

**PLANNING APPLICATION REPORT  
IN SUPPORT OF A FULL APPLICATION  
FOR THE ERECTION OF AN  
8 BED RESIDENTIAL CARE HOME  
TO SITE OF THE FORMER WOOLPACK INN  
167 HECKMONDWIKE ROAD,  
DEWSBURY**

Ref. 834/19

July 2019

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## 1.0 INTRODUCTION & BACKGROUND

- 1.1 This Planning Application Report is in support of a full planning application submitted on behalf of Horizon Healthcare Homes Limited for the erection of an 8-bed care home, to the site of the former Woolpack Inn public house, at 167 Heckmondwike Road, Dewsbury.
- 1.2 The Applicants, Horizon Healthcare Homes Limited is an established company formed to provide residential care in the community and successfully operates similar care units throughout West Yorkshire including four established units within Kirklees District at Almondbury, Keldregate, Deighton and Fixby.
- 1.3 The application site was formerly occupied by The Woolpack Inn public house which was demolished a number of years ago. The site has remained derelict since and has become overgrown and is the subject of fly tipping. The public house was sited at the south east part of the site, which is level with Heckmondwike Road, with the remaining part of the site laid out as a car park. There is an existing access to the site from Spen View.
- 1.4 There is a change in levels across the site frontage and from front to back. The site falls away from Heckmondwike Road, more steeply adjoining Spen View.
- 1.5 The area surrounding the application is wholly residential in character with a range of dwelling ages and styles bordering the site. High density residential development fronts Heckmondwike Road opposite the site with more recent dwellings located off Spen View to the north and west. Adjoining to the south are more traditional, older dwellings fronting the road.
- 1.6 Planning consent was granted in 2017 for the erection of 10no. dwellings to the site and that permission remains extant, under ref. 2017/62/90555/E. The approved site layout plan shows the proposed dwellings arranged in two blocks of townhouses comprised of 6 and

- 4 dwellings, fronting Heckmondwike Road with access from the existing access to Spen View.
- 1.7 Due to the level change the approved dwellings would appear as two-storey when viewed from Heckmondwike Road and mostly three-storey when viewed from Spen View.
- 1.8 This report satisfies the provisions of the Planning and Compulsory Purchase Act 2004 which require applicants to submit Design and Access Statements to demonstrate how they have taken into account urban design and access considerations in their development proposals and that regard has been had to relevant development plan policies and supplementary planning guidance.
- 1.9 This Statement is to be read in conjunction with the planning application drawings prepared by S M Architectural Ltd., together with the other supporting information submitted as part of the planning application including the Phase 1 and 2 Ground Investigation Reports.

## **2.0 PLANNING APPLICATION PROPOSALS**

- 2.1 This is a full planning application is for the erection of a detached 8-bed care home, providing a permanent place of residence for persons between 18 and 65 from within Kirklees District.
- 2.2 The proposed care home building is located towards the northern part of the site adjoining Spen View and is orientated parallel with Heckmondwike Road. The front of the building faces the dwellings on Spen View to the rear.
- 2.3 The building is rectangular in shape and is single storey throughout. It is of brick and render construction with a concrete tile covered, shallow pitched hipped roof. There is a projecting gable proposed to the west elevation which provides access for residents from the lounge to an outdoor amenity area.
- 2.4 The proposal is to reuse the existing access from Spen View, as previously approved as part of the application for the site's residential redevelopment. This will serve a parking area for 7no. parking spaces including visitor and disabled space adjoining the entrance to the building. Soft landscaping is proposed to both the Spen View and Heckmondwike Road frontages bordering the parking area and to the west side of the access road. A binstore is sited adjoining the site access.
- 2.5 An extensive grassed amenity area is proposed running the full length of the building along the boundary with the rear curtilages of the dwellings on Spen View.

### **3.0 DEVELOPMENT PLAN POLICY**

- 3.1 Section 38(6) of the Planning and Compensation Act 2004 requires that all planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 3.2 The development plan for Kirklees District is formed by Kirklees Local Plan which was adopted in February 2019.
- 3.3 The Local Plan Policies Map shows the application site without notation, located within the built-up area of Dewsbury.
- 3.4 The following key Kirklees 'Local Plan Strategy and Policies' policies are of assistance in the assessment of this application;
- LP1 Presumption in favour of sustainable development
  - LP3 The location of new development
  - LP7 Efficient and effective use of land and buildings
  - LP11 Housing mix and affordable housing
  - LP20 Sustainable travel
  - LP21 Highways and access
  - LP22 Parking
  - LS24 Design
- 3.5 The planning application proposals are assessed against the aims and objectives of each of these policies in Section 6.0 of this Statement.

#### 4.0 THE NATIONAL PLANNING POLICY FRAMEWORK

- 4.1 The Government's National Planning Policy Framework, published February 2019 (the Framework) forms the relevant policy guidance at the national level for the determination of all planning applications.
- 4.2 As previously set out, planning law however still requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration in planning decisions.
- 4.3 Relevant provisions of the Framework, which provide the basis for decision making in this instance are set out below.
- 4.4 So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.
- 4.5 Paragraph 8 of the Framework sets out the three dimensions to sustainable development comprising economic, social and environmental roles.
- 4.6 Paragraph 11 identifies how this presumption is to be applied in making decisions on individual applications stating:  
*"For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

- 4.7 Beyond Chapter 4 of the Framework there are 13 topic areas which form the Framework document. Those topic areas considered of relevance to this planning application are set out below.

#### **Section 4 - Decision Making**

In relation to the decision taking section of the Framework, paragraph 187 states that local planning authorities should *“look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible.”* This includes working proactively with applicants to *“secure developments that improve the economic, social and environmental conditions of the area.”*

In determining planning applications, paragraph 38 states:

*“Local Planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area”.*

Paragraph 47 requires *“that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise”* in line with the established plan-led planning system.

### **Section 5 - Delivering a Sufficient Supply of Homes**

Paragraph 59 reiterates the Government's objective of significantly boosting the supply of homes, stating that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

### **Section 11 - Making Effective Use of Land**

The Government remains committed to encouraging high density development and the most efficient use of land. Paragraph 118 (d) *"Planning policies and decisions should...promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively"*. Paragraph 122 also specifically refers to the need to reflect the type of dwellings needed in an area and respect for the character of that area.

### **Section 12 - Achieving Well Designed Places**

Paragraph 124 stresses the Government's commitment to achieving good design, high quality buildings and places.

- 4.8 The proposed development is assessed within this national policy context in Section 6 of this report following design and access considerations overleaf.

## 5.0 DESIGN & ACCESS CONSIDERATIONS

### Amount of Development

5.1 The planning application proposes a new build care home to the site, providing 8 bedrooms, day space and ancillary staff facilities together with provision of 7no. parking spaces, including 1 DDA space and cycle parking. Total new build floorspace proposed in this application amounts to 466sq.m. within a site area of some 1760sq.m.

### Use Proposed

5.2 The use proposes a care home to provide residential care for existing residents within Kirklees District.

### Layout

5.3 The proposed care home is single storey throughout for established operational reasons. The proposed access from Spen View provides level access to the parking area to the main building entrance.

5.4 Extensive amenity and landscaped areas are proposed. These provide communal amenity areas for the care home occupants and a soft landscaped setting for the proposed building, including extensive planting to the site frontage around the Heckmondwike/Spen View junction, including replacement tree planting.

5.5 Careful attention has been paid to the internal building design to ensure a satisfactory level of amenity for occupants while protecting existing amenity levels of occupants of adjoining dwellings. The proposed building has been sited to enable between 21m and 24m separation distance between the front elevation of the care home and the rear of dwellings on Spen View. The resultant amenity distances and outlook provided will ensure appropriate levels of outlook and privacy for occupants.

- 5.6 In particular, the proposals will not lead to any change in the existing levels of amenity enjoyed by occupants of dwellings to the west of the site on Spen View. It is proposed that the existing boundary treatment along that site boundary is supplemented by additional close boarded fencing.
- 5.7 Because of the change in levels and as the proposed care home is single storey, the eaves of the building will be at road level when viewed from Heckmondwike Road with only the shallow sloping hipped roof visible, maintaining views over the site and ensuring no views into bedrooms will be possible from the road frontage.
- 5.8 The amenity distances in this regard are an improvement over than those accepted by the planning authority in granting consent for the site's residential redevelopment.

#### **Scale**

- 5.9 The proposed care home is single storey throughout.

#### **Landscaping**

- 5.10 Extensive areas are proposed for landscaping both the site frontage and along the site boundary. These will provide amenity space for care home occupants and will help soften the appearance of the new development.

#### **Appearance**

- 5.11 The care home is to be constructed from red brick and render under a concrete tiled roof, with shallow, hipped gables to each elevation.

#### **Access**

- 5.12 Constructional details of the proposed building will be the subject of detailed discussion with Building Control Officers following a grant of planning consent.

- 5.13 The proposal has been designed to meet the requirements of the Building Regulations Part M and all circulation will be designed to conform to the current Building Regulations for access by ambulant disabled persons and the visually impaired.
- 5.14 Furthermore, the site is well located to take advantage of public transport, which is readily available on Heckmondwike Road, School Lane and Church Lane all within a short walking distance of the site, providing a regular bus service to Huddersfield Town Centre, enabling staff and visitors to utilise means of transport other than the private car.

## 6.0 PLANNING POLICY ASSESSMENT

- 6.1 As previously stated, section 38(6) of the Planning and Compulsory Purchase Act 2004, requires planning decisions to be made in accordance with the development plan, unless material considerations indicate otherwise. Whilst the starting point for decision making is the development plan, the presumption in favour of sustainable development always applies.
- 6.2 Accordingly, this section of the report identifies the main planning considerations and provides an assessment of the planning merits of the proposed development in the context of relevant Framework guidance and development plan policy.

### **The Presumption in Favour of Sustainable Development**

- 6.3 The overarching consideration laid out in Framework policy is the presumption in favour of sustainable development, which should be at the heart of the plan-making and decision taking.
- 6.4 There follows an assessment of the application proposals against the Framework's three dimensions to sustainable development: economic, social and environmental and the development plan.
- 6.5 To provide the context for this assessment, the site is unallocated in the Local Plan and is sustainably located within the defined built up area of Dewsbury in an area that is residential in character with good access to public transport. The use is in accord with this existing character, the extant grant of consent and therefore the proposed use is acceptable in principle in this location.
- 6.6 On this basis, the key requirements of Local Plan policy LP1 which introduces the national presumption in favour of sustainable development into the development plan, and policy LP3 and LP20 which sets out a hierarchy to the location of new development, and seeks to ensure development encourages sustainable travel patterns, are met.

### **Economic Role**

- 6.7 The economic role of sustainable development contributes to building a strong, responsive and competitive economy by ensuring supporting business investment. The proposals meet this requirement and the Government policy to encourage the effective use of land, by reusing a derelict, brownfield site that has been vacant for a considerable period of time in spite of an extant grant of consent for its residential redevelopment.
- 6.7 Furthermore, the proposals will also make a modest but important contribution to investment and employment creation in this area.
- 6.8 Additionally, and in accordance with policy LP7 the proposed care home use is an efficient and effective use of the site.

### **Social Role**

- 6.9 The social role of sustainable development is met by the proposal by meeting specialised housing needs in a highly sustainable location required to meet the needs of present and future generations.
- 6.10 The proposed new build, residential care home is for adults with a learning difficulty who may also have a physical disability, so contributing to the provision of a mix of housing suitable for different household types which reflect changes in household composition in Kirklees taking into account the demand for different types of housing in the district.
- 6.11 Therefore the application proposals represent a viable and deliverable form of social housing in accordance with the key aims of policy LP11.

### **Environmental Role**

- 6.12 The application meets the environmental dimension through putting back into positive use, a long-standing derelict site with significant visual and environmental improvements arising.

- 6.13 The proposals are of a high design standard which both respects and enhances the character of the surrounding area, which while residential in character, exhibits a wide of design, age and materials. In particular, taking this character and the site's topography into account, the design and materials proposed meet the requirements of policy LS24 as follows:
- the form, scale, layout and details of the proposed development respects and enhances the character of the site and the wider area,
  - the care home provides a high standard of amenity for future and neighbouring occupiers,
  - the proposals incorporate facilities to allow for the separation and storage of waste for recycling,
  - the design minimises the risk of crime by enhanced security, and the inclusion of well-defined footpaths, it is overlooked by adjoining streets, a natural high level of activity, and well-designed security features,
  - the needs of a range of different users are met, including disabled,
  - the proposed amenity space is safe, overlooked and well located within the site, and
  - important trees are retained adjoining the site access and with additional landscaping proposed will enhance visual amenity and environmental benefits.

#### **Other considerations**

- 6.14 The proposals include 7no. parking spaces and cycle parking provision. Based on the Applicants' experience at care homes elsewhere in West Yorkshire and specifically within Kirklees District, this level of provision is wholly appropriate as residents will not have access to private transport and staff are predominantly recruited from within walking distance of the site or a short bus

- ride away. This location is well served by public transport.
- 6.15 In view of the specialist nature of the residential use proposed, it is not appropriate to apply the amenity distances normally required to an open market residential development. Notwithstanding, careful consideration has been paid to ensuring the proposals provide a satisfactory level of amenity for the care home residents and to ensuring existing amenity levels enjoyed by the occupants of adjoining dwellings are not harmed.
- 6.16 The care home has been sited between 21m-24m from the rear elevations of dwellings on Spen View. This elevation of the care home includes 4no. bedrooms, lounge, utility room and kitchen. This distance together with the low overall eaves and ridge heights and shallow roof design will ensure no harm to the amenity of those occupants will arise. Furthermore, it is proposed to supplement the existing boundary treatment with additional fencing.
- 6.17 Proposed bedrooms front Heckmondwike Road together with an assisted bathroom, staff and plant rooms. The locations of these rooms and their layout ensures adequate distances to this site boundary and the topography ensures that no overlooking will arise from Heckmondwike Road.
- 6.18 Lastly, the application submission includes a drainage strategy. In common with the extant consent, it is considered that appropriate foul and surface water drainage disposal can be secured by way of planning condition.
- 6.19 Overall, it is considered that the proposals meet the requirements of sustainable development as required by Framework guidance and therefore this planning application should be approved without delay.