spawforths

Miller Homes

Dewsbury Riverside – Land off Ravensthorpe Road

Planning Statement

November 2016

Revision Record

Revision Reference	Date of Revision	Nature of Revision	Author	Checked By
A	Nov 2016	.	AR	PAB
B	Nov 2016	.	AR	PAB

Report Author	Andrew Rose
Report Date	November 2016
Project No.	3565
Document Ref.	P0-TP-SPA-RP-P3565-0009-B
Revision	B

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Appendix 1: ES Screening Request and Opinion

1. Introduction

1.1. Spawforths have been instructed by Miller Homes to prepare and submit an outline planning application for the site at Ravensthorpe 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.

1.2. 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

2. Site Context and Development Proposals

2.1. The site is approximately 8.37ha and is situated to the south of Dewsbury. The site forms part of housing allocation H10.5 Ravensthorpe Road, Thornhill Lees within the adopted Unitary Development Plan (1999).

2.2. 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 opposite the site, providing access to Dewsbury, Huddersfield and Leeds.

2.3. The site is located to the south of Ravensthorpe Road, and is a large area of open agricultural land and includes a farmstead. It is bounded to the north by Ravensthorpe Road and housing, and to the south, east and west by agricultural fields. To the east is also the land which comprises the remaining UDP housing allocation.

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)	8.37
TOTAL	**8.37**

2.6. Vehicular access will be taken from Ravensthorpe 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 northwest corner of the site.

2.7. The scheme shown in the illustrative layout shows approximately 120 dwellings and has been formed and dictated by the neighbouring land uses, the retention of existing footpaths, bridleways and Public Rights of Way, topography and creation of development platforms, the pylons on the western boundary and the presence of a gas main and existing hedgerows and trees. The proposed drainage infrastructure will work with the topography of the site.

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

Ravensthorpe Road
Public Open Space
Dry Detention Basin
Ravenshall School Playing Pitch
Public Open Space
Public Open Space
KEY
Approximate Site Boundary
Dwellings
Garages
Driveway
Footpath / Bridleway
Highway
Shared Surface
Private Drive
Back Gardens
Front Gardens
Soft Landscape
Verge Tree Planting

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. 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 1.

Statutory Body Engagement

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

Community Engagement

3.5. A detailed summary of the Community Engagement undertaken is provided within the Statement of Community Involvement with this planning submission.

3.6. 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.

3.7. The community exhibition event took place between 3pm and 7 pm on Thursday 10 November 2016.

3.8. 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 Ravensthorpe Road is allocated for housing in the UDP as Site H10.5, which is identified as 13.1 hectares with an estimated dwelling capacity of 328 houses. The site is allocated through Policy H6 which allocates all housing sites in the UDP.

4.6. Paragraph 11.25 in the supporting text states:

Individual sites have been evaluated against a range of criteria which reflect the aims and objectives of the plan, and the most suitable have been selected as housing allocations: The criteria are as follows:

i *the need to have full regard for environmental concerns and to relate allocations to existing settlements and to existing and proposed infrastructure;*

ii *the need to ensure that the land is genuinely available for development, ie free from ownership constraints or exceptional construction requirements;*

iii *the accessibility of the site to work, leisure and shopping areas and the availability of public transport for such journeys; and*

iv *the need to avoid excessive concentrations of housing land in certain areas while ensuring that the distribution of sites relates to where people want to live.*

4.7. 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
T19	Off street parking
H18	Provision of Open Space
G6	Contaminated Land

4.8. 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.

4.9. 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.

4.10. 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)

4.11. 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.

4.12. 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.

4.13. 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

4.14. 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:
    - Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
    - Specific policies in this Framework indicate development should be restricted 9

4.15. 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*".

4.16. 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.

4.17. 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*".

4.18. 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.

4.19. 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)

4.20. 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.

4.21. 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

4.22. 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.

4.23. 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

4.24. 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.

4.25. 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;*

4.26. 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.

4.27. 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 Ravensthorpe Road is allocated for housing in the UDP as Site H10.5, which is identified as 13.1 hectares with an estimated dwelling capacity of 328 houses. The site is allocated through Policy H6 which allocates all housing sites in the UDP.

5.7. Paragraph 11.25 in the supporting text states:

> Individual sites have been evaluated against a range of criteria which reflect the aims and objectives of the plan, and the most suitable have been selected as housing allocations: The criteria are as follows:
>
> i the need to have full regard for environmental concerns and to relate allocations to existing settlements and to existing and proposed infrastructure;
>
> ii the need to ensure that the land is genuinely available for development, ie free from ownership constraints or exceptional construction requirements;
>
> iii the accessibility of the site to work, leisure and shopping areas and the availability of public transport for such journeys; and
>
> iv the need to avoid excessive concentrations of housing land in certain areas while ensuring that the distribution of sites relates to where people want to live.

5.8. The site is therefore identified for development and is "genuinely available for development". The site is therefore able to come forward and deliver homes immediately.

5.9. This is important as 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:

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

5.11. The progression of a UDP housing allocation will therefore address the shortage in the housing land supply and assist in the Council in meeting its housing need and demand.

5.12. 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

5.13. 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

5.14. 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**

5.15. 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.

5.16. 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

5.17. 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

5.18. 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%."*.

5.19. 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
Sub-Total	*11,000*
Plus 20% NPPF buffer	2,200
Total	**13,200**

5.20. 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 Delivery Summary

5.21. Therefore, on a best case scenario, the Council is unable to identify a five year housing land supply and the scale of the recent under delivery is significant. The site at Ravensthorpe Road can therefore assist in addressing this shortfall and improving the Council's housing land supply position.

5.22. 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.

5.23. The site is allocated for housing in the UDP through saved Policy H6 and the Council has a shortfall in housing. Therefore, the planning application should be considered in the context of the presumption in favour of sustainable development and paragraph 14 of the Framework.

5.24. In the context of the Framework, Paragraph 14 states for decision taking the presumption in favour of sustainable development means:

5.25. *Approving development proposals that accord with the development plan without delay.*

5.26. 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

5.27. 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.

5.28. 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.

5.29. 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**

5.30. 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

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

5.32. 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.

5.33. 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.

5.34. 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.

5.35. 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

5.36. 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

5.37. 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.

5.38. 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

5.39. 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.

5.40. 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.

5.41. 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.

5.42. 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

5.43. 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.

5.44. 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

5.45. 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 the 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

5.46. 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."*

5.47. 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.

5.48. 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.

5.49. 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

5.50. BWB Consultancy has prepared a Heritage Assessment which includes a search of cartographic records, records of archaeological interventions and the Historic Environment Record.

5.51. The Assessment concludes that no archaeological features or finds have been recoded within the site, however, identified immediately to the southwest are the cropmarks of an enclosure. There is the potential for associated features to occur within the site given its close proximity.

5.52. The proposed development is unlikely to impact the settings or views to and from the heritage assets to the south due to the crest of the hill between them and the proposed development site. The heritage assets to the west are also unlikely to be impacted as these assets lie between approximately 60m and 80m aOD and a hill with a peak of approximately 125m aOD, covered in woodland (Oliver Wood and Jordan Wood) lies between them and the site.

5.53. There is potential for the cropmarks recorded to the west of the site to extend into its given their close proximity. It is also possible that the area was used in the medieval and post-medieval periods for agricultural activities.

5.54. The map regression and walkover survey undertaken as part of this assessment identified several areas of mining and mine shafts, particularly in the area around Ladywood. It is therefore possible that sub-surface remains relating to mining activity will be encountered within the site.

5.55. The proposed development site occupies land that has been used for agricultural purposes throughout its researchable history and remains largely undeveloped to the present day. This lack of development might facilitate the survival of earlier prehistoric and Roman remains which are known to exist in immediate landscape. There is a possibility that the site may have been used for mining activities given the surrounding evidence.

5.56. Through the research undertaken it has been determined that there is potential for Iron Age and/or Romano-British features to survive within the site based on the cropmarks identified immediately to the west. Subsequently it is recommended that a geophysical survey is undertaken within the site to further assess this potential.

5.57. The development proposals are therefore in accordance with the saved policies of the UDP and the Framework.

Other Material Considerations

Highways and Transportation

5.58. 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.

5.59. 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.

5.60. 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.

5.61. Importantly, the Framework states that:

> *"Development should only be prevented or refused on transport grounds where the residual impacts of development are severe."*

5.62. I-Transport has prepared a supporting Transport Assessment and Framework Travel Plan to support the planning application.

5.63. The means of access is proposed via the creation of a new priority T-junction with Ravensthorpe Road. The proposed access arrangements are shown in principle on Drawing ITY11389-GA-002A.

5.64. It is proposed to relocate the existing speed cushions on Ravensthorpe Road adjacent the site access junction circa 17m east of their current position. Doing so enables the introduction of dropped kerbs and tactile paving to provide an uncontrolled pedestrian crossing of Ravensthorpe Lane to serve the desire line to Ravensthorpe Station.

5.65. Drawing No. ITY11390-GA-003, which is appended to the Transport Assessment, presents swept path analyses of a Refuse Collection Vehicle (RCV) entering and exiting the proposed site access in forward gear.

5.66. 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.

5.67. In addition to the main point of access into the site, the illustrative masterplan shows two retained pedestrian and cycle only accesses linking the site to Ravensthorpe Road. These links afford shorter connections to the bus stops on Lees Hall Road and a number of key services on Brewery Lane.

5.68. 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.

5.69. The development is proposed to be accessed via the creation of a new priority junction on Ravensthorpe 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.

5.70. 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.

5.71. A range of key facilities and services, including employment, retail, health and education uses, are accessible from the site. Many of these can be accessed locally and are within walking distance of the site. Other key destinations are accessible via bus services operating in the area, or by rail services from Ravensthorpe Station.

5.72. It is therefore concluded that the site is readily accessible to a large number of facilities and services by sustainable modes of transport.

5.73. A Framework Travel Plan has been prepared in support of the planning application (ref ITY11390-002A 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.

5.74. 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

5.75. 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.

5.76. The Assessment shows that deep made ground is likely within the Power Station landfill (west of this sub-parcel), with a veneer of made ground anticipated around backfilled shafts. The natural ground is Coal Measures bedrock overlain by Galciolacustrine Deposits in the north-east.

5.77. There is a boggy hollow, about 1.5m deep, with a broken land drain carrying ochreous water. Overhead electricity lines and a regional high pressure gas main cross the site, both running north-south. Given existing topography, significant earthworks regrade is anticipated, with the need for underbuild and retaining wall.

5.78. The sub-parcel off Ravensthorpe Road lies within a Coal Authority High Risk Area, and there are 2 shafts recorded in the north-east. The site is underlain by known mine workings in both the Green Lane and New Hards coals. There is also an un-named coal which lies between the New Hards and Green Lane. Given the presence of landfill in the west and shallow mine workings, a robust gas risk assessment will be required.

5.79. 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.

5.80. 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).

5.81. The development proposals are therefore in accordance with the saved policies of the UDP and the Framework.

Flood Risk and Drainage

5.82. 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.

5.83. 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.

5.84. 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.

5.85. 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.

5.86. 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 Ravensthorpe Road site will restrict surface water run-off to the pre-development greenfield run-off rate of 7.4 l/s.

5.87. 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.

5.88. The development proposals area therefore in accordance with saved policies of the UDP and the Framework.

Ecology

5.89. 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.

5.90. The Assessment concludes that the scheme complies with relevant planning policy covering nature conservation designations, as it would not impact any such designations.

5.91. 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.

5.92. 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.

5.93. 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.

5.94. 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

5.95. 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.

5.96. The planning application is supported by a Tree Survey, which confirms that the trees and hedgerows present are of moderate to low quality.

5.97. Saved Policy EP11 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

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

Planning Balance

5.99. 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.

5.100. 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.

5.101. It has been demonstrated that the site is allocated in the UDP as housing site H10.5 Ravensthorpe Road through saved Policy H6.

5.102. Therefore in accordance with Paragraph 14 the presumption in favour of sustainable development states that in terms of decision taking development proposals should be approved "*without delay*", unless *"material considerations indicate otherwise"* (Footnote 10).

5.103. It has also been shown that the Council accept that they are unable to demonstrate a five year supply of deliverable housing sites and that there has been persistent under delivery of housing land over recent years. The delivery of this allocated housing site will assist in the shortfall of housing land.

5.104. 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.

5.105. 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.

5.106. 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 UDP housing allocation off Ravensthorpe Road (H10.5) is one such area of Dewsbury Riverside.

5.107. The application proposals are therefore in accordance with those parts of the adopted development plan which are in accordance with national policy.

5.108. 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.

5.109. Therefore, in accordance with Paragraph 14 of the Framework planning permission should be granted without delay.

The material issues that weigh in favour:

5.110. The material issues that weigh in favour of the application proposals are as follows:

- The site is a housing allocation in the UDP identified as Site H10.5 Ravensthorpe Road through saved Policy H6. **SIGNIFICANT** weight is ascribed to this issue in the planning balance.

- The Council is unable to demonstrate a five year supply of deliverable housing land. The delivery of this allocated housing site will assist in the shortfall of housing land. **SIGNIFICANT** weight is attached to this issue in the planning balance.

- The scheme fully accords with the provisions of the Framework through paragraph 14, to which should be afforded **SIGNIFICANT** weight in the planning balance.

- There would be significant 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

5.111. 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. It has been demonstrated that the site is allocated in the UDP as housing site H10.5 Ravensthorpe Road through saved Policy H6.

6.3. Therefore in accordance with Paragraph 14 the presumption in favour of sustainable development states that in terms of decision taking development proposals should be approved "*without delay*".

6.4. It has also been shown that the Council accept that they are unable to demonstrate a five year supply of deliverable housing sites and that there has been persistent under delivery of housing land over recent years. The delivery of this allocated housing site will assist in the shortfall of housing land and can therefore provide much needed housing in a sustainable location in Dewsbury.

6.5. 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.

6.6. The planning policy context establishes the commitment of the Government to facilitate growth, investment and developments that are clearly sustainable.

6.7. 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.

6.8. 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 1: ES Screening Request and Opinion