination associated with fuel and heating oil tanks (farmyards etc) should be anticipated. During the operational phase, the proposed development will have a relatively low environmental impact. SUDS will be considered where appropriate. It is unlikely that ground or water contamination will result in any significant impacts. This issue is not considered to be of sufficient weight in part or in combination with other considerations to require an EIA to be undertaken
8	Will the development release pollutants or any hazardous, toxic or noxious substances to air?	No

Issue to be considered For works/development during demolition, construction, operation and decommissioning phases		Likely/Unlikely Potential Impact (i.e. is it likely to be an impact (yes/no) and why)
9	Is there a potential risk from:- - leachates - Escape of wastes or other products/by-products that may constitute a contaminant in the environment	No
10	Will the development cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes. Noise and vibration during construction. This will be minor in nature, short term, and reversible and will only occur on a local scale. This will not result in any significant effects.
The Risk of Accidents, having regard in particular to substances or technologies used		
11	Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	All potential risks will be carefully identified and managed in accordance with health and safety standards.
12	Will the development involve use, storage, transport, handling or production of substances or materials which could be harmful to people or the environment (flora, fauna, water supplies)?	No
Other Characteristics		

Issue to be considered		Likely/Unlikely Potential Impact
For works/development during demolition, construction, operation and decommissioning phases		(i.e. is it likely to be an impact (yes/no) and why)
13	Are there any potential physical changes (topography, land use, changes in water bodies etc..) from demolition, construction, operation or decommissioning of development?	Yes. The proposal involves a change in land use from agricultural to the construction of houses. The site is agricultural and is located on the edge of established urban area. The proposed development makes efficient use of a greenfield site and complements the surrounding land uses. This will not result in any significant effects.
14	Will the development result in social changes, for example, in demography, traditional lifestyles, employment?	Yes. Anticipated positive changes through increased housing opportunities and employment opportunities through temporary construction jobs and permanent employment following completion of the development through increased expenditure in the locality. This beneficial effect will not result in any significant environmental effects.
Location of Development		
The Existing Land Use		
15	Are there existing land uses on or around the location which could be affected by the development, e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, water catchments, functional floodplains, mining or quarrying?	No. The site lies adjacent to existing residential properties and near to industrial and employment uses, which would be compatible with the proposed residential development. There will not be any potential impacts as a result of the proposed development.
16	Are there any areas on or around the location which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities, which could be affected?	No. The site lies adjacent to existing residential properties and near to industrial and employment uses, which would be compatible with the proposed residential development. There will not be any potential impacts as a result of the proposed development.
17	Is the development located in a previously undeveloped area where there will be loss of greenfield land?	No. The site is located on the edge of an existing urban and residential area. Although greenfield, the site has historic uses including mining and landfill.
18	Are there any plans for future land uses on or	No

Issue to be considered For works/development during demolition, construction, operation and decommissioning phases	Likely/Unlikely Potential Impact (i.e. is it likely to be an impact (yes/no) and why)
around the location which could be affected by the development?	
The Relative Abundance, Quality and Regenerative Capacity of Natural Resources in the Area	
19 Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the development? • groundwater resources • surface waters • forestry • agriculture • fisheries • tourism • minerals	No
The Absorption Capacity of the Natural Environment Paying particular attention to the wetlands; coastal areas; mountains and forest areas; nature reserves and parks; areas designated by Member States pursuant to Council Directive 2009/147/EC on the conservation of wild birds(a) and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora(b); areas in which the environmental quality standards laid down in EU legislation have already been exceeded; densely populated areas; and landscapes of historical, cultural or archaeological significance	
20 Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the development?	Near to the site are a number of woodlands including Ladywood, Jordan Wood, Long Plantation and Priest Royd Wood. These mature broadleaved woodland support a range of flora and fauna. It is concluded that there will be no direct significant adverse impacts on these areas of woodland. Any potential indirect impacts including risk of pollution during construction and visual impacts will be managed under a construction method statement and through landscaping designs.
21 Are there any other areas on or around the location which are important or sensitive for reasons of their ecology • wetlands, watercourses or other waterbodies • the coastal zone	Near to the site are a number of woodlands including Ladywood, Jordan Wood, Long Plantation and Priest Royd Wood. These mature broadleaved woodland support a range of flora and fauna. It is concluded that there will be no direct significant adverse impacts on these adjacent ecological features. Any potential indirect impacts including risk of pollution during construction and visual impacts will be managed under a construction method statement and through landscaping designs.

Issue to be considered For works/development during demolition, construction, operation and decommissioning phases	Likely/Unlikely Potential Impact (i.e. is it likely to be an impact (yes/no) and why)
• mountains, forests or woodlands • nature reserves and parks	
22 Are there any areas on or around the location in which species and habitats of Local Biodiversity Action Plan importance are present?	No
23 Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected?	No
24 Are there any inland, coastal, marine or underground waters on or around the location which could be affected?	No
25 Is the area identified as an area at risk of flooding?	The Environment Agency confirms that all of the site falls within land assessed as having less than a 1 in 1,000 annual probability of river or sea flooding in any year (less than 0.1%). Therefore, in accordance with Table 1 of the PPG, the site falls within Flood Zone 1 "low probability". The proposed development site is outside the maximum extent of flooding from reservoirs. There are no other canals or artificial sources which will result in flooding on the proposed development site. Surface water discharge shall be restricted to no greater than the existing greenfield run-off rate with outfall to watercourse. Attenuation storage will be provided on site to store runoff for up to the 1 in 100 annual probability rainfall events plus allowance for climate change, in line with EA guidance. The proposed surface water drainage system shall be designed with an allowance for climate change and restricted to the agreed discharge rate with appropriate attenuation incorporated into the design. No special mitigation measures are required for emergency egress during times of flood. This issue is not considered to be of sufficient weight in part or in combination with other considerations to require an EIA to be undertaken.

Issue to be considered For works/development during demolition, construction, operation and decommissioning phases		Likely/Unlikely Potential Impact (i.e. is it likely to be an impact (yes/no) and why)
26	Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources?	No
27	Are there any areas or features of high landscape or scenic value on or around the location which could be affected?	No
28	Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected?	No
29	Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected?	No
30	Is the development in a location where it is likely to be highly visible to many people?	No
31	Are there any areas or features of historic or cultural importance on or around the location which could be affected?	There are no designated heritage assets within the boundary of the site therefore there would be no direct impacts to designated heritage assets. In addition, it is unlikely that any designated heritage assets within the vicinity of the site would experience any setting impacts as a consequence of development.
32	Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected?	No
33	Is the location of the development susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs,	No

Issue to be considered		Likely/Unlikely Potential Impact
For works/development during demolition, construction, operation and decommissioning phases		(i.e. is it likely to be an impact (yes/no) and why)
	severe winds, which could cause the development to present environmental problems?	
34	Is the area urbanised and is it densely populated? Would the development have an urbanising effect?	The site comprises an identified site protected for long term development that is presently in agricultural use, which is situated on the edge of the urban area. The site directly abuts residential properties and is in close vicinity to industrial estates and schools. The proposed residential scheme would not have significant urbanising effects in a previously non urbanised area and this will not result in any significant impacts.

Summary of Interaction of Characteristics of the Potential Impact

Issue to be considered		Likely/Unlikely Potential Impact
		(i.e. is it likely to be an impact (yes/no) and why)
The Extent of the Impact (geographical area and size of the affected population)		
35	Will the effect extend over a large area?	No
36	Will many people be affected?	No
Transboundary Nature of the Impact		
37	Will there be any potential for transboundary impact? (Development which has a significant effect on the environment in another Member State is likely to be	No

Issue to be considered		Likely/Unlikely Potential Impact (i.e. is it likely to be an impact (yes/no) and why)
	<i>very rare. It is for the Secretary of State/Scottish Ministers/Welsh Ministers to consider whether there is likely to be such an effect in each case).</i>	
The Magnitude and the Complexity of the Impact		
38	Will there be a large change in environmental conditions?	No
39	Will the effect be unusual in the area or particularly complex?	No
40	Will many receptors other than people (fauna and flora, businesses, facilities) be affected?	No
41	Will valuable or scarce features or resources be affected?	No
42	Is there a risk that environmental standards will be breached?	No
43	Is there a risk that protected sites, areas, features will be affected?	No
The Probability of the Impact		
44	Is there a high probability of the effect occurring?	No
45	Is there a low probability of a potentially highly significant effect?	No
The Duration, Frequency and Reversibility of the Impact		
46	Will the effect continue for a long time?	No

Issue to be considered		Likely/Unlikely Potential Impact (i.e. is it likely to be an impact (yes/no) and why)
47	Will the effect be permanent rather than temporary?	No
48	Will the impact be continuous rather than intermittent?	No
49	If intermittent, will it be frequent rather than rare?	No
50	Will the impact be irreversible?	No
51	Will it be difficult to avoid or reduce or repair or compensate for the effect?	No

Conclusion	
Is the proposal EIA Development?	No. For the reasons set out above, the development is not likely to have significant environmental effects and is therefore not considered to be EIA development. As such an Environmental Statement is not required.

KIRKLEES COUNCIL INVESTMENT AND REGENERATION SERVICE

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011

SCREENING OPINION

CASE DETAILS
Applicant Reference: n/a
Planning Application / Pre-application Reference: 2016/20227
Site Address: Land off Lees Hall Road, Ravensthorpe
Proposed Development: Outline application for residential use (C3) including means of access
Area of Development / Works / New Floor space (as appropriate) Site area: 5.15 ha

EIA DETAILS
Schedule 1 <i>Is the proposed development Schedule 1 development as described in Schedule 1 of the EIA Regulations?</i> No
<i>If yes, under which description of development, i.e. No's 1-21</i>
Schedule 2 <i>Is the proposed development Schedule 2 development as described in Column 1 of Schedule 2 of the EIA regulations?</i> Yes

<i>If yes, under which description of development in Column 1, i.e. No's 1-13?</i> 10 (b) – Urban development project
Is the development within, partly within, or near a 'sensitive area' as defined by Regulation 2 of the EIA Regulations? No
If yes, which area
Are the applicable thresholds / criteria in Column 2 exceeded /met? Yes
If yes, which applicable threshold / criteria? The area of the development exceeds 0.5ha

SCREENING OPINION

Characteristics of Development

Size

The site comprises an area of 5.15 hectares. The indicative proposal as submitted at outline stage is for a residential development of 120 dwellings. The scale of the development is considered appropriate in this location. The site is already allocated as POL land within the adopted UDP (1999) and the site is located adjacent to an established residential area.

Cumulative Impacts

As set out in the supporting documentation, the application comprises the first phase of the wider Dewsbury Riverside scheme, with parcels of land within the project area already being allocated for housing within the UDP and through safeguarded POL land. The wider scheme is being promoted through the emerging local plan, however, in line with guidance contained within the NPPF, the emerging local plan's policies and proposals are not considered sufficiently advanced to carry weight in decision making on individual applications. Considering the application independently however, this site has already been considered acceptable for future residential development. The Council is aware of a potential residential development at Ravensthorpe Road for a similar sized scheme (part of the wider scheme), as well as a residential development at land off Forge Lane. The impact from these

developments has been taken into account and it is considered that these developments are of a scale which, if developed in conjunction with this site, would not result in a significant cumulative impact on the local environment/local highway network.

Use of Natural Resources

Whilst natural resources would be used in the manufacture of building materials used on the site, the scale and nature of the proposal means that it would not have a significant impact on the use of natural resources.

The Production of Waste

A section of the site is located within a high risk coal mining area. Construction waste will be produced and ground remediation works will be required, which, as set out in the supporting documents, is likely to include the treatment of contaminated soils. The production of waste material is not considered to be significant.

Pollution and Nuisances

Noise

The construction of the dwellings would involve the use of heavy machinery. As such, noise would therefore be generated by these vehicles themselves as well as the heavy vehicles are loaded and unloaded. The site is located adjacent existing residential development; however, this noise is associated with the construction phase and as such would be temporary. Beyond the construction phase, noise levels would be reduced to typical domestic levels.

Dust

The main sources of dust generation are likely to result from the movement of materials during dry conditions and vehicle movements within the site. However, damping down measures are usually carried out on construction sites to mitigate against the effects of dust generation. The generation of dust would be a temporary problem which would cease on the completion of the construction works.

Water Pollution

The construction of the dwellings would require the installation of new drainage and surface water management systems. However, prior to any works commencing on site, the applicant would need to demonstrate to the Council and interested parties such as Yorkshire Water and the Environment Agency that the proposal would not adversely affect existing water and drainage regimes. As stated within the supporting documentation, areas of made ground and contamination associated with fuel and heating oil tanks (farmyards) is anticipated. However, this is not considered to have a significant impact on ground or water contamination.

HGM Movements

The tracking of mud and debris onto public highways during the construction phase is unlikely to be a significant problem and this can be controlled via the imposition of relevant conditions on any grant of outline permission. This too would comprise a temporary disturbance related to the construction phase. As such, it is not considered that this proposal would create any additional nuisance or increased highway safety risks as a result of the vehicle movements to and from the site.

The Risk of Accidents

Any accidents associated with this proposal are likely to occur on site during the construction phase. However, for health and safety purposes, the site would be secure and it is unlikely that members of the general public would be directly affected by the proposal. It is therefore considered that no significant additional risk of accidents would result.

Location of the Development

Existing Land Use

The existing use of the land is agricultural, albeit has been allocated as POL, safeguarded for future housing, since the adoption of the UDP in 1999. The proposal comprises a change in land use from agricultural to residential for the construction of the dwellings. This is considered compatible with the surrounding form of development, adjacent residential and within close proximity to employment uses.

Impact on Natural Resources

The development would not impede on any important, high quality or scarce resources.

Impact on Natural Environment

The site is not within close proximity to any ecologically sensitive areas. There is a Wildlife Habitat Network to the south of the site (approx. 120m away) as well as to the west, however, this would not be interrupted by the proposed development and the network within the site is not considered to be of high value. Areas of mature woodland are located further away from the site. It is considered that there would be no significant adverse impact on the features. The site lies within FD1 and as such, as a less than 1 in 1000 annual probability of river or sea flooding. At a local level, a small section of the site falls within FZ 3ai and would not have a significant adverse impact on flooding.

Characteristics of the Potential Impact

Extent of Impact

The extent of the impact associated with this residential development would not have an adverse impact on the local landscape.

Magnitude and Complexity of the Impact

This issue must be considered in the context of the existing character of the site and its surroundings. Subject to details of the reserved matters meeting high standards of design, it is considered the magnitude of the impact would not be significant.

The probability of Impact

Whilst the proposal would have an effect on the area, taking into consideration the location, adjacent to an established residential area of urban Ravensthorpe, it is considered that the impact arising from this site is unlikely to be significant.

Duration, Frequency and Reversibility of Impact

As the proposal constitutes the erection of built form, the impact of the development would not be reversible. However, the principle of developing this site adjacent to an area of existing residential development is considered acceptable, subject to a high quality design being achieved from the submission of the subsequent reserved matters application.

The impact from disturbance during the construction phase would be temporary; once the site has been fully developed, activities relating to the construction phase would cease and the impact would reduce to typical domestic levels.

SCREENING DECISION

Schedule 1 Development - EIA Required

No

Schedule 2 development – Not likely to have significant effects on the environment. EIA not required

Yes

Summary / Reasons:

The application comprises the development of agricultural land already allocated as POL and safeguarded for future housing in the UDP (1999). The above assessment has demonstrated that, whilst there would be impact on the environment, this impact

would not be significant enough as to warrant the submission of an Environmental Impact Assessment.

Schedule 2 Development –Threshold exceeded / criterion met / sensitive area and likely to have significant effects on the environment. EIA Required

No

Summary / Reasons:

Recommendation and Authorisation Box

Officer Signature
:



Date: 5th October 2016

**Team Leader
Signature:**



Date: 5th October 2016