
Planning Statement

Land at Dunford Road, Hade Edge, Holmfirth

Full planning application for the erection of 59 dwellings



Indicative image of a Jones Home

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1. Introduction

Introduction

- 1.1. This Statement has been prepared by Savills Planning on behalf of Jones Homes (Yorkshire) Limited, in support of a full application for the erection 59 dwellings on land at Dunford Road, Hade Edge.
- 1.2. The application follows an earlier outline submission for residential development on this site that is currently undetermined by the Local Planning Authority, pending the submission of a Habitats Regulations Assessment, which could not be completed outside of the bird breeding season. Planning Officers had indicated that the principle of housing development on the site was considered to be acceptable, subject to assessing all other material considerations.
- 1.3. This application is for a similar housing development, but is submitted in full, and therefore provides greater detail and certainty on important matters such as design and layout, which will establish the overall quality of the development. It also omits the retail unit that was previously proposed. If granted, it would enable development to proceed more swiftly than under the undetermined outline application, which would still require the submission of all details as reserved matters.

Pre-application discussions

- 1.4. A pre-application enquiry was submitted to Kirklees Council on the 24th January 2017 and a meeting was held on the 7th March at Kirklees Council's offices. A formal, written response was received on the 20th April 2017.
- 1.5. This letter confirmed that the *"Council is currently unable to demonstrate a five year supply of deliverable housing sites."* This response also stated that, *"the proposal could amount to sustainable development"*, which supports the principle of residential development on this site.
- 1.6. It is understood that there has been no material change in circumstance or policy since this confirmation was provided.
- 1.7. The principle of development is explored in more detail in Section 5 below.

Other matters

- 1.8. There are a full range of documents submitted in support of this application, in addition to this Planning Statement and appendices:

Plans:

- Location Plan (2847-0-000 B)
- Proposed Site Plan (2847-0-001 E)
- Proposed Site Plan – Colour (2847-0-001-E)
- Proposed Street Scenes (2847-0-002 B)

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- Floor Plans and Elevations for Bungalows (2847-0-005)
- Floor Plans and Elevations for Banbury House Type (2847-0-006)
- Floor Plans and Elevations for Northwood House Type (2847-0-007)
- Floor Plans and Elevations for Holcombe House Type (2847-0-008)
- Floor Plans and Elevations for Stratton House Type (2847-0-009)
- Floor Plans and Elevations for Cranford House Type (2847-0-010)
- Floor Plans and Elevations for Beverley House Type (2847-0-011)
- Floor Plans and Elevations for Latchford House Type (2847-0-012)
- Floor Plans and Elevations for Northwood House Type (2847-0-013)
- Floor Plans and Elevations for Latchford House Type – Plots 23 & 25 (2847-0-014)
- Floor Plans and Elevations for Beverley House Type – Plots 31 & 39 (2847-0-015)
- Floor Plans and Elevations for Banbury House Type – Plots 13 & 55 (2847-0-016)
- Floor Plans and Elevations for Holcombe House Type – Plots 4 & 59 (2847-0-017)
- Floor Plans and Elevations for Holcombe House Type – Plot 22 (2847-0-018)
- Single garage (2847-0-019)
- Double garage (2847-0-020)
- Drainage Strategy (15383- sk1)
- Landscape Plan (4116-2100-Rev.A)

Additional supporting documents:

- Covering letter
- Design & Access Statement (Niemen Architects - ref: 2847)
- Statement of Community Involvement (Savills)
- Draft Section 106 agreement
- Extended Phase 1 Habitat Survey (Applied Ecological Services Ltd)
- Golden Plover Survey Methodology (Applied Ecological Services Ltd)
- Golden Plover, Vantage Points Surveys (Applied Ecological Services Ltd)
- Phase 2 Ground Investigation Report (Michael Joyce Associates - to be submitted separately due to file size).
- Flood Risk Assessment (Dudleys Consulting Engineers)
- Transport Statement (Part A & Part B) – Appendices Including RSA, Designers Response to RSA and Vehicle Swept Paths (Sanderson Associates)

Structure of the Statement

1.9 The remainder of this Statement sets out the case for the proposal and addresses the main issues identified above. It is structured as follows:

- **Section 2: The Site and Surroundings and Planning History:** Describes the application site, and the relevant planning history.
- **Section 3: Public Consultation:** This Section sets out the public consultation which has been undertaken by the applicant and details the feedback received. The subsequent amendments to the proposals, based upon this process are also set out in this Chapter.

- **Section 4: The Proposal:** Details the proposals in terms of access, layout, design, scale and housing mix.
- **Section 5: Planning Policy:** Provides a summary of the Planning context and the relevant local and national planning policies.
- **Section 6: Assessment:** This Section considers Kirklees Council's Housing Land Supply position, how the proposal accords with the relevant policies and how the proposals constitute Sustainable Development. In addition, this Section summarises Drainage, Ecology and Highway matters.
- **Section 7: Heritage Considerations:** Assesses the proposal in the context of the Hade Edge Methodist Chapel and Sunday School buildings which are Grade II Listed Buildings close to the application site.
- **Section 8: Planning Obligations:** This Section considers the provisional Section 106 contributions required for this development and the applicant's proposed offer.

1.10 Our overall **Conclusions** at **Section 9** are as follows:

The key benefits of the development are considered to be:

- **Delivery of 59 new homes** at a time when Kirklees Council is unable to demonstrate a 5 year supply of housing land.
- Provision of a **wide range of house types**, to promote an **inclusive development**. The proposal includes bungalows, terraced, semi-detached and detached properties.
- Delivery of **12 affordable homes** at a time when Kirklees Council has a district wide shortfall.
- Significant **economic benefits**, including in terms of investment and jobs throughout the construction phase, alongside New Homes Bonus payments to Kirklees Council.
- The applicant anticipates **meeting other Section 106 requirements in full** – including around **£246,156 for local education, £154,100 for Public Open Space** improvements and **£31,762** towards encouraging sustainable means of transport through the purchase of **Metro Cards**.

1.11 The application site is currently allocated as Provisional Open Land (POL) in the Unitary Development Plan (UDP). **Kirklees is unable to demonstrate a 5 year supply of housing land**. Policy D5 is considered to be a "relevant policy" relating to the supply of housing and is therefore out of date. This is examined in more detail at Section 6.

1.12 The presumption in favour of sustainable development, accepted by the Council as set out in Section 6 above, is therefore engaged in respect of this proposal. **The development is considered to constitute Sustainable Development** as it delivers economic, social and environmental benefits, also as set out in Section 6 of this Statement.

1.13 The **site benefits from a draft Housing Allocation** in the emerging Local Plan. Although Kirklees Council considers that the draft Local Plan policies and proposals are not considered to be at a sufficiently advanced stage to carry weight in decision making for individual applications, given that the Local Plan has been subject to Public Consultation and is now at examination stage, our view is that a degree of weight can now be attached to it. As the Plan moves closer to adoption, it follows that this weight will increase.

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- 1.14 The proposed development takes account of the nature of existing development within Hade Edge in terms of scale, layout and density. Although Policy DLP6 of the emerging Local Plan specifies a minimum requirement for 30 dwellings per hectare, it is considered that a lower density development in this location is more appropriate given the character of existing development within the village. The number of units proposed has been reduced down to 59 on this site, following feedback from local residents and Kirklees Council. This represents a **density of approximately 23.6 dwellings per hectare**.
- 1.15 The layout and orientation of the proposed dwellings will also ensure a **high level of natural surveillance** throughout the site. In terms of appearance, the use of **different house types (including bungalows), materials and design features create visual interest**. This results in a high quality design which is in accordance with the relevant policies in the UDP and NPPF.
- 1.16 An Extended Phase 1 Habitat Survey has been submitted in support of this application. The Phase 1 Survey establishes that **the site offers low potential for protected species to be present**. Kirklees Council requested Golden Plover surveys be undertaken during the bird breeding season. These surveys have been completed and identified **no Golden Plover constraints** in respect of this site. The Habitat Survey also found that the site has very limited potential for bats.
- 1.17 A Transport Statement, prepared by Sanderson Associates, accompanies this application and evidences that the **predicted vehicle movements from a 59 dwelling scheme are modest**, with no residual cumulative adverse impact on the local highway network. The Council have also confirmed during pre-application discussions that the **principle of development is acceptable in broad highway terms**.
- 1.18 As set out at Section 7 of this Statement, the **proposed development would not be detrimental to the character, setting or appearance of the Listed Buildings**.
- 1.19 The proposed development is in accordance with the relevant planning policies from the Kirklees Unitary Development Plan and the guidance contained within the National Planning Policy Framework.

2. The Site and Surroundings and Planning History

- 2.1. The application site is located in the village of Hade Edge, which is approximately 10.5 km to the south of Huddersfield town centre. The village is also approximately 2.75km to the south of Holmfirth which provides access to a range of shops and services.
- 2.2. Existing residential development in Hade Edge is focused primarily around Dunford Road. At the northern section of the village this is focused to the eastern side of Dunford Road and to the central/southern part of the village, this is predominantly on the western side. Some residential development is already present to the east of Dunford Road, immediately adjacent to this site to the south/south-western boundary. The development of this site, within the heart of the village, would represent a natural extension to the existing built development.
- 2.3. The site extends to approximately 2.5 hectares of currently vacant, open land which is largely grassed.
- 2.4. It is relatively flat, with levels across the site falling steadily from the southwest, totalling approximately 10 metres.
- 2.5. Hade Edge Methodist Chapel sits to the west of the site and is a Grade II Listed building. In addition, the village currently has a school (Hade Edge Junior & Infant) and a butcher's shop. There is also a band/village club building and adjacent to this is a playground with play equipment for children. A public house sits to the north of the village, on the junction of Penistone Road and Longley Edge Road. A football pitch is also located close to the Band Club.
- 2.6. It is considered that the range of facilities on offer in Hade Edge means that the village is relatively well served given its size. It is also noted that the Council proposes payment for Metro Cards are included in the Section 106 contributions, required of the applicant. This will encourage the use of sustainable means of transport by future residents.
- 2.7. There are open fields to the north, east and partially to the south. To the west is Dunford Road, and beyond this is largely existing residential development. This is characterised by cul-de-sac developments of varying sizes. Estate type housing, with closely spaced properties, is present within the village on the western side of Dunford Road, and more especially on the Bayfield Close/Dunford Road development to the northern part of the village.
- 2.8. Existing areas of high density housing are present within Hade Edge. The Bayfield Close development has a density of around 37 dwellings per hectare, which is significantly higher than this proposal, which is approximately 23.6 dwellings per hectare. The development on the western side of Dunford Road (including Green Abbey) has a density of approximately 25 dwellings per hectare, which is slightly higher than this proposal.
- 2.9. The surrounding area has a mix of house types, although the majority are detached properties which are predominantly two storeys in height.

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- 2.10 The site does not sit within or immediately adjacent to a Conservation Area. In fact, no part of Hade Edge sits within a Conservation Area. In addition, there are no Trees subject to Preservation Orders within the site, meaning that there are no constraints to development in this regard.
- 2.11 There has been no significant new residential development in Hade Edge in recent years. A planning history check for the village indicates that a single new dwelling has been granted planning permission in Hade Edge in the last five years, with 4 barn conversions approved.



Fig. 1 Looking easterly across the site.

The Outline Planning Application

- 2.12 Jones Homes submitted an outline application (ref: 2016/91967) on this site in June 2016 and this is currently undetermined by Kirklees Council. The description for this application was, "Outline application for residential development and convenience store, and provision of open space."
- 2.13 This sought approval of 'access'; with 'layout', 'appearance', 'scale' and 'landscaping' forming the Reserved Matters.
- 2.14 The principle of residential development on the site was accepted by the Council in the Case Officer's email of the 5th October 2016, which stated,

"The principal (sic) of development on the land allocated as Provisional Open Land is assessed in the context of NPPF paragraph 14. This 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, or that specific NPPF policies indicate development should be restricted". Footnote 9 lists examples of restrictive policies, this does not include policies concerning safeguarded land and the principal (sic) of development on the area of Provisional Open Land is considered to be acceptable (our emphasis), this is subject to an assessment of all other material considerations."

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- 2.15 The application has not been determined to date as further ecological survey work has been requested. This relates to an assessment of the potential for impacts on birds that breed within the nearby South Pennine Moors Special Protection Area and is usually referred to as a Habitats Regulations Assessment (HRA). As these surveys cannot usually be carried out until the commencement of the bird breeding season, the application has been in abeyance.
- 2.16 No other objections in principle have been raised by any of the consultees in respect of this application.

Other Planning History

- 2.17 Other than the above mentioned outline application, we are not aware of any other relevant planning history for the site itself.

Flood Risk Classification

- 2.18 The application site lies within Flood Zone 1 according to the Environment Agency's current Flood Maps, meaning that it is at low risk of flooding, with a less than 1 in 1,000 annual probability of river or sea flooding .



Fig. 2 Extract from the Environment Agency's Flood Risk Maps

3. Public Consultation

- 3.1. Planning guidance states that pre-application consultation with local communities, local authorities and statutory consultees can bring a number of benefits to the process of determining planning applications. Against this background, Jones Homes has sought to consult with interested parties.
- 3.2. Paragraph 188 of the National Planning Policy Framework states,
- “Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.”*
- 3.3. The Localism Act of 2011 also seeks to provide the local community with an opportunity to input throughout the planning process. the act requires developers to notify the local community about its proposals to *‘bring the proposed application to the attention of a majority of the persons who live at, or otherwise occupy, premises in the vicinity of the land.’* it goes on to state that the publicity must explain *how the developer can be contacted by those ‘wishing to comment on, or collaborate...on the design of, the proposed development’ and that developer must consider the feedback received by having ‘regard to any responses to the consultation.’*
- 3.4. We understand that pre-application public consultation was also undertaken in respect of the earlier outline application for this site. Information on that consultation was included in that submission. As this is a separate, standalone application that information has not been included in this submission.
- 3.5. Full details of the public consultation undertaken are included in the accompanying Statement of Community Involvement.
- 3.6. In summary, the key findings of the consultation were,
- 43 responses were received in total to the Public Consultation, following the delivery of around 175 leaflets to the local area. Therefore approximately 132 of those surveyed chose not to respond to the questionnaire.
 - 16 of the 35 people who responded to the question of whether they thought there is a need for more housing to be provided in Kirklees, stated they believed there is such a need. 12 of the people who responded stated they believe there is no such need.
 - One of the 35 respondents felt that there is a need for more housing in Hade Edge, with 33 of the view that there is no requirement for more housing in Hade Edge.
 - On respondent considers housing to be appropriate on this site, with 34 of the view that it is not appropriate.
 - 23 of the 26 responses were against the provision of a small retail unit on the site, with 1 person in favour and 2 undecided.
- 3.7. Question 7 of the survey enabled residents to provide any further additional comments. The main points raised to this question were:

- Traffic increases and suitability of the Road network (11 responses)
- Current utility provision (10 responses)
- The character of the village (8 responses)
- The impact on Hade Edge School (5 responses)
- Public transport provision (3 responses)

3.8 It is noted that the majority of local residents did not respond to the Public Consultation event.

3.9 Following this process, and feedback from the Council at pre-application stage, a number of significant changes have been made to the proposals:

- Removal of the proposed retail unit from the scheme.
- Increased spacing between the dwellings to create a more spacious feel. This has reduced the proposed density of development down to approximately 23.6 dwellings per hectares.
- Increase in the diversity of the housing mix proposed – this has resulted in bungalows now being included.
- Provision of 2m wide footway across the site frontage.

4. The Proposal

- 4.1 This is a full planning application for the erection of 59 dwellings. A full complement of plans has been submitted with this application, including proposed floor plans and elevations.

Access

- 4.2 Vehicle access into the site is proposed from Dunford Road, via a new access point. This serves all of the proposed dwellings. This access is off-set from the existing access points to the western side of Dunford Road (for Hopefield Court and Abbey Close). A cul-de-sac type layout is provided internally within the site to enable both pedestrian and vehicular access to the dwellings. Further details of this are set out in the accompanying Transport Statement, prepared by Sanderson Associates.

Layout

- 4.3 The proposed site layout has been informed by the pre-application discussions held with Kirklees Council. This has resulted in the reduction of the number of units proposed from 64 down to 59. The proposed retail unit has also been removed. These changes have significantly reduced the density of development and increased the spacing between properties across the site.
- 4.4 The development adopts a cul-de-sac type approach, which replicates the type of development already found in Hade Edge and particularly present on the western side of Dunford Road (on Hopefield Court, Abbey Close, Abbey Court and especially Green Abbey).
- 4.5 Each of the 59 dwellings has designated amenity space in the form of private gardens. A number of the dwellings have integral garages, whilst others have detached garages.

Design

- 4.6 The accompanying Design & Access Statement (produced by Niemen Architects) details the design ethos behind the proposals. In summary, they seek to take influences from surrounding development, which is mixed in character. This is reflected in the fact that there are eight different house types across the site, which also creates visual interest.
- 4.7 The proposed dwellings include the use of both hipped and gable roofs to create variation within the development.
- 4.8 The dwellings will be constructed from a mix of natural stone (Cottingley Natural Walling Stone) and a high quality artificial stone (Costhorpe Black Old Weathered) which has been accepted elsewhere by Kirklees Council, including recently at St. Mary's Avenue, Netherthong. Natural stone will be used to Plots 1-4, 51-54 and 59, to take account of the Dunford Road frontage and the presence of the Listed Chapel.
- 4.10 The proposed roof tiles are Cemex Grampian Slate Grey. Given that there is a mix of materials present currently in Hade Edge, these materials will harmonise with existing development.

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Scale

- 4.11 Aside from the two bungalows proposed, the dwellings are all two storey and do not seek to raise the ridge heights to utilise the roofspace for additional living accommodation.

Housing Mix

- 4.12 The proposed dwellings are a mix of semi-detached, detached, terraced and bungalows, based upon the following split:

House Type	Number of units	% of Units	Number of bedrooms
Bungalow (Semi-Detached)	2	4%	2
Terraced	10	17%	2
Semi-detached	12	20%	3
Detached	35	59%	4/5
Total :	59		

- 4.13 This scheme has increased the variety of house types proposed, with two bungalows and an increased number of semi-detached (12) and terraced (10) properties. The properties range from 2 bedrooms upto 5. The development would therefore deliver a diverse mix of house types, catering for a range of future occupants in terms of size and demographics.
- 4.14 It is considered that the indicative layout achieves an appropriate housing mix, which is in accordance with paragraph 50 of the National Planning Policy Framework (NPPF) which requires Local Authorities to, *“deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.”*

Key Changes from the Outline Application

- 4.15 There are several significant differences between this submission and the previously submitted application on this site (ref: 2016/91967):
- This is a fresh, full application rather than an outline application. This will provide local residents with greater certainty regarding Jones Homes' proposals for developing this site.
 - The number of properties sought for approval has been reduced from 64 dwellings down to 59, thus reducing the density of development. This is reflective of the comments received from both local residents and at pre-application stage from Officers'.
 - The spacing between plots has also been reduced, meaning that the proposed density is now approximately 23.6 dwellings per hectare.
 - The retail unit formerly proposed has been removed entirely, following feedback from the Public Consultation event (as set out at Section 3 of this report).

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- The Housing mix has been altered to include a greater range of homes, including bungalows (set out in more detail below) – this follows a request from Kirklees Council at pre-application stage for a more varied development in respect of house types.
- The application site boundary has been reduced from that originally included on the previous application, to remove an area falling within the Green Belt.

5. Planning Policy

5.1 This Section of the Statement sets out:

- a) Policy Context
- b) Kirklees Unitary Development Plan (UDP) Policies
- c) Kirklees Draft Local Plan
- d) The National Planning Policy Framework (NPPF)
- e) Kirklees Council's 'Interim Affordable Housing Policy'

a) Policy Context

- 5.2 Kirklees Council's Statutory Development Plan comprises the Unitary Development Plan, which was adopted in 1999, with the majority of policies 'saved' by the Secretary of State in September 2007. The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).
- 5.3 Kirklees Council is currently in the process of preparing a Local Plan. The Local Plan was submitted to the Secretary of State for Communities and Local Government on the 25th April 2017 for independent examination. The submission includes Part One of the Local Plan (Strategy and Policies) and Part Two (Allocations and Designations - and Proposals Maps). This examination process will include hearing sessions, followed by publication of the Inspector's Report and finally adoption. Kirklees Council anticipate adoption will occur in early 2018.
- 5.4 Although Kirklees Council considers that the draft Local Plan policies and proposals are not considered to be at a sufficiently advanced stage to carry weight in decision making for individual applications, they represent a clear direction of travel in respect of policy and housing need. Furthermore, given that the Local Plan has been subject to Public Consultation and is now at examination stage, our view is that some weight can now be attached to it and specifically to draft policies PLP11, PLP21 and PLP24. As the Plan moves closer to adoption, it follows that this weight will increase.
- 5.5 The National Planning Policy Framework (NPPF) for England was published by the Government on the 27th March 2012. The NPPF replaced over a thousand pages of previous planning policies with around fifty and took effect immediately.
- 5.6 The NPPF is a strong "material consideration" in determination [paragraph 13]. The Government expects communities to plan positively to support local development [paragraph 16]. It also follows that "development plans", under the current plan-led system ought to be consistent with the objectives, principles and policies now set out in the NPPF.
- 5.7 If development plans still remain absent, silent, indeterminate or out of date, then the presumption in favour of sustainable development should apply [paragraphs 14 and 197].

- 5.8 It is intended to refocus planning policy on encouraging growth, and thus includes a powerful presumption in favour of sustainable development [see paragraph 14 of the NPPF document]. Government expects that this presumption should run as a “golden thread” through all plan making and decisions on planning applications henceforth.

b) Kirklees Unitary Development Plan (UDP) Policies

- 5.9 The following Kirklees Unitary Development Plan Policies are considered relevant in respect of this application:

5.10 **Policy D2:**

Planning permission for the development (including change of use) of land and buildings without notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposal does not prejudice:

- i the implementation of proposals in the plan;
- ii the avoidance of over-development;
- iii the conservation of energy;
- iv highway safety;
- v residential amenity;
- vi visual amenity;
- vii the character of the surroundings;
- viii wildlife interests; and
- ix the efficient operation of existing and planned infrastructure.

5.11 **Policy BE1:**

All development should be of good quality design such that it contributes to a Built Environment which:

- i creates or retains a sense of local identity;
- ii is visually attractive;
- iii promotes safety, including crime prevention and reduction of hazards to highway users;
- iv promotes a healthy environment, including space and landscaping about buildings and avoidance of exposure to excessive noise or pollution;
- v is energy efficient in terms of building design and orientation and conducive to energy efficient modes of travel, in particular walking, cycling and use of public transport.

5.12 **Policy BE2:**

New development should be designed so that:

- i it is in keeping with any surrounding development in respect of design, materials, scale, density, layout, building height or mass;

- ii the topography of the site (particularly changes in level) is taken into account;
- iii satisfactory access to existing highways can be achieved; and
- iv existing and proposed landscape features (including trees) are incorporated as an integral part of the proposal.

5.13 **Policy BE11:**

New development should be constructed in natural stone of a similar colour and texture to that prevailing in the area where the proposal is located:

- i in areas within which stone has been the predominant material of construction;
- ii within conservation areas; and
- iii within town and local centres.

Outside such areas, proposed materials of construction should reflect the predominant materials adjacent to and surrounding the site, provided that such materials are not detrimental to visual amenity.

5.14 **Policy BE12:**

New dwellings should be designed to provide privacy and open space for their occupants, and physical separation from adjacent property and land. The minimum acceptable distances will normally be:

- i 21.0m between a habitable room window of a dwelling and a habitable room window of a facing dwelling;
 - ii 12.0m between a habitable room window of a dwelling and a blank wall or a wall containing the window of a non habitable room;
 - iii 10.5m between a habitable room window of a dwelling and the boundary of any adjacent undeveloped land; and
 - iv 1.5m between any wall of a new dwelling and the boundary of any adjacent land (other than a highway).
- distances less than these will be acceptable if it can be shown that, by reason of permanent screening, changes in level, or innovative design, no detriment would be caused to existing or future occupiers of the dwellings or any adjacent premises or potential development land which may be affected.

5.15 **Policy T10:**

New development will not normally be permitted if it will create or materially add to highway safety or environmental problems or, in the case of development which will attract or generate a significant number of journeys, if it cannot be served adequately by the existing highway network and by public transport.

Proposals will be expected to incorporate appropriate highway infrastructure designed to meet relevant safety standards and to complement the appearance of the development.

5.16 **Policy BE23:**

New development should incorporate crime prevention measures to achieve:

- i pedestrian safety on footpaths by ensuring through visibility from existing highways;
- ii natural surveillance of public spaces from existing and proposed development; and
- iii secure locations for car parking areas.

c) Kirklees Draft Local Plan

- 5.17 Draft Policy PLP11 (Housing Mix and Affordable Housing) seeks to secure a broad mix of housing suitable for different housetypes. The draft policy also seeks to secure 20% of units (on developments of more than 10 homes) as affordable homes.
- 5.18 Draft Policy PLP21 is a general highway safety/access policy.
- 5.19 Draft Policy PLP24 (Design) is a general development policy covering a range of matters which are covered by a number of separate policies in the UDP. The draft policy states,

“Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.

Proposals should promote good design by ensuring:

- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;
- b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;
- c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;
- d. high levels of sustainability through:
 - i. The re-use and adaptation of existing buildings, where practicable
 - ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;
 - iii. using innovative construction materials and techniques, including reclaimed and recycled materials
 - iv. minimising resource use in the building by orientating buildings to utilise passive solar design, incorporating vegetation and tree planting to assist heating and cooling and providing for the use of renewable energy;
 - v. encouraging the use of electric and low emission vehicles by providing charging points;
 - vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;

- vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate;
- viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.
- e. the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;
- f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;
- g. any new open space is accessible, safe, overlooked and strategically located within the site and well integrated into wider green infrastructure networks;
- h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;
- i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and
- j. the provision of public art where appropriate.”

The National Planning Policy Framework (NPPF)

5.20 The following sections of the NPPF are considered relevant to this proposal (other sections of the NPPF are referenced elsewhere in this Statement where relevant):

5.21 **Paragraph 50:**

To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning 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 (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

5.22 **Paragraph 56:**

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

5.23 Paragraph 58:

Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

5.24 Paragraph 96:

In determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

d) Kirklees Council's 'Interim Affordable Housing Policy'

5.25 In December 2016, Kirklees Council published an 'Interim Affordable Housing Policy' which replaced Supplementary Planning Document 2 (SPD2). SPD2 had required the provision of 30% of the total floorspace of a development to be affordable housing on greenfield developments.

5.26 The Interim Policy altered this requirement to specify 20% of units on a site should be affordable housing, on all developments for 11 or more dwellings. The tenure split for this is 54% affordable rent and 46% intermediate housing. This Interim Policy is therefore applicable to this development. This updated policy position also reflects the requirements of draft Policy PLP11 in the emerging Local Plan.

6. Assessment

6.1 This Section will cover the following key matters:

- a) Principle of Development:
 - i) Housing Land Supply
 - ii) Kirklees Local Plan
 - iii) Unitary Development Plan
 - iv) Sustainable Development
- b) Layout
- c) Design
- d) Drainage
- e) Ecology
- f) Highways

a) Principle of Development

i) Housing Land Supply

6.2 Paragraph 49 of the NPPF states that, *“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.”*

6.3 In respect of the Council's Housing Land Supply, a recent appeal decision from February 2017 (Ref: APP/Z4718/W/16/3147937), on land at New Lane, Cleckheaton, granted full planning permission for the erection of 51 houses. As part of the Inquiry, Kirklees Council's Housing Land Supply position was examined. The Inspector's Appeal Decision letter noted,

*“it is not disputed by the Council that it is unable to demonstrate a deliverable five year supply of housing, as required by the Framework. At the Inquiry, the current five year supply was calculated to be 2.66 years by the Council, and 2.27 years by the appellant. The Council acknowledges that, based on either figure, the shortfall is significant. Indeed, **the Council accepts that the housing delivery problem is ‘acute and chronic’** (our emphasis).”*

6.4 Kirklees Council's stated position in respect to the weight to be afforded to Policy D5 was set out in the pre-application response letter dated 18th April 2017. This stated,

“The weight that can be given to Policy D5 in determining applications for housing must be assessed in the context of NPPF paragraphs 49 and 215. These indicate that policies regarding housing should not be considered up to date unless the authority can demonstrate a five year supply of housing. The Council is currently unable to demonstrate a five year supply of deliverable housing sites.”

- 6.5 A recent (May 2017) Supreme Court Judgement, handed down in *Cheshire East Council v Richborough Estates LLP* (2017) UKSC, is of relevance in relation to the application of Policy D5. In this case Richborough Estates were successful in defending their planning permission for 150 houses on 'Green Gap' land which had been granted on appeal in Cheshire East in 2014.
- 6.6 This judgement considered the proper interpretation of paragraph 49 of the NPPF, in respect of whether particular development plan policies were or were not "*relevant policies*" for the supply of housing. This judgement held that a 'narrow' meaning of this should be applied, meaning that "*relevant policies*" were limited to policies dealing only with the numbers and distribution of new housing, and excluding any other development plan policies dealing generally with the disposition or restriction of new development.
- 6.7 Policy D5 could be considered to relate directly to the distribution of housing as it sought to direct (distribute) housing development away from POL land during the lifetime of the UDP. The Policy could therefore constitute one of the "*relevant policies*" for the distribution of housing, meaning it is out of date and the presumption in favour of sustainable development engaged.
- 6.8 Even if the policy is not treated as being out of date, what is clear from the Supreme Court decision is that the decision maker is entitled to attribute reduced weight to such policies when there is a housing shortfall.
- 6.9 Although the Supreme Court have favoured a 'narrower' interpretation, this does not mean that 'non-housing supply' policies that operate to restrict housing growth will automatically attract more weight. Where a Council cannot demonstrate a five-year housing land supply and has settlement boundary policies in its development plan based on an out-of-date housing requirement, the decision maker is still entitled to reduce the weight to be given to such restrictive policies – particularly as there is an overarching policy imperative to boost the supply of housing.
- 6.10 In the case of Hade Edge, the Council is unable to demonstrate a five year supply of housing land and the POL allocation provides the break between the existing settlement and Green Belt. In this context, the weight to be attached to Policy D5 is therefore significantly reduced, particularly given the "*acute and chronic*" housing delivery problem faced by Kirklees and the overarching policy requirement (paragraph 47 of the NPPF) to boost the supply of housing, which is also reflected in the housing targets in the emerging Local Plan (31,140 new homes over the plan period 2013-2031).
- 6.11 The presumption in favour of sustainable development, accepted by the Council as set out at paragraph 6.4 above, would therefore be engaged in respect of this proposal.

iii) Unitary Development Plan

- 6.12 The site is currently allocated as Provisional Open Land (POL) on the Kirklees UDP Proposals Map.
- Policy D5 of the Kirklees UDP states,

“On sites designated as provisional open land planning permission will not be granted other than for development required in connection with established uses, changes of use to alternative open land uses or temporary uses which would not prejudice the contribution of the site to the character of its surroundings and the possibility of development in the longer term.”

- 6.13 As noted above, Policy D5 (relating to POL) is considered out of date due to the lack of a 5 year supply of housing land.

iv) Sustainable Development

- 6.14 Paragraph 49 of the NPPF states that, *“Housing applications should be considered in the context of the presumption in favour of sustainable development.”*
- 6.15 Paragraph 7 of the NPPF identifies three dimensions to sustainable development: *“economic, social and environmental.”*
- 6.16 In terms of the economic benefits of the development, these are multiple. Firstly, the development would create investment in locality and increase spending in the local shop and public house. Secondly, it would create significant jobs and investment during the construction phase. Finally, the new dwellings would provide a significant revenue boost to Kirklees Council, via the New Homes Bonus. This revenue is estimated to be in the region of £975,000.
- 6.17 In respect of social benefits arising from the development, the provision of housing at a time when the Council has a general shortage is considered to weigh in favour of the proposal constituting Sustainable Development.
- 6.18 In addition, this proposal will deliver 12 affordable homes at a time when Kirklees Council has a pressing need for new affordable homes across the district. The Council's most recent Strategic Housing Market Assessment (SHMA) was published in October 2016. This evidenced a net imbalance (shortfall) of 1,049 affordable dwellings per year, based on the period 2014/15 to 2018/19. The delivery of these affordable units will therefore be a significant social benefit.
- 6.19 With regard to environmental benefits it is noted that each dwelling will have private amenity space and some landscaping will be provided across the site, the Council's pre-application letter, states that,
- “The development of a greenfield site represents an environmental loss. However, whilst national policy encourages the use of brownfield land for development it also makes clear that no significant weight can be given to the loss of greenfield sites to housing when there is a national priority to increase housing supply.”*
- 6.20 On this basis, it is considered that the proposals constitute Sustainable Development and the Council's conclusion in their pre-application letter was that, ***“It is considered that the proposal could amount to sustainable development*** (our emphasis).”

b) Layout

- 6.21 This proposal is for 59 dwellings, with a mix of bungalows, terraced, semi-detached and detached dwellings. Access into the site will be provided by a single access point from Dunford Road.
- 6.22 Internally, a cul-de-sac type approach has been adopted, which replicates the layout of existing development on Dunford Road. This will add visual interest to the development and prevent a bland linear form of development being advanced. This form of development also accords with UDP Policy BE2, in regard to respecting local context. The layout also seeks to maximise views across Hade Edge, over open countryside, whilst protecting the amenity of the existing neighbouring residential dwellings.
- 6.23 The proposed layout includes active frontages to Dunford Road. This will create enhanced natural surveillance and enhances the streetscene by providing visual interest. Plots 4 & 59 deliberately do not front on to Dunford Road, as they respond to their particular context. Hade Edge Methodist Chapel, which is a Grade II Listed Building, is located to the west of these properties and therefore these have been designed with this in mind. The site entrance is enhanced with tree planting which will soften this part of the development and creates a gateway upon arrival. It also assists in protecting the setting of the Listed Building.

Density

- 6.24 The proposed layout, including the use of cul-de-sacs, seeks to ensure that the land is used efficiently. This is in accordance with the general principles of the NPPF. This application is also submitted at a time when Kirklees Council is currently unable to demonstrate a 5 year supply of land for housing, which increases the need to use housing sites, such as this, efficiently.
- 6.25 Although Kirklees does not currently have a specific policy on housing density, Policy DLP6 of the emerging Local Plan specifies a minimum requirement for 30 dwellings per hectare. Although, as established above, these policies do not yet carry significant weight, it marks a clear direction of travel from the Council in respect of housing density and the importance of efficient use of land.
- 6.26 In designing this scheme, the requirement for efficient use of land has been balanced against the need to ensure the density is in keeping with surrounding development and achieving an appropriate and varied housing mix.
- 6.27 Taking all of these factors into account, a site layout is now proposed which, at **23.6 dwellings per hectare**, is considered to represent relatively low density development. This will achieve a more spacious feel to the development and is also comparable to the density of the adjacent Green Abbey development which also has an approximate density of 26 dwellings per hectare.

Space about buildings

- 6.28 UDP Policy BE12 specifies separation distances between buildings that are normally required between existing habitable/non-habitable room windows and new dwellings. Given the fact that there is no existing development to the north, east or south (in the main) of this site, the proposals comply with Policy BE12 in respect of space about buildings.

- 6.29 The closest dwellings to the west of the site are on the opposite side of Dunford Road. Distances in excess of 21 metres are achieved between proposed and all existing dwellings.

Crime Prevention

- 6.30 Policy BE23 of the UDP requires natural surveillance and In designing the site layout, consideration has been given to crime prevention. The proposed site layout provides significant natural surveillance to Dunford Road, as those properties fronting the road have active frontages.
- 6.31 The internal layout of the development also provides a high degree of natural surveillance with the orientation of plots (particularly with the avoidance of a linear built form) having been carefully considered. The parking spaces within the development have also been designed to be particularly well overlooked to assist crime prevention.
- 6.32 It is therefore considered that the proposal complies with Policy BE23 in respect of Crime Prevention.

c) Design

- 6.33 Unitary Development Plan Policies BE1 and BE2 require development to create or retain a sense of local identity, whilst being in keeping with surrounding development in terms of design and materials (amongst other considerations). Paragraph 56 of the NPPF also requires development to achieve a high standard of design.
- 6.34 The design concepts behind the scheme have been outlined in detail in the accompanying Design & Access Statement, prepared by Niemen Architects. This Statement considers the site context and notes that the scheme has been designed around the following key aspirations,
- *“To create a high-quality housing design respectful of the local identity which enhances the character and appearance of the area.*
 - *To produce a safe and secure environment by producing a well considered and a well-designed scheme.*
 - *To create a new neighbourhood which respects the natural beauty of this idyllic location while generating a recognisable character for the development itself.”*
- 6.35 The design of the dwellings reflects the variety in the local context, whilst achieving a high quality design through the features as set out in the Design and Access Statement. It is therefore considered that the proposal provides dwellings of an appropriate design, in accordance with UDP Policies BE1 and BE2 and the guidance in paragraph 56 of the NPPF.

Materials

- 6.36 The proposed materials of construction have been carefully considered in the context of surrounding development. It is also acknowledged that there are a number of stone buildings in the area, particularly

fronting onto Dunford Road. In addition the gateway into the site is considered to represent a sensitive part of the site, given the presence of the Listed Chapel.

- 6.37 Taking this context into account, it is proposed to use natural stone (Cottingley Natural Walling stone) to all of the plots fronting onto Dunford Road and at the site entrance. Therefore, Plots 1-4 & 51-54 & 59 will be constructed from this material, with Cemex Grampian Slate Grey roofing.
- 6.38 It is noted that the site is not within or immediately adjacent to a Conservation Area. The remainder of the site is therefore considered to have a lower sensitivity in terms of materials and therefore a high quality artificial stone is considered appropriate. This will be Costhorpe Black Old Weathered artificial stone and would be used for Plots 5-50 and 55-58. These plots would also have Cemex Grampian Slate Grey roofing.
- 6.39 The use of materials therefore accords with Policy BE11, in respect of natural stone and reflecting the predominant materials in the area Conservation Areas. Whilst it is considered that the proposed materials are considered appropriate in this location, should the Local Planning Authority deem it necessary, standard conditions requiring sample materials to be submitted and approved before development commences, could be imposed.

Scale

- 6.40 Policy BE2 of the UDP requires new development to be in keeping with surrounding development in terms of scale (amongst other considerations)
- 6.41 Aside from the two bungalows proposed, the dwellings are all two storey and do not seek to raise the ridge heights to utilise the roofspace for additional living accommodation. This scale reflects that of surrounding development which is predominantly two storey. It is therefore considered that the proposal complies with Policy BE2 in this regard.

d) Drainage

- 6.42 A Drainage Plan (ref: 15383- sk1) has been submitted to accompany this application. In addition, drainage proposals are set out in the Flood Risk Assessment (prepared by Dudleys).
- 6.43 The Drainage section of the FRA sets out that the site will be developed with separate systems for surface and foul water drainage. The report also states,

“Every effort will be taken during the design process to utilise SuDS. In accordance with best practice, the following hierarchy of techniques has been considered in order of preference: Infiltration; Watercourse; Surface Water Sewer; Combined Sewer.”

e) Ecology

- 6.44 An Extended Phase 1 Habitat Survey has been prepared by Applied Ecological Services Ltd and accompanies this application. This section of the Planning Statement provides a short summary of that key aspects of that Survey.

- 6.45 The Survey maps and identifies habitats and species that are present within the site boundary, records any evidence indicating the presence of protected species and identifies potentially suitable habitats for such species.
- 6.46 The Survey considers that, *"The site supports a limited range of habitat types of low ecological importance being dominated by improved grassland. The site offered low potential for protected species to be present."*

Birds

- 6.47 Kirklees Council requested a range of bird surveys be undertaken during the breeding season to determine whether the site is used for foraging by Special Protection Area (SPA) breeding birds. Golden Plover has been identified as the key species to survey and the scope of this survey was agreed with both Kirklees Council and the RSPB in advance.
- 6.48 These surveys have recently been completed (May 2017) and have been submitted in the form of the accompanying 'Golden Plover, Vantage Point Surveys 2017'.
- 6.49 In accordance with the methodology agreed with Kirklees Council and the RSPB, these surveys were undertaken every two weeks between mid-March and mid-May 2017. Paragraph 5.2 of the survey details that,
- "Throughout the course of the surveys no Golden Plover, Merlin or Short-eared Owl (SPA qualifying features) or other designated features Dunlin, Twite, Curlew or Lapwing were recorded using the site."***

- 6.50 Furthermore, the report notes that:

"Much research has been undertaken into the requirements for suitable foraging areas by Golden Plover, and the site itself is largely unsuitable for this species. Golden plover preferentially feed in short grazed pasture and wetter undrained pastures are generally preferred. The site is not used to graze animals but is fertilised and cut for hay in June / July. The grass within the site was too long for birds such as golden plover to forage and had no dung from grazing animals in which prey use to reproduce and feed. The site is also subject to disturbance including light pollution from the surrounding roads and existing residential areas, noise from traffic and disturbance from day to day human activity which increased as the day progressed which Golden Plover will not tolerate."

- 6.51 The Survey identifies that the site has the potential to support nesting birds and it is therefore recommended that any vegetation clearance within the site is carried out outside of the bird breeding season (March – end August), or in accordance with checking surveys undertaken by a suitably qualified person. Further standard mitigation is suggested, including the provision of Sparrow terraces (x8) and starling nest boxes (x4).
- 6.52 Taking the above into account, it is considered that there are no ornithological issues which would prevent development on the site.

Bats

- 6.53 The Extended Phase 1 Habitat Survey notes that, *“The site has very little potential for bats due to its exposed situation; with limited features providing sheltered foraging/commuting across the site and negligible potential for bats to roost on site itself.”*

f) Highways

- 6.54 A detailed Transport Statement, prepared by Sanderson Associates, has been submitted to accompany this submission.

- 6.55 In summary, it is proposed to take vehicle access from Dunford Road via a single point of entry. The Council have confirmed during pre-application discussions that,

“The principle of a residential (scheme) in this location is acceptable in broad highways terms.”

- 6.56 The accompanying Transport Statement sets out (parag. 6.4.11) that,

“In relation to the impact of the predicted traffic of the 59 dwellings on the local network the layout and safety record of the local highway system has been reviewed and it has been demonstrated that once distributed onto the potential access routes there would be no material adverse impact. This review has included the junction of Dunford Road with the B6106, which is understood to be of concern to local residents.”

- 6.57 The statement concludes (parag. 6.4.14),

“The transportation impact of the development has been considered in relation to both person trips and vehicle movements, and in relation to the former the level of additional movements can readily be accommodated by the existing infrastructure. The predicted vehicle movements from the 59 dwellings are modest and once the B6106 is gained would not be discernible against normal daily fluctuations in traffic flow. There are therefore no requirements for off-site highway improvements and there will be no residual cumulative adverse impact on the local highway network.”

- 6.58 It is therefore considered that the proposed development accords with Policy T10 of the Kirklees Unitary Development Plan in respect of Highway safety.

7. Heritage Considerations

- 7.1 The application does not sit within or close to a Conservation Area (CA) as no CA is present in Hade Edge.
- 7.2 To the west of the site, and on the opposite side of Dunford Road, sits Hade Edge Methodist Chapel which is a Grade II Listed Building. This is set back from Dunford Road by approximately 17.5 metres, with a lawned area providing the separation.
- 7.3 To the south east of the Chapel and set much closer to Dunford Road is Hade Edge Methodist Sunday School, which is also a Grade II Listed Building. The main elevation of this building faces onto the lawned garden of the Chapel, with a blank gable fronting Dunford Road.
- 7.4 Kirklees Council did not raise the issue of protection/need for detailed consideration of the Listed Buildings in their written pre-application advice on this proposal. Nevertheless, this part of the Statement seeks to address the relevant planning policies relating to Listed Buildings.

Planning Policy

- 7.5 The National Planning Policy Framework (NPPF) provides guidance on the protection of Listed Buildings at Chapter 12. Paragraph 128 of the NPPF states:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. The level of details should be proportion to the assets important and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should be consulted on the heritage assets assessing assets assessed using an appropriate expertise where necessary. Where a site in which development is proposed or has the potential to include heritage assets with archaeological interest local planning authorities should require the developer to submit an appropriate desk based assessment and, where necessary a field evaluation.”

- 7.6 Paragraph 137 further states:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”

- 7.7 Planning Practice Guidance at Paragraph 009 (Note 18a), notes that,

““Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”

- 7.8 The Planning (Listed Buildings and Conservation Areas) Act 1990 also provides specific protection for buildings and areas of special architectural or historic interest.

Assessment of Significance

- 7.9 Hade Edge Methodist Chapel is a Grade II Listed Building (list entry number: 121607), which was first listed on the 30th April 1982. Historic England's Listing Summary states,

"Wesleyan Methodist Chapel. Dated 1841. Hammer dressed stone with ashlar dressings. Stone slate roof with gable copings. Single storey. East gable frontage of 4 bays. Entrance to left and right the former part blocked, the latter with deep rectangular fan. At high level are 2 ashlar string courses between which is square stone table with inscription: WESLEYAN CHAPEL 1841 Three bays deep. Interior has plain box pews, desk and pulpit."

- 7.10 Hade Edge Methodist Sunday School is also a Grade II Listed Building (list entry number: 1134901), which was first listed on the 30th April 1982. Historic England's Listing Summary states,

"Sunday School. Circa 1850-60. Hammer dressed stone. Stone slate roof (part bitumen covered), with gable copings and 3 stone stacks with moulded caps. Stone brackets. Single storey. North elevation of 5 bays. Central porch with pitched roof. Recent extension with flat roof. Five round arched windows with glazing bars."

Heritage Impact Assessment

- 7.11 At the outset, and for the avoidance of doubt, it is noted that there are no works of any description proposed to the Methodist Chapel building, the Sunday School building, nor within the grounds of either building.
- 7.12 This proposed residential development would not change the ability to understand and appreciate the key attributes of either the Chapel or Sunday School Building, including their setting and form. This is due to the current context of the buildings.
- 7.13 Firstly, the application site is located to the eastern side of Dunford Road and the Chapel/Sunday School are on the western side. This road provides physical separation between the two parcels of land and views of the listed buildings from Dunford Road are entirely preserved.
- 7.14 Secondly, the established setting of the buildings includes those buildings located to the north, east and west of the Chapel And Sunday School. A critical aspect of this is that these existing buildings are closely spaced, rather than the buildings having a spacious setting with large grounds and widely protected views. Therefore the listed buildings do not enjoy a predominantly rural setting, rather they are viewed in the context of the existing adjacent buildings.
- 7.15 This proposed development has been sensitively design, taking account of the position and proximity of the listed buildings. Low density development is proposed to this part of the application site. This is achieved through the positioning of the site entrance and the use of planting immediately facing the listed buildings.

Planning Statement

Land at Dunford Road, Hade Edge



Two spacious, detached properties are the closest proposed dwellings and these have been orientated so that they are side on to Dunford Road. This ensures that they do not compete visually with the listed buildings, whilst still providing active frontages to Dunford Road, through the use of well-positioned windows. Furthermore, natural stone is proposed as the predominant building material for the dwellings immediately adjacent to Dunford Road and this replicates the materials of the two listed buildings.

- 7.16 In conclusion and having regard to national and local policy guidance, the proposed development would not be detrimental to the character, setting or appearance of the Listed Buildings.



Hade Edge Methodist Chapel



Hade Edge Methodist Sunday School (image courtesy of Google)

Planning Statement

Land at Dunford Road, Hade Edge



Relationship between the Chapel and the Sunday School (image courtesy of Google)

8. Planning Obligations

8.1 The Council's draft expectation in respect of Section 106 requirements were set out in their pre-application response letter (dated 18th April 2017). It is acknowledged that this response was given on the basis of 58 unit scheme, with a retail unit and it is therefore anticipated that these figures may change slightly in respect of this proposal for 59 units. The response stated,

"The development will trigger contributions towards affordable housing, public open space, education and sustainable transport. Without prejudice the contributions required are:

- *Affordable Housing: 20% of units (approximately 11 dwellings)*
- *Public Open Space at 1920m² on site or an off-site lump sum of £154,100.*
- *An Education Contribution of £246,156*
- *A sustainable Travel Fund of £31,762.50 to fund Metro Cards, personalised travel planning, car club use, cycle purchase schemes, car sharing promotion, walking / cycling promotion and further infrastructure enhancements."*

8.2 Taking each of those contributions in turn:

Affordable Housing

8.3 Kirklees Council has recently (December 2016) published an 'Interim Affordable Housing Policy'. This requires 20% of units on a site as affordable housing, on all developments for 11 or more dwellings. The tenure split for this is 54% affordable rent and 46% intermediate housing. This Interim Policy is therefore applicable to this development.

8.4 As detailed on the submitted Proposed Site Plan and the draft Section 106 agreement which accompanies this application, the development will deliver **12 units as affordable**, on the basis of a 59 unit development. These are Units 1-2, 8-11 and 41-46.

8.5 These units comprise a pair of semi-detached bungalows, eight terraced properties and a pair of semi-detached dwellings. This results in a mixed offer in terms of house types and bedrooms (ranging from 2-4 beds).

8.6 The delivery of 12 affordable units represents a fully policy Compliant offer from Jones Homes. The Council's most recent Strategic Housing Market Assessment (SHMA) was published in October 2016. This evidenced a net imbalance (shortfall) of 1,049 affordable dwellings per year, based on the period 2014/15 to 2018/19. The delivery of these affordable units will therefore be a significant social benefit.

Public Open Space

8.7 Policy H18 of the Kirklees UDP seeks to deliver 30 sq. metres of Public Open Space (POS) per dwelling on development sites in excess of 0.4 hectares. The Policy also permits off-site provision as it states,

“off-site provision to the same minimum standard or improvements to established public open space will be acceptable as an alternative where there is land with potential as public open space or established public open space readily accessible to the site.”

- 8.8 As this development site extends to only 2.5 hectares, any on-site Public Open Space provision would be limited in size and functionality whilst potentially causing maintenance issues. It is also noted that all of the units on the site will have private amenity areas. A commuted sum would therefore deliver a more substantial community benefit by improving existing facilities in the locality.
- 8.9 The village currently has a playground with play equipment for children, a short walk from the application site. It is anticipated that the allocation of the commuted sum could be subject to consultation with Ward Members and the local community to ensure that it is appropriately spent.
- 8.10 Jones Homes can confirm their agreement in principle to the payment of a commuted sum for £154,100 in respect of Public Open Space.

Education Contribution

- 8.11 Kirklees Council's 'Providing for Education needs generated by New Housing' provides guidance on the requirements for education contributions on developments of 25 or more dwellings. The guidance states,
- “Proposals above this threshold (25 units) begin to have a measurable impact on school accommodation and the Council will assess such proposals to decide whether a financial contribution is appropriate. Contributions will only be sought where the new housing will generate a need which cannot be met by existing local facilities.”*
- 8.12 Kirklees Council have confirmed a draft figure for education provision of £246,156. Jones Homes can confirm their agreement in principle to this payment.

Metro Cards

- 8.13 Kirklees Council have requested a payment of £31,762.50 to fund Metro Cards and promote sustainable means of travel. Jones Homes can confirm their agreement in principle to this payment.

Summary:

- 8.14 Subject to confirmation of specific requirements at application stage, it is anticipated that this development will deliver the following Section 106 contributions, which represent a significant community benefit:
- 12 affordable homes
 - Commuted sum for POS of £154,100
 - Education contribution of £246,156
 - Metro Card contribution of £31,762.50

9. Summary & Conclusions

- 9.1 This Statement has been submitted in support of a full planning for 59 dwellings by Jones Homes, on land at Dunford Road, Hade Edge. The key benefits of the development are considered to be:
- **Delivery of 59 new homes** at a time when Kirklees Council is unable to demonstrate a 5 year supply of housing land.
 - Provision of a **wide range of house types**, to promote an **inclusive development**. The proposal includes bungalows, terraced, semi-detached and detached properties.
 - Delivery of **12 affordable homes** at a time when Kirklees Council has a district wide shortfall.
 - Significant **economic benefits**, including in terms of investment and jobs throughout the construction phase, alongside New Homes Bonus payments to Kirklees Council.
 - The applicant anticipates **meeting other Section 106 requirements in full** – including around **£246,156 for local education, £154,100 for Public Open Space** improvements and **£31,762** towards encouraging sustainable means of transport through the purchase of **Metro Cards**.
- 9.2 The application site is currently allocated as Provisional Open Land (POL) in the Unitary Development Plan (UDP). **Kirklees is unable to demonstrate a 5 year supply of housing land**. Policy D5 is considered to be a “relevant policy” relating to the supply of housing and is therefore out of date. This has been examined in more detail at Section 6.
- 9.3 The presumption in favour of sustainable development, accepted by the Council as set out in Section 6 above, is still therefore engaged in respect of this proposal. **The development is considered to constitute Sustainable Development** as it delivers economic, social and environmental benefits, also as set out in Section 6 of this Statement.
- 9.4 The **site benefits from a draft Housing Allocation** in the emerging Local Plan. Although Kirklees Council considers that the draft Local Plan policies and proposals are not considered to be at a sufficiently advanced stage to carry weight in decision making for individual applications, given that the Local Plan has been subject to Public Consultation and is now at examination stage, our view is that a degree of weight can now be attached to it. As the Plan moves closer to adoption, it follows that this weight will increase.
- 9.5 The proposed development takes account of the nature of existing development within Hade Edge in terms of scale, layout and density. Although Policy DLP6 of the emerging Local Plan specifies a minimum requirement for 30 dwellings per hectare, it is considered that a lower density development in this location is more appropriate given the character of existing development within the village. The number of units proposed has been reduced down to 59 on this site, following feedback from local residents and Kirklees Council. This represents a **density of approximately 23.6 dwellings per hectare**.
- 9.6 The layout and orientation of the proposed dwellings will also ensure a **high level of natural surveillance** throughout the site. In terms of appearance, the use of **different house types (including bungalows), materials and design features create visual interest**. This results in a high quality design which is in accordance with the relevant policies in the UDP (Policies D2, BE1, BE2 and BE23) and NPPF.

Planning Statement

Land at Dunford Road, Hade Edge



- 9.7 An Extended Phase 1 Habitat Survey has been submitted in support of this application. The Phase 1 Survey establishes that **the site offers low potential for protected species to be present**. Kirklees Council requested Golden Plover surveys be undertaken during the bird breeding season. These surveys have been completed and identified **no Golden Plover constraints** in respect of this site. The Habitat Survey also found that the site has very limited potential for bats.
- 9.8 A Transport Statement, prepared by Sanderson Associates, accompanies this application and evidences that the **predicted vehicle movements from a 59 dwelling scheme are modest**, with no residual cumulative adverse impact on the local highway network. The proposal accords with Policy T10 of the Kirklees UDP. The Council have also confirmed during pre-application discussions that the **principle of development is acceptable in broad highway terms**.
- 9.9 As set out at Section 7 of this Statement, the **proposed development would not be detrimental to the character, setting or appearance of the Listed Buildings**. The proposals therefore accord with the guidance contained within the NPPF at paragraphs 128, 137 and with Planning Practice Guidance.
- 9.10 The proposed development is in accordance with the relevant planning policies from the Kirklees Unitary Development Plan and the guidance contained within the National Planning Policy Framework.