

Lakeland Property Management

Former Bridon Wires, Bradford Road, Cleckheaton

Planning Statement

Revision A 8 September 2014



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I. Introduction and Background

Spawforths have been instructed by Lakeland Property Management to prepare a planning statement to support a full planning application in respect of the Former Bridon Wires works, located off Bradford Road, Cleckheaton. The proposal comprises demolition of an existing building and redevelopment of the site for residential use comprising of 114 dwellinghouses.

The applicants have taken professional advice from a development team and supplementary information has been prepared in support of the application. These are provided separately and this Statement should be read in conjunction with those reports.

2. Development Proposals Overview

The application is submitted in full and seeks consent for demolition of the existing building and redevelopment for 114 dwellinghouses.

The proposal is for family housing reflecting similar schemes in the locality. Properties proposed are a mix detached small terrace and semi-detached units providing family housing to meet local needs and have been designed with reference to the existing townscape. The properties are a mix of 3 and 3/4 bedroom units. The units are arranged in a mix of 2 and 2.5 storeys.

The main access road into the site is taken from Bradford Road, which provides access/egress for vehicles and pedestrians. The road leads to an internal circulatory road. All properties within the site front onto the internal route. The frontage properties face on to Bradford Road and have rear access from within the site. Car parking spaces are provided for each property.

Landscaping will be provided throughout the site and on the boundaries with adjoining land uses. This will provide a level of screening for reasons of privacy and also buffering against other uses.

Scheme Parameter	Detail
Maximum number of residential units	114

3. Site Location and Description

3.1. Site Context

The site is located in the south of Cleckheaton a town in the 'Heavy Woollen' District of Kirklees Council. The site is located a little way to the south-east of Cleckheaton Town Centre off the A638 Bradford Road, the main thoroughfare through the Town.

Cleckheaton is a medium sized town with a population of approximately 16,600 (2011 Census). The Town is located to the immediate south of Junction 26 of the M62. It is based along the A643 and A638 with a Town Centre to the immediate north of the crossing point of these two routes. The Town Centre has a range of shops and services with a medium sized Tesco store, the largest operator (permission was granted for a much larger Tesco store, but this has not been implemented and may no longer happen).

There are a wide range of shops and services focused on parades to the west of the A638. To the east is the Town Hall and St Johns Church. To the south of the A643 is the King Edward VII Memorial Park and adjacent to this, the Town's Bus interchange, a fairly modern addition to the town. This provides a wide range of regular buses to nearby settlements (e.g. Batley and Dewsbury) and larger centres of Halifax, Leeds, Wakefield and Bradford. The nearest train station is Dewsbury which provides regular services to Leeds, Manchester, Manchester Airport and Newcastle among other major destinations. The area is very well connected to the region and beyond by public transport.

3.2. Site Location

The site is located approximately half a kilometre to the south-east of the town centre crossroads to the north of the bus station. Access is directly along the Bradford Road along wide well-lit pavements.

The site is surrounded by housing on three sides. To the north are houses on Manor Park Road and Manor Park Way, and to the west/south-west are houses on Bridon Way. This is fairly modern 2/3-storey family housing with an access on to Bradford Road. To the east of the site are residential properties on Bradford Road and Thorntonville, comprising of a mix of bungalows and traditional terraces. There are some more commercial uses to the north-

east opposite the housing on Manor Park Road. To the south are commercial units on Rawfolds Way. A few hundred metres further along the A638, south-west of the site is Royds Park and Spenborough Pool and Fitness Complex.

There are a number of schools in the vicinity and serving the Town including Howard Park Community School (primary) located a little way (c.300m) to the north and easily accessible by footpath off Bradford Road, Littletown junior, Infant & Nursery School to the south-west and Whitcliffe Mount School (secondary) in the west of Cleckheaton. There is also a nursery school (Fingerprints) to the north.

There are bus stops directly outside of the site providing regular services to a range of major settlements.

The site is in a highly sustainable location.

3.3. Site Description

The application site is approximately 2.6 Ha in area and is fairly regular in shape. The site is accessed directly from Bradford Road in the east.

The site is currently occupied by a large single building (c.80,000 sq ft gross floorspace) that was originally a works, but is now in a range of temporary storage and other low density commercial uses. The building is a large single plot in the centre of the site and is of no particular architectural merit with brickwork on the lower parts of the elevations and blue corrugated cladding on the upper two-thirds (see below). There is a small hand car wash operation in the very north-east of the site comprising movable containers and hardstanding.

Around the building is mainly concreted/ other hardstanding. The site frontage is defined by a small stone wall with security fencing set behind this. There is close boarded fencing around the northern and western boundaries with gardens of residential properties behind. The southern boundary is fenced with an element of bunding. Buildings on Rawfolds Way are set at slightly lower level to the site. Likewise the site is set at a slightly lower level than the housing to the north and west. The site itself is largely flat with a gentle slope up from east to west (front to back).

The site is brownfield land in its entirety in the main urban area of Cleckheaton. It is not within a Conservation Area. The building is not Listed.



View looking west into the site from the access road



View looking north-west demonstrating the relationship with adjacent housing

3.4. Key Issues Identified

As part of the initial assessment of the site and its context at a local, regional and (where appropriate) national level, consideration has been given to the key issues associated with the application site and its surroundings. This identifies any key areas or problems with which the site and the area may suffer, generally falling under social, economic or environmental themes. The following is a summary of any of those issues identified at this stage.

The site has a history of employment-related uses (although is not allocated as such)

The operation is immediately adjacent to housing areas

There is a significant shortage of deliverable housing land in Kirklees

4. Relevant Planning History and Non Policy Designations

4.1. Planning History

There is no recent relevant planning history in relation to the application site.

4.2. Non Policy Designations

4.2.1. Other Statutory Planning Considerations

Non Policy Designation or Planning Consideration	Site Address / Proximity to the Site
Conservation Areas	No
Listed Buildings	None
Ancient Monuments	None
Tree Preservation Orders	None
SSIs/SSSIs	There are no SSI / SSSIs in the proximity of the site
Flood Risk Zone	Flood Zone 2 as a small part of the site in the east is identified as such
Air Quality Management Area	No AQMA
Other Ecology Designations	No ecology designation
Heritage Assets	No Heritage assets on site
Rights of Way (including PROW, bridleways etc.)	No rights of way on site
AONB or Landscape Designation	No AONB or landscape designation

5. Statutory Policy Context and Other Relevant Policies

The statutory Development Plan for the consideration of this application comprises the Kirklees UDP 1999.

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.

Consideration will also be necessary to the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework (NPPF). This is set out in detail in Section 7 of this report. The NPPF (Appendix I) indicates that the policies within it have material weight from the day of its publication.

This section identifies the planning policies and other material considerations which are relevant to this proposal.

5.1. Statutory Development Plan

5.1.1. Kirklees UDP 1999

The Kirklees UDP was adopted in 1999. The site is identified in the main urban area of Cleckheaton, but is not allocated for any specific designation. It should be noted that the UDP was adopted prior to 2004 and is considered to be out-of-date in this regard.

The Kirklees UDP 1999 policies relevant to this application are as follows:

Policy	Summary
D2	Land without notification on the Proposals Map
BE1 & 2	Design
BE11	Building materials
BE12	Space about dwellings

BE23	Crime prevention measures
B4	Premises & sites with established use, or last used, for business and industry
H1	Housing Needs
H7 Housing Mix	Housing Mix
H 10/11/12	Affordable Housing
EP6	Generation of Noise
EPI	Environmental Protection
EP10	Solar Heating opportunities
EP11	Landscaping Scheme
EP12	Proximity of overhead power lines
EP30	Construction practices
T1	Transport Needs
T2	Highway Improvements
T10	Highway safety/environmental problems
T14 / 16	Pedestrian Routes
T17	Needs of cyclists
T19	Off street parking
B3	Buffer Zones
H18	Provision of Open Space
R6	Measures where there is a public open space need



Extract from Kirklees UDP Proposals Map 1: Cleckheaton/ Gomersal/ Birkenshaw

5.2. National Planning Policy and Guidance

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.

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.

The key elements of The Framework relevant to the proposals are, in summary, as follows:

- Achieving sustainable development
- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Delivering a wide choice of high quality homes
- Decision-taking

It should also be noted that, with regard to the requirement for development plans to be compliant with The Framework, the Planning Inspectorate issued guidance to Inspectors on how emerging LDF policy documents might be brought into line with The Framework approach. This has been included in DPDs for a number of local planning authorities in the country. In the case of Wakefield, as an example, it constitutes a model policy for inclusion in "post-NPPF" development plans and is worded as follows:

"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- Specific policies in that Framework indicate that development should be restricted."*

Paragraph 49 of The Framework is clear that housing applications should be considered in the context of the presumption in favour of sustainable development.

5.2.1. National Planning Practice Guidance

The Planning Practice Guidance 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.

Detailed assessment of the proposal against the relevant guidance within the Planning Practice Guidance will be considered in chapter 6 of this report.

Kirklees Council's current situation therefore falls into the "in other cases" category. Paragraph 215 states that "due weight" should be given to "relevant" policies in existing plans according to their degree of consistency with The Framework. Paragraph 215 offers a mechanism whereby the 1999 Local Plan can be given due weight dependent upon the consistency of the policies with The Framework.

It has been established that the Council cannot demonstrate a five year supply of deliverable housing sites and in this regard, the Plan is considered to be out-of-date, particularly with regards to the housing situation.

5.3. Other Relevant Policies

5.3.1. Other Relevant National Documents and Emerging Policy

In May 2010, the Coalition Government made a number of changes to the planning system, most notably the localism agenda and the New Homes Bonus.

5.3.2. Localism Act (November 2011)

The Localism Bill underwent its full Parliamentary process and was given Royal Assent in November 2011. The Act contains primary legislation and amendments to the existing legislation within the 1990 and 2004 Acts and most significantly, abolished the Regional Strategies in England and therefore this element was removed from the statutory development plan as currently defined within Section 38(3) of the Planning and Compulsory Purchase Act 2004.

Whilst, the Regional Strategies no longer form part of the statutory development plan, in some instances, they may have post-abolition weight if the Council has not produced a more up to date evidence base on which to base its development requirements.

Specific elements of the Act, including the New Homes Bonus, were brought into force on the 6 April 2012.

5.3.3. Emerging Local Policy

The Kirklees Core Strategy was submitted to the Inspector in April 2013. On 26 April the Inspector wrote to the Council expressing concerns that the actions taken by the Council under the “duty to co-operate”, introduced in the Localism Act of November 2011, were insufficient to satisfy the duty. As the examination of the soundness of the Core Strategy could only proceed if the duty had been satisfied he suggested that the Council should consider withdrawing the Core Strategy.

The Council withdrew the Core Strategy in October 2013.

5.3.4. Relevant Local Supplementary Planning Documents

SPG 2: Affordable Housing

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.

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 25% of a “brownfield” site’s capacity as affordable housing on developments of 5 dwellings or more unless material considerations indicate otherwise;

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.

6. Reasoned Justification for Proposed Development

6.1. The Planning Context

The Statutory Development Plan for the consideration of this application comprises the Kirklees Unitary Development Plan, 1999 (as revised 2007).

The publication of the NPPF (hereafter referred to as 'The Framework') also plays a significant role in terms of the relevant policies pertinent to the consideration of this application. The Framework now constitutes the complete statement of the Government's Planning Policy, replacing all previous PPG and PPS and Circular 05/05. It came into effect immediately on its publication on 27th March 2012 and therefore its policies now have material weight.

The Framework indicates that Development Plans which have been adopted post-2004 (but prior to the publication of The Framework) should carry weight in relation to Section 38(6) of the 2004 Act in terms of their compliance with the policies within The Framework. Where Local Plan policies pre-date the publication of The Framework, the national policy will hold sway in any conflict, whilst post-Framework development plans and policies will be afforded their full weight under the plan-led presumption so long as none of the policies therein are absent, silent or out-of-date (such as an absence of a five year housing supply).

The Kirklees UDP is very dated (pre-2004) and given that the replacement Local Development Framework has been withdrawn, and the Council cannot demonstrate a deliverable supply of housing land, then the Plan is certainly out-of-date and limited weight can be given to the Policies within. The Framework (and PPG) provide the Policy framework at the heart of which is the presumption in favour of sustainable development.

Paragraph 49 states: "*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*".

Within this overarching policy framework, the evaluation of the application proposals is now considered against the following issues:

- Principle of Development
- Design
- Highways and Transportation
- Flood Risk & Drainage

6.2. Principle of Development

In considering the principle of the proposed use, it is also necessary to consider the existing use that it is replacing. We first consider the loss of the existing use and then consider the merits of the proposed use in terms of housing need and other Policy considerations of developing housing on this site.

The site is in use for storage use. It is an employment use (Use Class B8), but is very low density in terms of job creation and opportunity. The site is not allocated for employment use and is therefore not considered to be a prestige employment site by the Council. The adjacent site, also a former works, to the north was developed for housing. The principle for housing development on sites in employment use has already been accepted in this locality. Indeed it is a characteristic of the Heavy Woollen area of the District that there are numerous ageing or redundant sites and buildings, or where these are in use, they are operating at a significantly low rate of occupation and employment.

It is understood that the Council has directed the Applicant to UDP Policy B4 which sets out criteria for proposals involving the change of use of land in business and industry use. The Policy is within an out-of-date Plan and may be inconsistent with national Policy. We consider each of the criteria for robustness.

6.2.1. The Suitability for Continued Business Use

The application site is being use predominantly for storage uses, which is generally accepted as a low density employment use. However, in the case of the applicant site the employment density is very low as most uses are temporary and are used as overspill storage for other facilities elsewhere. Approximately 30,000 sq ft of the unit (over one

third) is vacant after the ending of a temporary lease for the storage and distribution of fibre bales which required at most just 1-3 employees who are not on site for the entire time. The main part of the unit was used as a furniture storage, distribution and sales outlet. We understand that this firm went into administration and the main part of the building is now used for the storage of cars as an overspill to another operation.

The site was purchased by the Applicants in Summer 2011 and the building and surrounding land was immediately marketed for letting by erection of boards on the site frontage (see Appendix I). A number of particulars have been produced and made available online/distributed electronically (also see Appendix I). These relate to a range of initiatives to promote various parts of the site including the building as a whole or in component parts, and the surrounding land. At the time of purchase, the site was in use for the storage of vehicles by Ford. Unfortunately they decided to centralise their operations elsewhere and vacated the site. The current uses are occupying the space on short-term contracts only, and as indicated are low density employment uses. The site has been promoted by Joint Agents Sanderson Weatherall LLP and Lambert Smith Hampson, with certain work undertaken by the Applicants themselves (a locally-based letting/ property management firm). The site has been identified continuously online for various site elements since original instruction in Autumn 2011. The board and particulars are for warehouse/land/offices and offer flexible terms. The site has also been made available as a single entity.

This is an appropriate approach to site promotion for a site of this size and location and the nature of the land and buildings.

The approach has been justified by decent interest shown by two major companies.

The first was by Marshalls in Summer 2013 who were looking for additional open storage for aggregates. The use required concreted base to avoid contamination by base layer soil/rubble. The western elevation was considered as this was the only sealed concreted area that did not form an accessway. However, the use is a dust creator and would have been in close proximity to housing on the northern and western boundary. The eastern and southern area of the site was more suitable in terms of siting, but as the surface is not concreted, failed in this requirement. The costs involved in undertaking the necessary works were significant and ultimately considered to be unviable.

The site was also of interest to Klinger in Autumn 2013 and at the Applicant's expense, proposals for renovation of both the unit and the surrounding land were formulated to meet the specific operator requirements. The investment would have been considerable and there were questions on viability due to the extensive work required to bring what is a fairly old and poor quality unit up to standard (it requires re-cladding amongst other structural work). Ultimately the interest went away.



Indicative sketch view of the site produced to try to secure letting

Interest was also shown by a tile warehouse. However, the building being set back from the roadside meant that it was insufficiently prominent for their requirements and the interest went away.

It is clear that the site has been made available for letting and in the four years that the site has been advertised, there has been little interest shown in the property and where this has been shown, it has not resulted in a viable long-term letting. It is therefore considered to be unsuitable for continued use in this regard.

The building is not sufficiently prominent or attractive and the land requires significant investment to meet the requirements of operators. This and the vacated areas combined with current low density employment use (generally storage only) indicates that the loss of the employment function of the site will not be of great loss locally or cause significant material harm.

It is concluded that loss of the site and building will not be harmful to the Council's employment land supply and should in any regard be balanced against the housing need as set out below.

6.2.2. The Availability of Business & Industrial Premises of Equivalent Quality

As indicated above, there are certain shortcomings in respect of the applicant site. There are a number of employment sites (allocated and without notification) in and around Cleckheaton including in the general vicinity of the site. Better quality, motorway-linked property and land is available to the north of the town at adjacent to J26 of the M1. An example of this is the relatively recent Access 26 development on Centurion Way that is currently being marketed for letting. The Council is also promoting a development opportunity site (land) at Rawfolds Way to the south of the application site. That site is subject to allocation in the UDP for employment uses.

The Council's latest Annual Monitoring Report (2012/13 (December 2013)) indicates that take up has dropped significantly with 8.11 Ha take-up in 2012/13. In the preceding two years, a total of 10.08Ha was taken up. This is balanced against 278.9 ha of land allocated in the UDP 1999, which identified sites of 0.4 Ha and above.

The application site is not an allocated site.

The Council has produced an Employment Land Supply Review 2012. It indicates that there were 288 sites totaling 159.17 Ha of land. This equates to more than 15 years supply of sites based on recent take up rates.

It is concluded that there is more than sufficient land and property available in the District and the locality and loss of this facility which is operating at very low density in terms of employment and operational usage, will not be detrimental, but in any regard must be weighed against the need for housing in the District.

6.2.3. The Number of Jobs likely to be Created or Maintained

The current employment levels on the site are very low. The proposed development will create a number of jobs during the construction phase and once built may create/sustain property management jobs.

6.2.4. The Compatibility of the Proposed Use with Surrounding Uses

The nature of this part of Cleckheaton has changed over the years. To the immediate north and west is new housing, and there is housing to the immediate east across the A638. The proposed use will complement that use and provide a good neighbor use to the benefit of residential amenity. There are certain employment uses to the south and north-east (across the main road).

The uses to the north-east are commercial in nature and in limited use, mainly for garage/car use. There is a degree of separation provided by the A638, and residential units that have been fairly recently developed directly opposite indicate that this can be successfully implemented subject to detailed design.

We understand that the employment uses to the south have been considered as part of the design process. The development has been considered to be achievable in this regard.

It is concluded that the proposed use is acceptable in its context and appropriate mitigation can be undertaken to protect the amenity of future occupiers.

6.2.5. The Effect on the Future Operational Flexibility of any Neighbouring Businesses

The area is generally made up of a mix of uses including commercial/employment and residential uses on the edge of the Town Centre. The uses have evolved/developed with regard to compatibility between each other. Any intensification of use would in any regard need to have regard to the amenity of the general area which already includes housing (e.g. on Bridon Way to the west) and be considered on its individual merits.

It is not considered that this development will impact on future operational flexibility of adjacent businesses.

6.2.6. The Effect on any Buildings of Architectural or Historic Interest

It is not considered that there are any buildings of architectural or historic interest in proximity to the site, or that would be affected by the proposed development.

6.2.7. The Effect on Local Amenity

The site is located adjacent to a large residential area including housings close to the site boundary. The proposed use is compatible with that use and will create a net benefit in terms of residential amenity and also visual outlook from existing properties.

The proposals will be a net benefit in terms of local amenity.

6.2.8. The Effect on the Local Highway Network

The site is located on the A638, a key distributor through Cleckheaton. It is also sustainably located close in easy walking distance to the bus interchange. The Transport Statement that accompanies this submission confirms that the proposed development can be accommodated by the local highway network and any resultant traffic will not be detrimental to its safe operation. Access to the site is established. Safe access can be made into and out of the site.

The proposed development is acceptable in this regard.

6.2.9. The Potential for the site to be Served by Rail or Water for the Transport of Freight

The site does not have any potential for rail or water connections and cannot be considered in this regard.

6.2.10. Regeneration & Economic Benefits

The proposed development will provide regeneration benefits that will enhance the locality, but also be a positive addition to the town. It will redevelop a brownfield site on the edge of the Town centre close to the bus interchange and amenities and facilities.

The development will provide new expenditure that will enhance the vitality and viability of the town centre. It will also provide construction jobs and potential future maintenance jobs.

It will also attract New Homes Bonus and council tax revenue. There are also other potential benefits arising from the development as set out in the viability assessment that considers level of potential contributions that may arise from this development.

It is considered that the proposals are consistent with the aims of regeneration and will provide a positive addition to the locality and wider Town/District in line with national and local Policy.

6.2.11. Housing Need

The site will provide 114 dwellinghouses. The houses will be a mix of 2, 3 and 4-bedroomed properties of 2 or 2.5 storeys in height. It has been established that the District does not currently have a five-year supply of deliverable housing sites. The exact shortage is a matter for debate, but it is understood that the Council will need to release a significant area of Green Belt land in the District to meet needs. It is clear therefore that a site within the main urban area surrounded by development and close to a wide range of shops and services should be considered favourably in this regard.

The lack of recent Local Planning Policy following the unfortunate but necessary withdrawal of the emerging Local Plan/LDF has left somewhat of a policy 'vacuum' in which the Council has not been in a position of strength at appeal. An example is Land at Ashbourne Drive, Cleckheaton (Appeal Ref: APP/Z4718/A/13/2201353) where an appeal was made against refusal of an application in outline for housing with partial costs awarded against the Council. The land is greenfield in nature and identified as provisional open land (POL).

It was agreed in the Statement of Common Ground that the Council did not have a five year supply, with the Inspector concluding:

"In conclusion, therefore, the immediate need for land for land for housing and the absence of a five-year supply of such land clearly tip the balance in favour of the development."

It was indicated in the Council's Annual Monitoring Report 2012/13 (December 2013) that there was a shortfall in provision of some 1,385 units against the RSS requirement. The AMR goes on to indicate that the supply position as at 31 March 2013 was just 2.45 years.

We have addressed the loss of employment function of the site above. Therefore in considering the merits of housing development, in this context the proposals are highly appropriate. National policy promotes housing development and in line with Paragraph 49 of the Framework, it should be considered in line with the presumption in favour of sustainable development. Housing development should also be deliverable. This is assessed in terms of availability, suitability and viability. We set this out below.

Deliverability

In accordance with The Framework, for a site to be considered as 'deliverable' and developable it needs to be available (in terms of ownership and viability), suitable (located in a suitable location) and achievable (i.e. no overarching constraints to development) (Paragraph 47 and Footnotes 11 & 12).

The site is being promoted in the context of a lack of a five year supply of deliverable sites in Kirklees and a policy 'vacuum' created by withdrawal of the emerging development plan in Autumn 2013.

Available

The site is owned by the applicant. Subject to achieving planning permission, there are no significant constraints to development commencing within two years and certainly within five years. Supporting information identifies how the site can be delivered viably. The site is therefore available for development.

Suitable

The site is brownfield land located within the urban area immediately adjacent to a key route through Cleckheaton. The site is located close to a range of services and amenities and within close walking distance of key bus routes and the bus interchange linking to the Town Centre and the wider conurbation.

There are a range of shops and services in easy reach by a range of means of transport (Cleckheaton is one of the larger towns in the District).

The plans and supporting information indicate that the site may come forward at an appropriate density and without significant harm to the environment. The site presents an

appropriate and logical location for development in Cleckheaton. The site is suitable for development.

Achievable

The development of the site is achievable. Supporting technical reports indicate that there are no overriding constraints to its development, and the plans shows that housing can be delivered, with appropriate access both onto and from the main road.

There are no overriding technical, physical or financial constraints to development. Development of the site is achievable.

Summary

The site is available, suitable and achievable for this development and it is therefore deliverable and developable.

6.2.12. Summary

In summary it is considered that the given the lack of a five year housing supply as agreed in the recent appeal decision in Cleckheaton, and the age of the current Local Plan (1999), the weight that can be given is relatively limited. Notwithstanding that, the site presents a brownfield development opportunity within the main urban area in a highly sustainable location. It is identified above that the site is available, suitable and achievable, and is therefore deliverable.

In line with Paragraphs 14 and 49 of The Framework, the presumption in favour of sustainable development applies. The site is deliverable and developable.

6.3. Design

Matters of design are considered elsewhere in this submission. It is indicated that the site may come forward in an appropriate form and has had regard to surrounding development in terms of appropriateness and compatibility of uses. It is understood that the proposed design of the development is in conformity with existing Policy and has followed established design principles in its formulation. We refer you to those documents and plans for a more detailed justification.

6.4. Highways and Transportation

As indicated above matters of highways and transportation are considered within the Transport Statement that accompanies this submission. This demonstrates that the site can be safely accessed and that the development can be accommodated by the local highway network. It is consistent with the requirements of national and local planning policy including UDP Policy T10.

6.5. Flood Risk and Drainage

The submission is accompanied by a Flood Risk Assessment. It confirms that part of the site falls within an area of flood risk. However, it concludes that in line with Policy, the proposed development can be constructed without being at an unacceptable risk of flooding and without increasing the risk to the site itself or other sites in the vicinity.

6.6. Summary of Reasoned Justification and the Planning Balance

6.6.1. The Planning Balance

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 Framework's 12 month interim period, wherein decision takers could continue to give full weight to relevant policies adopted since 2004 even if there was a limited degree of conflict with it, has now expired. Hence now, in all cases, due weight should be given to relevant policies in existing plans according to their degree of consistency it (the closer the policies in the plan to the policies in The Framework, the greater the weight that may be given).

It also notes that decision makers may also give weight to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant plans in the emerging plan

to it. Clearly in cases where the plan has been adopted post-publication of the Framework (and therefore considered sound within the context of national policy as set out within it) it is effectively agreed that the development plan is consistent and can be afforded full weight.

However, even in such cases, the plan may well be silent or out of date on a particular policy matter (such as an absence of a five year housing supply) and therefore the balance of weight shall side with the policies in The Framework.

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.

As is set out above, the Council has acknowledged that it does not have an up-to-date Local Plan as it cannot identify a five year supply of deliverable housing sites. The weight that may be given to the Local Plan is significantly reduced and material considerations, in particular The Framework (and Planning Practice Guidance) may be afforded greater weight. As indicated by Paragraph 49, when considering housing applications, the presumption in favour of sustainable development applies.

Clearly for a site to be considered, it must be sustainable. The application site is sustainable and deliverable. It is brownfield land in the urban area. Whilst some weight may be given to UDP Policy B4 in terms of loss of a site in employment use, as demonstrated above, its loss will not cause undue harm, and loss should be weighed heavily against the benefits of providing housing in the context of a lack of deliverable housing sites in the District.

The proposed development constitutes sustainable development in line with The Framework's approach, which seeks to encourage growth through a presumption in favour of sustainable development. In addition, the scheme will provide certain direct and indirect economic benefits to the Town, a consideration on which certain weight should be placed.

With respect to housing, the Framework makes clear a commitment to significantly increase the delivery of new homes, and the importance that this has for a locality. The scheme will make a decent contribution towards this, something which should weigh heavily in favour of the application proposals.

Summary

In summary, there are no identifiable adverse impacts which would “*significantly and demonstrably*” outweigh the benefits of developing this site. The planning balance weighs heavily in favour of the development proposals and should be supported through the Planning application process.

7. Summary and Conclusions

The application proposals for 114 dwellings will provide housing on a brownfield site in the main urban area of Cleckheaton.

We respectfully request that the application proposals for the site are supported by the Local Planning Authority and members since:

- The site will provide a decent level of housing to meet the needs of the locality and wider district
- The development will be a net benefit to adjacent residential areas in terms of amenity
- The site will provide socio-economic benefits to the immediate locality and the Town as a whole

The site will provide housing to go towards meeting the development needs and growth aspirations of the District. The proposals, whilst not in full conformity with all the saved policies contained in the Local Plan, would address the shortfall in the supply of available housing land in the area.

As the Council cannot demonstrate a five year supply of housing land its housing policies are out of date and the presumption in favour of sustainable development outlined in Paragraph 14 (and Paragraph 49) of The Framework applies. Planning permission should be granted for the application proposals unless adverse impacts would “significantly and demonstrably” outweigh the benefits of doing so.

Supporting documents to 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 conditions.

We therefore respectfully request that this application is given due consideration, supported by the Council and that planning permission is granted accordingly.

8. Appendices

Appendix I

Hills Office Supplies, Bradford Road, Cleckheaton BD19 5BD

8ft x 4ft angle board on land at the
front of the property as shown

**Call Michael on 07710 869718 / 01274 868686
to meet and agree position**



To Let

Warehouse

250 - 10,000 sq ft

High Quality Air Conditioned

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FROM 2,000 SQ FT TO 30,000 SQ FT
185.80 SQM TO 2,787 SQM**



**FORMER HILLS OFFICE SUPPLIES BUILDING
BRADFORD ROAD
CLECKHEATON
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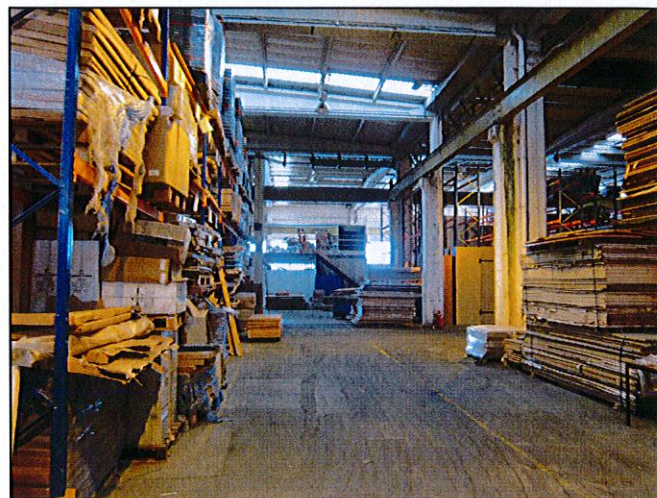
25 Wellington Street Leeds LS1 4WG **0113 221 6000** Fax 0113 221 6200 www.sw.co.uk

LEEDS LONDON NEWCASTLE MANCHESTER TEESSIDE

Chartered Surveyors and Property Consultants

Note: For conditions under which these particulars are issued see over

**Sanderson
Weatherall** 



LOCATION

The property is situated to the south of Cleckheaton town centre and is accessed from Bradford Road (A638). Bradford Road provides direct access to Cleckheaton town centre and Junction 26 of the M62 motorway, which are approximately 1½ and 2½ miles north west respectively.

Cleckheaton comprises a small market town and is situated approximately 11 miles south west of Leeds, 11 miles north of Huddersfield and 6 miles south of Bradford. The town benefits from good access to J. 26 of the M62 provides excellent links to the regions motorway network, with Bradford 6 miles north west, Leeds 10 miles north east, Huddersfield 8 miles south west and Manchester 40 miles west.

ACCOMMODATION

Description	
Industrial Accommodation From	64,605 sq ft (6,001.80 sqm)
Offices From	7,407 sq ft (688.11sqm)
Land From	0.25 acres

LEGAL COSTS

Each party to pay their own costs incurred in the transaction.

DESCRIPTION

The site comprises of warehouse / industrial space together with high quality air conditioned office accommodation, in addition to this outside storage land is also available. Available space is to rent as per the accommodation section.

TENURE

The property is available leasehold by way of a new fully repairing and insuring lease for a term to be agreed.

RATES

On application.

RENT

£5.00 per sq ft per annum exclusive / short and flexible terms are available.

VIEWING / FURTHER INFORMATION

By prior appointment only with the agents:-

Sanderson Weatherall

Jonathon White

DDL: 0113 221 6141

Email: jonathon.white@sw.co.uk

Or Robert Whatmuff @ Lambert Smith Hampton

Tel No. 0113 245 9393

Email: rwhatmuff@lsh.co.uk

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Finance Act 1989:

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Property Misdescriptions Act 1991

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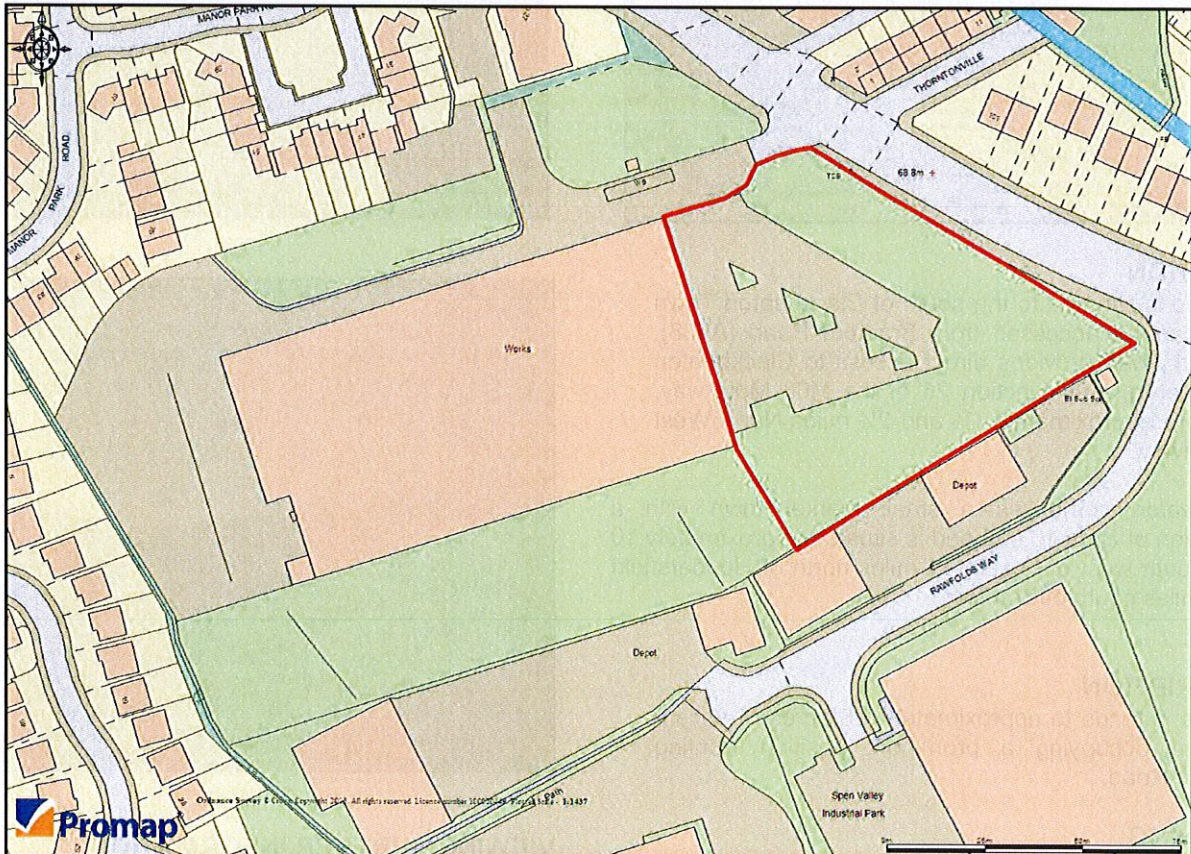
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Registered Office 25 Wellington Street Leeds LS1 4WG

ALL ENQUIRIES

DEVELOPMENT LAND

POTENTIAL FOR A VARIETY OF USES STP



CIRCA 1.6 ACRES (6474.97SQ M)

**BRADFORD ROAD
CLECKHEATON
WEST YORKSHIRE
BD19 5BD**

25 Wellington Street Leeds LS1 4WG **0113 221 6000** Fax 0113 221 6200

www.sandersonweatherall.co.uk

January 2013

LEEDS LONDON NEWCASTLE MANCHESTER TEESSIDE BRISTOL

Chartered Surveyors and Property Consultants

Note: For conditions under which these particulars are issued see over



LOCATION

The land is situated to the south of Cleckheaton Town Centre and is accessed from Bradford Road (A638). Bradford Road provides direct access to Cleckheaton Town Centre and Junction 26 of the M62 Motorway, which are approximately 1½ and 2½ miles North West respectively.

Cleckheaton comprises a small market town with a population of circa 16,000 and is situated approximately 10 miles south west of Leeds, 11 miles north of Huddersfield and 6 miles south of Bradford.

DESCRIPTION

The site extends to approximately 1.6 acres of vacant flat land occupying a prominent position fronting Bradford Road.

PLANNING

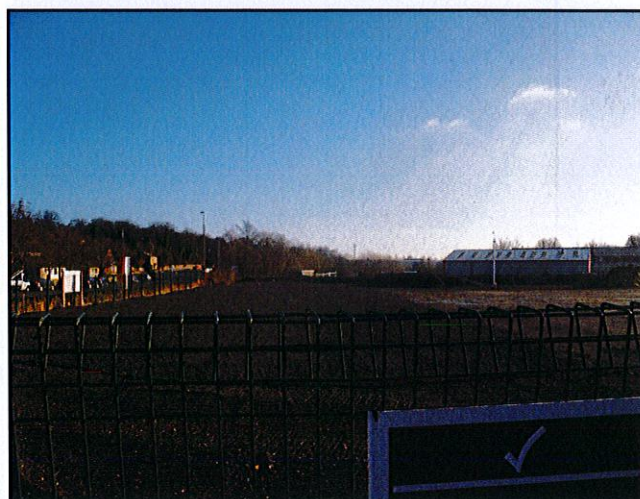
The site does not benefit from any existing planning consent.

PRICE

Price on application

LEGAL COSTS

Each party to be responsible for their own legal costs incurred in the transaction.



VIEWING/FURTHER INFORMATION

If you would like to arrange a viewing or would like any further information please contact:

Sanderson Weatherall

Jonathon White

DDL: 0113 369 6141

Email: jonathon.white@sw.co.uk

Luke Nicholson

DDL: 0113 221 6138

Email: luke.nicholson@sw.co.uk

SUBJECT TO CONTRACT

January 2013

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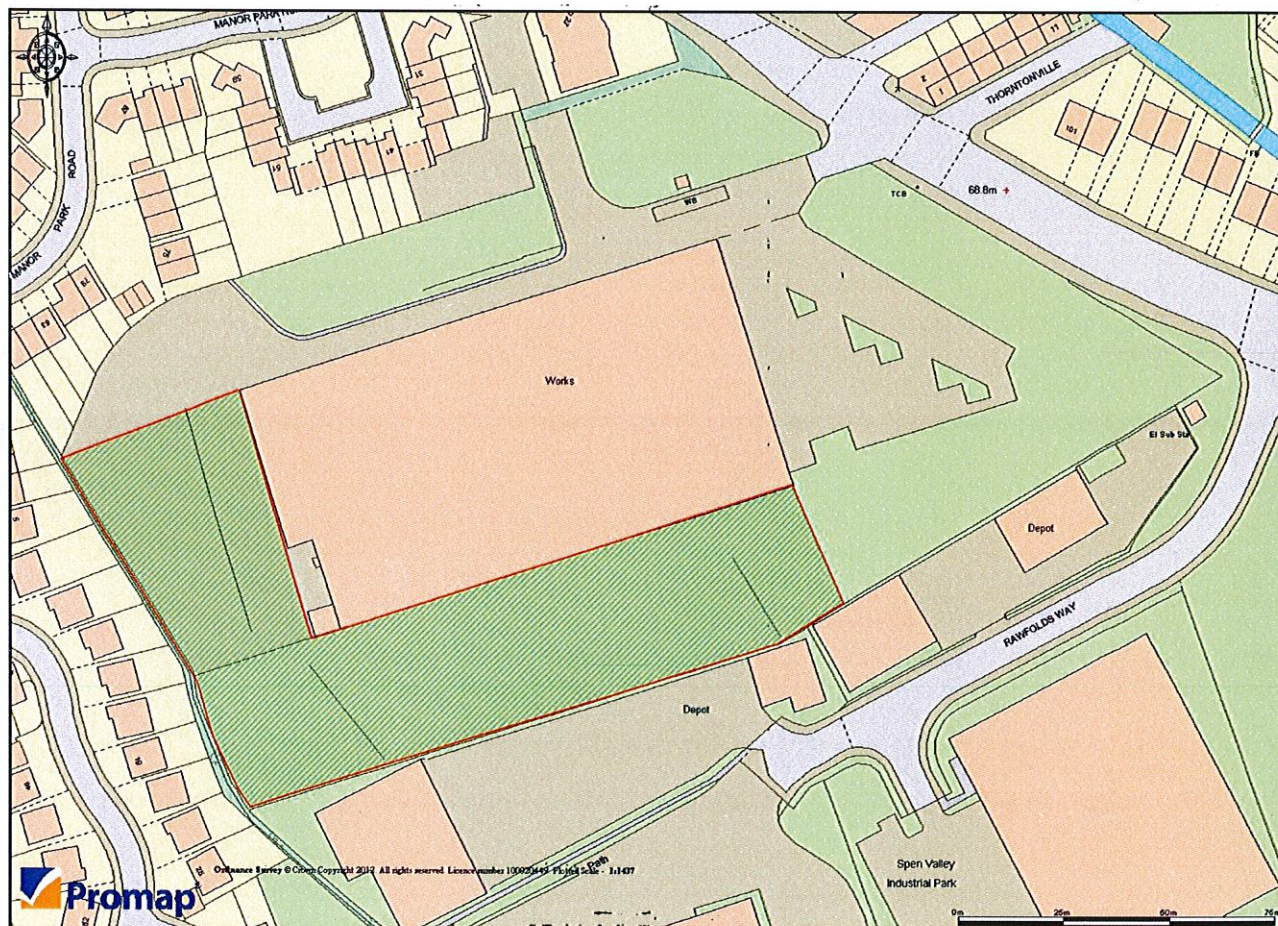
Sanderson Weatherall LLP

Registered in England company number OC 344 770

Registered Office 25 Wellington Street Leeds LS1 4WG

TO LET

SECURE FENCED STORAGE COMPOUND



CIRCA 1.82 ACRES (7,382 SQ M)

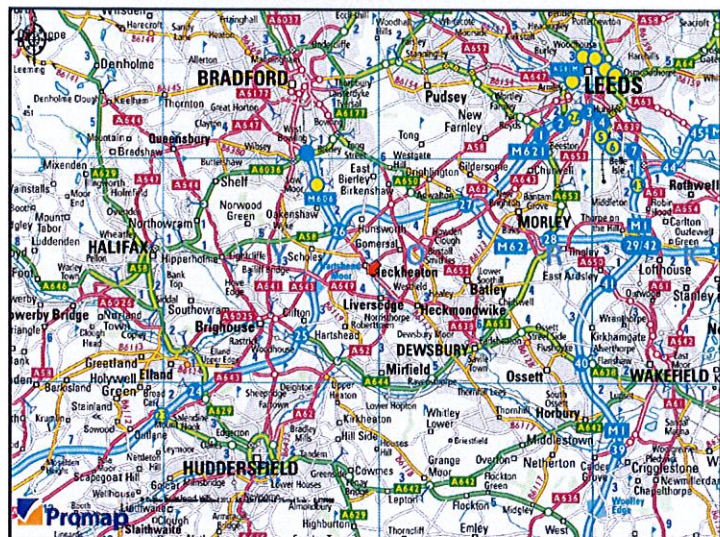
**BRADFORD ROAD
CLECKHEATON
WEST YORKSHIRE
BD19 5BD**

25 Wellington Street Leeds LS1 4WG **0113 221 6000** Fax 0113 221 6200

www.sandersonweatherall.co.uk

December 2012

BRISTOL LEEDS LONDON NEWCASTLE MANCHESTER TEESSIDE



LOCATION

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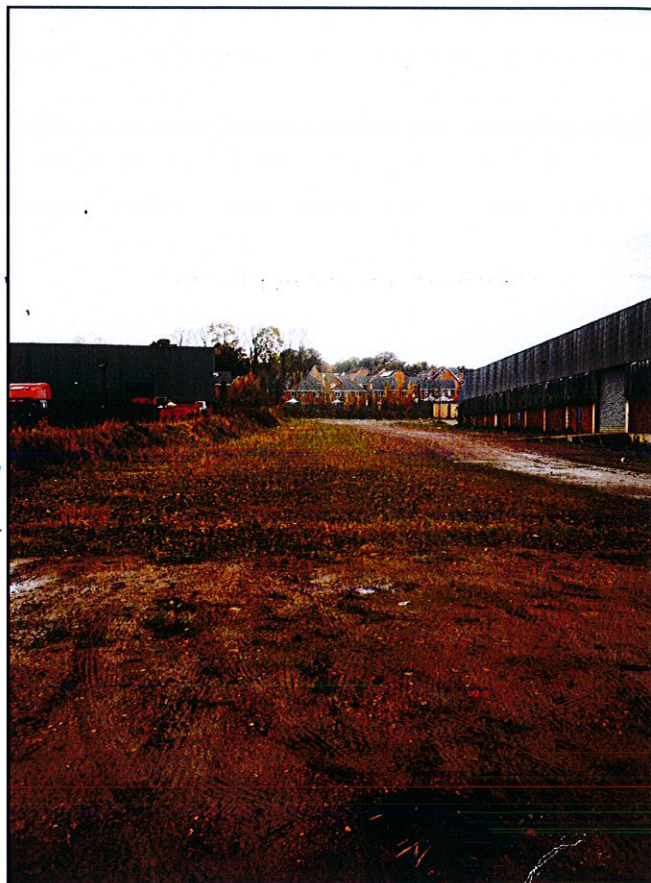
DESCRIPTION

The subject site comprises circa 1.82 acres of secure fenced storage land. The area is split between hardcore covered and grass covered land. The land is self-contained although it is part of a larger site including showroom and industrial space.

RENT

£20,000 per acre pa

(Please note, the above figures are quoted exclusive of VAT at the prevailing rate)



LEGAL COSTS

Each party to be responsible for their own legal costs incurred in the transaction.

VIEWING/FURTHER INFORMATION

If you would like to arrange a viewing or would like any further information please contact:

Sanderson Weatherall
Jonathon White
 DDL: 0113 221 6141
 Email: jonathon.white@sw.co.uk

Luke Nicholson
 DDL: 0113 221 6138
 Email: luke.nicholson@sw.co.uk

SUBJECT TO CONTRACT

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TO LET
SHOWROOM
7,121 SQ FT (661.51 SQ M)



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January 2013

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DESCRIPTION

The premises comprise a modern showroom on Bradford Road with a glass façade providing excellent natural light. The unit provides high ceilings and a large open plan showroom with office accommodation to the rear and parking to the front.

RATES

The showroom forms part of a larger assessment and further details are available on request.

ACCOMMODATION

DESCRIPTION	SIZE
SHOWROOM	7,121 SQ FT / 661.51 SQ M

TENURE

The property is available leasehold by way of a new fully repairing and insuring lease for a term to be agreed.

RENT

£37,500 per annum.

(Please note, the above figures are quoted exclusive of VAT at the prevailing rate)

LEGAL COSTS

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ENERGY PERFORMANCE CERTIFICATE (EPC)

TBC

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Email: jonathon.white@sw.co.uk

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