



**Land East of Leeds Road, Chidswell**  
Planning Statement and Sequential  
Assessment

June 2020

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# 1 Introduction

- 1.1 This Planning Statement (the "Statement") has been prepared by Deloitte LLP ("Deloitte Real Estate") and accompanies an application for Outline Planning Application (the "Application") submitted to Kirklees Metropolitan District Council ("KMDC") for the phased development of up to 1,354 dwellings, 35 hectares of employment development, up to 1ha of C2 use, a two-form entry primary school with early years provision, local centre, green space, access and other associated infrastructure (the "Proposed Development"). As part of the application, permission to demolish existing dwellings to facilitate access into the Site, is also sought. All matters will be reserved except for means of access.
- 1.2 The Proposed Development is located to the east of Leeds Road, Chidswell (the "Site"). The Site covers an area of approximately 112 hectares.
- 1.3 The Site is included within an allocation for mixed use development in the Kirklees Local Plan (adopted February 2019) ("KLP19"). The site reference for the allocation is MXS7. The gross site area for the allocation totals 120.78 ha.
- 1.4 A separate outline planning application has been simultaneously submitted to KMDC by the Applicant covering the remainder of the allocation, for residential development to the north of this Site and south of Heybeck Lane (from herein known as the "Heybeck Lane, Chidswell" site).

## The Applicant

- 1.5 The Applicant is C.C. Projects ("the Applicant"). C.C. Projects is a subsidiary company of The Church Commissioners for England.
- 1.6 The Church Commissioners for England are a registered charity, established to manage the Church of England's historic assets, and are responsible for providing financial support for the work and mission of the Church of England across the country. This support includes contributing to the cost of clergy stipends and pensions, bishop and cathedral costs, and providing support for parishes, especially where there is a particular need.
- 1.7 The Commissioners are responsible for managing a property portfolio that includes commercial, rural and residential property, as well as strategic land, forestry and indirect property investments.

## Pre-Application Stakeholder Engagement

- 1.8 This planning application has been progressed following a series of pre-application meetings with KMDC. Discussions regarding the development of the Site have been ongoing with KMDC since prior to the adoption of the Kirklees Local Plan in February 2019 and to date continue.
- 1.9 Deloitte Real Estate submitted a formal EIA Screening and Scoping Request to KMDC as the Local Planning Authority (LPA) in September 2018, requesting confirmation as to the proposed scope of the EIA required in respect of the Proposed Development. A response

was received from the LPA on 3<sup>rd</sup> December 2018 and the environmental impact assessment as set out in the Environmental Statement is based on a scope that has been agreed with the relevant statutory consultees where possible.

- 1.10 In addition to ongoing dialogue with KMDC, a programme of pre-application consultation has been undertaken in order to ensure that key stakeholders have had the opportunity to view the emerging proposals, to ask questions, to provide comments, and inform the preparation of the Application. This has included two public consultation events.
- 1.11 A full description of the pre-application stakeholder engagement process including responses to the key matters is set out in the Statement of Consultation submitted in support of the Application.

### The Proposed Development

- 1.12 The Application seeks planning permission for the following development:

*"Outline planning application (all matters reserved except access), for the demolition of existing dwellings and the development of a phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35ha of B1 (part a and c), B2, B8 uses), residential institution (C2) development (up to 1ha), a local centre (comprising A1/A2/A3/A4/A5/D1/D2 uses), 2 FE primary school including early years provision, green space, access and other associated infrastructure."*

- 1.13 Further detail regarding the Proposed Development is provided at Chapter 3 of this Statement.

### Application Documentation

- 1.14 This Planning Statement should be read in conjunction with the following supporting documents submitted as part of this Application:

Document	Prepared by
<b>EIA (Volume 1, 2 and NTS)</b>	
<b>Volume 1</b>	
<i>Introduction Chapters:</i> Introduction EIA Methodology Alternatives and Design Evolution Site and Development Description Construction Programme and Methodology	<i>Deloitte LLP</i>
Socio-Economics	<i>Deloitte LLP</i>
Landscape and Visual Impact	<i>Re-form</i>
Archaeology and Historic Environment	<i>Cotswold Archaeology</i>
Noise and Vibration	<i>Delta Simons</i>
Air Quality	<i>Delta Simons</i>
Flood Risk and Drainage	<i>Delta Simons</i>
Contamination	<i>Patrick Parsons</i>
Transport	<i>Pell Frischmann</i>
Ecology	<i>Brooks Ecological</i>

<b>Document</b>	<b>Prepared by</b>
Summary of Residual Impacts	<i>Deloitte LLP</i>
Non-Technical Summary	<i>Deloitte LLP</i>
<b>Volume 2 – Technical Appendices</b>	<i>All</i>
EIA Screening and Scoping Report	<i>Deloitte LLP</i>
Kirklees Metropolitan District Council’s EIA Scoping Response	<i>KMDC</i>
Committed Developments	<i>Deloitte LLP</i>
Landscape and Visual Impact Assessment	<i>Re-form</i>
Landscape and Visual Impact ES Methodology	<i>Re-form</i>
Heritage Desk-Based Assessment	<i>Cotswold Archaeology</i>
Geophysical Survey Report	<i>Cotswold Archaeology</i>
Baseline Noise Survey Details	<i>Delta Simons</i>
Acoustic Modelling and Predicted Noise Levels	<i>Delta Simons</i>
Glossary and Abbreviations	<i>Delta Simons</i>
Construction Phase Assessment Methodology	<i>Delta Simons</i>
Dispersion Modelling Input Parameters	<i>Delta Simons</i>
Dispersion Modelling Results	<i>Delta Simons</i>
Flood Risk Assessment and Drainage Strategy	<i>Delta Simons</i>
Phase 1 Geoenvironmental Desk Study Report	<i>Patrick Parsons</i>
Coal Mining Risk Assessment	<i>Patrick Parsons</i>
Transport Assessment	<i>Pell Frischmann</i>
Framework Travel Plan	<i>Pell Frischmann</i>
HSI Assessment and Report	<i>Brooks Ecological</i>
Barn Owl Scoping Assessment and Report	<i>Brooks Ecological</i>
Ornithological Summary (Breeding Birds)	<i>Brooks Ecological</i>
Badger Assessment and Report	<i>Brooks Ecological</i>
Bat Roost Suitability Assessment & Report	<i>Brooks Ecological</i>
Bat Activity Survey	<i>Brooks Ecological</i>
Water Vole Report	<i>Brooks Ecological</i>
Reptile Survey	<i>Brooks Ecological</i>
Hedgerow Assessment and Report	<i>Brooks Ecological</i>
Bat Roost Suitability Assessment	<i>Brooks Ecological</i>
Bat Emergence Survey	<i>Brooks Ecological</i>
<b>Volume 3 - Non-Technical Summary</b>	<i>All</i>
<b>Other Documents</b>	
Application form and certificates	<i>Deloitte LLP</i>
Application Red Line Boundary Plan* (drawing ref: 18008-00-500B)	<i>Enjoy Design</i>
Demolition Plan of Existing Properties* (18008-00-701)	<i>Enjoy Design</i>
Existing Site Sections (drawing ref: 18008-00-500B)	<i>Enjoy Design</i>

Document	Prepared by
Parameter Plans*: <ul style="list-style-type: none"> <li>Development Area and Uses (drawing ref: 18008-00-201F)</li> <li>Blue Infrastructure (drawing ref: 18008-00-202F)</li> <li>Maximum Building Heights (drawing ref: 18008-00-203F)</li> <li>Green Infrastructure (drawing ref: 18008-00-204H)</li> <li>Access (drawing ref: 18008-00-205E)</li> </ul>	<i>Enjoy Design</i>
*Site Access Plans (Appendix G of the TA)	<i>Pell Frischmann</i>
Illustrative Masterplan (drawing ref: 18008-00-007)	<i>Enjoy Design</i>
Illustrative Density Plan (drawing ref: 18008-00-004C)	<i>Enjoy Design</i>
Illustrative Movement Plan (drawing ref: 18008-00-005E)	<i>Enjoy Design</i>
Illustrative Proposed Site Sections (drawing ref: 18008-00-601A)	<i>Enjoy Design</i>
Illustrative Phasing and Infrastructure Plan (drawing ref: 18008-00-006D)	<i>Enjoy Design</i>
Cover Letter	<i>Deloitte LLP</i>
Design and Access Statement	<i>Enjoy Design</i>
Health Impact Assessment	<i>Deloitte LLP</i>
Market Assessment	<i>Gent Visick</i>
Masterplan Framework Document	<i>Enjoy Design</i>
Joint Ecology Summary	<i>Brooks Ecological</i>
Odour Assessment	<i>Delta Simons</i>
Statement of Consultation	<i>Deloitte LLP</i>
Sustainability Statement	<i>Delta Simons</i>
Framework Travel Plan	<i>Pell Frischmann</i>
Tree Report and Arboricultural Impact Assessment	<i>Brooks Ecological</i>

**\*Plans included for determination in the outline planning application.**

## Document Structure

1.15 This Statement considers the proposals against the requirements of the Kirklees Local Plan and other material considerations, including the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG).

1.16 The remainder of this Statement is structured as follows:

- **Section 2: Site and Surrounding Context** – describes the Site and its setting in the wider context;
- **Section 3: The Proposed Development** – provides a detailed description of the development proposed by the Application;
- **Section 4: Planning Policy Context** – sets out the planning policy framework which forms the basis for the consideration of the Proposed Development;

- **Section 5: Key Planning Considerations** – examines the key planning matters and site-specific considerations relating to the Application and provides details of how the Proposed Development will comply with the relevant policies and guidance;
- **Section 6: Town Centre Sequential Assessment** – considers whether there are any sequentially preferable sites for the proposed retail uses within and on the edge of nearby defined centres, in accordance with the NPPF, PPG and Kirklees Local Plan; and
- **Section 7: Summary and Conclusions** – summarises the case for the granting of Outline Planning Permission for the Proposed Development.

## 2 Site and Surrounding Context

- 2.1 This section of the Statement provides a brief description of the Site, the surrounding uses and physical context.

### Site Location

- 2.2 The Site covers an area of approximately 112 hectares (ha) and is located in Chidswell, Dewsbury.
- 2.3 The Kirklees Local Plan Strategy and Policies document (February 2019) notes that for the purposes of assessing the distribution of housing, the strategic site of MXS7 (this being the Site) at Chidswell is considered to be part of Dewsbury.
- 2.4 The Site is located to the east of the A653 Leeds Road dual carriageway, which is a strategic corridor between Dewsbury and Leeds. In the immediate vicinity of the Site, Leeds Road runs in a north-south direction, adjoining the A638 Wakefield Road and Junction 28 (the Tingley Interchange) of the M62 Motorway to the north. The A638 Wakefield Road links with the M1 Motorway Junction 40 to the east of the Site.
- 2.5 The Site lies within the Dewsbury East Ward and Batley East Ward, both of which are in the metropolitan district of Kirklees.
- 2.6 The Site is located in close proximity to the settlements of Woodkirk and Shaw Cross. Both locations offer a range of services and facilities to meet the daily needs of its residents. Batley Railway station is located 2.4 km to the west of the Site.

### Site Topography

- 2.7 The Site is gently undulating, with two notable landscape features; a higher 'ridge' to the west of the centre and a 'bowl-like' valley to the north, drained by the streams and ditches within proximity.

### Site Description

- 2.8 The Site comprises arable and pastoral agricultural land that is divided by hedgerows into several fields. The Site has largely not been previously developed.
- 2.9 Access into the Site can currently be gained from tracks off Leeds Road and Chidswell Lane.
- 2.10 There are neighbouring residential properties to the west of the Site. The properties predominately comprise a mix of early and late 20<sup>th</sup> century bungalows and semi-detached properties fronting the main arterial highway routes. Residential development also lies to the north-west. Agricultural land to the north separates the Site from Heybeck Lane and the residential development that fronts onto it. Further agricultural land and Dogloitch Wood are located to the east of the Site.

2.11 As per the Agricultural Land Classification Map for the Yorkshire and the Humber region (ref 10-111c), the Site is characterised as Grade 3 Agricultural Land.

### Site-specific Designations

- 2.12 A Public Right of Way network dissects the Site. These footpaths connect to existing residential areas to the north, south and west.
- 2.13 There are no statutory landscape or ecological designations relating to the Site, however the Site is adjacent to an area identified as a Local Wildlife Site which is part of the Wildlife Habitat Network and is designated as Ancient Replanted Woodland (Dogloitch Wood and Dum Wood to the east).
- 2.14 The Tree Survey submitted in support of the application identifies that one woodland block adjacent to the Site has Tree Preservation Order status, as well as a considerable number of trees within the Site.
- 2.15 As per the Environmental Agency Flood Map, the Site is characterised as Flood Zone 1 and therefore the Site is at low risk of fluvial flooding.
- 2.16 There are no designated heritage assets within the Site and it does not fall within a Conservation Area. There are a number of heritage assets (both designated and non-designated) which are in proximity to the Site:
- Station Road Batley Conservation Area, which lies c. 1.15km to the west;
  - The Scheduled Monument of Howley Hall, which lies c. 1.7 km to the north west; and
  - Six Grade II Listed Buildings comprising: the Church of St Mary and a group of tombs and grave slabs, Haigh Hall, Manor Farm Barn, 25 and 27 Baghill Road, the Church of St Paul, and Toll Gates outside Toll Bar Cottage.

### Planning History, including Promotion of the Site through Local Planning Policy

- 2.17 A planning history search for the Site has been undertaken using KMDC's planning application search system. This has established that the Site has no recent, relevant planning history.
- 2.18 There are two planning applications of relevance to the Site and the Proposed Development.

Planning reference	Description of development	Relevance to the Site and the Proposed Development
2019/62/92787/E	<i>Land at Owl Lane</i>  Erection of 252 dwellings with open space, landscaping and associated infrastructure.	<b>Proposed Development to the south west of the Site.</b>
Planning Portal reference: PP-08249801	<i>Land to the south of Heybeck Lane</i>  Outline planning permission for residential development (Use Class C3) of up to 181 homes, highway works including access off Heybeck Lane, landscaping, ground works, and other ancillary works. All matters are reserved apart from access.	<b>Application submitted simultaneously by C.C. Projects for land adjacent to the Site.</b>

- 2.19 The Site was allocated in the Kirklees Local Plan (2019) following promotion through the statutory plan making process.
- 2.20 The Site is allocated as part of a larger residential and employment led mixed-use development within the Kirklees Local Plan (2019) (KLP19) (allocation site reference MXS7). The gross site area for the allocation totals 120.78 ha. The allocation description identifies:
- The allocation is for mixed use development comprising housing and employment land.
  - The indicative capacity for housing is identified as 1,535 dwellings. The indicative employment floorspace capacity is 122,500 sq.m.
  - The provision of a new two form entry primary school will be required on this site. Early Years and Childcare provision will also be required relating to this allocation.
  - In accordance with KLP19 Policy LP13, the creation of a new local centre commensurate with the scale of growth proposed will be supported, subject to the sequential test and impact assessment.
  - A landscape character assessment has been undertaken for this site which should be considered in the development masterplan/ site proposals.
  - The location is identified in the Leeds City Region Strategic Economic Plan and in the Kirklees Economic Strategy and the Site will play a key role in helping transform Dewsbury. Proposals should indicate how the place shaping strengths, opportunities and challenges can be addressed through reference to policies in the Local Plan, the Dewsbury Strategic Framework and other regeneration and urban renaissance strategies and initiatives.
  - Residential amenity will need safeguarding through sensitive siting of buildings and landscape buffer areas.
  - A buffer will be required to protect the ancient replanted woodlands at Dum Wood and Dogloitch Wood.

### **Wider Site Context**

- 2.21 The Spatial Development Strategy within KLP19 aims to facilitate the delivery of a minimum of 31,140 new dwellings by 2031 and the provision of 95 hectares of new employment land over the plan period.
- 2.22 Chidswell has been identified as a suitable location for new employment development within the KLP19, Leeds City Region Strategic Economic Plan and Kirklees Economic Strategy, as it is located within close proximity to both the M62 corridor to the north of Kirklees and M1.
- 2.23 The wider objectives of the KLP19 have been considered in the development of the Parameter Plans and Illustrative Masterplan.

# 3 The Proposed Development

3.1 This Section should be read in conjunction with the submitted application drawings and supporting documents. It provides a summary of the key elements of the Proposed Development.

## Description of Development

3.2 The description of development is as follows:

*"Outline planning application (all matters reserved except access), for the demolition of existing dwellings and the development of a phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35ha of B1 (part a and c), B2, B8 uses), residential institution (C2) development (up to 1ha), a local centre (comprising A1/A2/A3/A4/A5/D1/D2 uses), 2 FE primary school including early years provision, green space, access and other associated infrastructure."*

## Parameter Plans

3.3 The Application includes a set of Parameter Plans which set the parameters for future detailed schemes and reflect the outcome of a range of technical assessments. There are five Parameter Plans covering the following:

- (Drawing ref: 18008-00-201F) – Proposed Parameter Plan: Developable Area & Use – sets out the extents of the proposed land parcels and their intended uses.
- (Drawing ref: 18008-00-203F) – Proposed Parameter Plan: Maximum Building Heights – sets the maximum building heights for proposed buildings including dwellings, employment development and the local centre.
- (Drawing ref: 18008-00-205E) – Proposed Parameter Plan: Access - identifies the vehicular access points and the main spine road corridor. It also identifies a potential future vehicular connection point to the adjacent MXS5 allocation.
- (Drawing ref: 18008-00-202F) – Proposed Parameter Plan: Blue Infrastructure – identifies the broad locations for strategic blue infrastructure including sustainable urban drainage ponds and underground attenuation which form the basis of the Site's strategic drainage strategy. Swales and localised drainage ponds are excluded from this drawing and will be detailed at a subsequent Reserved Matters stage.
- (Drawing ref: 18008-00-204H) – Proposed Parameter Plan: Green Infrastructure – identifies the main strategic green corridors proposed.

3.4 The detailed design of the development, including the layout and design will be determined at the Reserved Matters stage and will be provided by the future developer(s) of the Site.

3.5 The Proposed Development has the potential to be phased and the phasing timeline will be agreed through Reserved Matters submissions. An illustrative phasing plan has been included as part of the Application.

## Illustrative Masterplan

3.6 The Illustrative Masterplan (Drawing ref: 18008-00-007) incorporates the development principles set out on the Parameter Plans and takes into account the conclusions of a range

of technical reports prepared for the Site. It illustrates how the Site might be suitably and appropriately developed within the fixed parameters. It demonstrates that the Site can accommodate:

- Development of up to 1,354 dwellings ranging in size, type and tenure;
- Development of up to 35 hectares of employment uses with a maximum floor area capacity of 122,500 sq. m;
- Development of a local centre providing up to 1,500 sq. m. of flexible floorspace for commercial and community use (maximum of 500 sq.m of retail floorspace);
- A potential location for residential institutional development (Use Class C2) such as retirement living;
- Vehicular access from Leeds Road and Chidswell Lane, with a potential future pedestrian access from Heybeck Lane;
- New pedestrian and cycle links and retention of the existing Public Rights of Way with minor diversions proposed where necessary;
- Development of up to 174,178 sqm of publically accessible open space, which includes amenity greenspace, natural/semi-natural greenspace, allotments, parks/recreation grounds, amenity greenspace, young people's provision, and designated play areas comprising: 4 Locally Equipped Areas for Play (LEAPs), 3 Neighbourhood Areas for Play (NEAPs), 3 Local Areas for Play (LAPs), 1 Multi-Use Games Area (MUGA);
- A 2ha site for a two-form entry primary school including early years provision;
- The framework for a Sustainable Drainage System (SuDs) to drain the development in a sustainable way; and
- Retention of key woodland blocks (Dum Wood and Dogloitch Wood), with a 20m buffer zone to the Site boundary, a 15m wildlife corridor connecting the woodland blocks, and landscaped corridors throughout the Site.

3.7 The Design and Access Statement explains how the Illustrative Masterplan has evolved, having considered the Site's constraints and opportunities, in addition to responding to the pre-application discussions and public consultation that took place prior to submission.

## Design

3.8 The Parameter Plans and the Illustrative Masterplan follow a considerable period of design development which involved consultation with a number of specialist consultants, the landholder and various departments within KMDC.

3.9 The detailed design for the Proposed Development has not been finalised and Outline Planning Permission only is being sought. The detailed design and layout will come forward under Reserved Matters submissions.

3.10 As envisaged when allocated within the Local Plan, the Proposed Development will establish a new neighbourhood within a strategic location in Kirklees. Benefitting from a highly accessible location close to established highways infrastructure and within easy reach of the fast growing areas of Leeds (13km from the city centre), Wakefield, and Kirklees (19km

from Huddersfield town centre) the Site has all the ingredients to become a residential neighbourhood of choice.

- 3.11 The Proposed Development has been divided into character areas Upper, Middle, and Lower Heybeck Valley (employment uses), the Ridge, the Pasture, The Lowlands, and Hill Top (residential and associated uses). In addition, the Heybeck Lane character area represents the standalone residential development which is covered in a separate planning application which is being submitted concurrently.
- 3.12 The principal elements of the scheme are explained below.

#### **A new neighbourhood for Kirklees**

- 3.13 The proposed new residential neighbourhood has been developed following an extensive analysis of the existing Site and its context. This included other allocations adjacent to the Site, existing residential communities, existing and proposed vehicular and pedestrian access points, and the presence of replanted ancient woodland at the edge of the Site boundary.
- 3.14 The juxtaposition of the Site with Dewsbury, the A653 and Heybeck Lane provide natural Site access points along the south-western, western and northern boundaries creating opportunity for urban connections to the existing communities in Chidswell, Gawthorpe, Baghill and Woodkirk. The location of these connection points was a key consideration when developing the illustrative masterplan and parameter plans.
- 3.15 Through the design evolution process, attention has been paid to providing facilities that support existing and emerging communities. These include a new two form primary school and a local centre that will help create a hub of activity as a focus for the new development. A number of publically accessible open spaces are proposed including strategic green infrastructure which is fixed on a parameter plan (drawing ref: 18008-00-204H). These will provide spaces for residents to socialise and enjoy time outdoors.
- 3.16 Overall, the residential element meets an identified need for new housing within Kirklees. In time, a sustainable new community shall be formed and will integrate with existing residential areas adjacent to the Site. Upon completion, those occupying the Proposed Development (and residents in surrounding communities) will have the substantial benefit of much improved access to green infrastructure. The new homes and jobs provided by the Proposed Development will support the growth of the wider region.

#### **An opportunity to support economic growth**

- 3.17 The Site falls within the North Kirklees Growth Zone, a key element of the Kirklees economic strategy. It is aimed at providing targeted economic growth through to 2030 and beyond.
- 3.18 In collaboration with the Leeds City Region, Kirklees Council are committed to unlocking the potential of the area. A strong employment offer provides an opportunity to boost the economy at a local and regional level. When considered in conjunction with other economic development opportunities across the North of England, Chidswell is clearly a major component of and strongly contributes to the Northern Powerhouse concept, which aims to provide a counter balance to the economic dominance of London and the South East.

- 3.19 The Proposed Development supports these aspirations through the delivery of up to 35ha of employment development (B1, B2 and B8 uses). A Market Report has been prepared by Gent Visick and provides an analysis of the local employment market. . It notes in particular that over the last few years demand for industrial premises has outweighed supply.
- 3.20 The Kirklees manufacturing sector is the third largest in Great Britain, by number of employees in a local authority area, with up to 19% of local residents employed within this sector. Advanced manufacturing, containing businesses which use a high level of design or scientific skills to produce technologically complex products, was identified by KMDC in their Local Economic Assessment (2010) as the sector representing the highest growth potential within manufacturing. Additionally, the Kirklees Economic Growth Strategy 2019-2025 notes that advanced manufacturing is a strength of Kirklees and encourages further growth and investment within the sector.
- 3.21 In addition, with limited industrial development over the course of the last several years, there is still pent up demand from local and regional companies and, with the continued growth of on-line retail, strong demand for logistic and distribution floorspace. This is evidenced by two prime sites within the West Yorkshire Region, the 73.83 acre (29.87 ha) 62 Leeds and the 110 acre (44.5 ha) Logic Leeds being almost entirely taken up within 2 years of becoming available. Sites of this size would historically have been taken up over a longer period of 5 – 10 years.
- 3.22 Kirklees has suffered from the lack of suitable employment space, with many sites constrained by access, flood risk, and historical buildings which do not facilitate modern working practices. This has resulted in businesses being unable to expand, and some leaving the district for more appropriate space elsewhere. The proposals for the Site could provide the opportunity for occupiers to stay in the district, with space to expand, and for the development of new businesses, as well as attracting inward investment. The Site is strategically well located to meet this demand in an environment where there is a lack of suitable supply.
- 3.23 The Application is accompanied by an Illustrative Masterplan (drawing ref: 18008-00-007) which demonstrates how an attractive employment development might be delivered, characterised by the integration of green infrastructure within the design, connecting spaces between buildings and the countryside beyond. A range of building footprints would meet varying operator requirements and could be set within character areas that respond positively to the Site's constraints and opportunities. These would allow a range of businesses to take up occupation, creating a vibrant and diverse business community that allows economic growth to be facilitated within different industry groups.
- 3.24 A key feature of the proposals is a substantial green buffer between the employment and residential elements of the Proposed Development, which is fixed by the Green Infrastructure Parameter Plan (drawing ref: 18008-00-204H). The Illustrative Masterplan (drawing ref: 18008-00-007) demonstrates that a highly permeability and accessible design can be achieved integrating the scheme with its immediate context and the wider communities in which it sits.

- 3.25 Overall, the Proposed Development features a substantial employment offer that has the potential to make a major contribution to the economic success of Kirklees and the wider Leeds City Region.

### Height and Massing

- 3.24 The building heights shown on the Maximum Building Heights Parameter Plan (drawing ref: 18008-00-203F range between 10m and 18m in height from the finished floor level (dependent on the Use Class of the building)).
- 3.25 The building height figures provide flexibility for future Reserved Matters submissions and future occupiers whilst respecting their relationship with the existing surrounding land uses. Please see the Design and Access Statement prepared by Enjoy Design and the Landscape Appraisal prepared by Re-form for further details.

### Transport and Access

- 3.26 The Site is located to the east of the A653 Leeds Road dual carriageway, which is a strategic corridor between Dewsbury and Leeds. In the immediate vicinity of the Site, Leeds Road runs in a north-south direction, adjoining the A638 Wakefield Road and Junction 28 (the Tingley Interchange) of the M62 Motorway to the north. The A638 Wakefield Road links with the M1 Motorway Junction 40 to the east of the Site.
- 3.27 Dewsbury Railway Station is located approximately 3.5 km to the south-west of the Site. Batley Railway Station is located approximately 2.5 km west of the Site. Both railway stations provide services to Leeds and Huddersfield. Batley provides a further service to Southport, while Dewsbury provides services to Manchester Airport, Manchester Piccadilly, Middlesbrough and Hull. Both railway stations can be accessed via existing bus routes and bus stops are provided close to both stations. Dewsbury railway station also has a dedicated public transport interchange facility, located directly outside the station.
- 3.28 The Site is within the Leeds Metro Rail Zonal fare system with the border of zones 2 and 3 being between Batley and Dewsbury Stations.
- 3.29 Various bus stops are located on the roads surrounding the Site, providing connections to major employment areas and town centres in the Kirklees District and beyond, including Dewsbury, Huddersfield, Wakefield and Leeds.
- 3.30 The Proposed Development provides four points of vehicular access onto the local highway network, which have been included for determination as part of this Application. All proposed site access junctions have been subject to extensive discussions and have been agreed in principle with KMDC Highways officers and are enclosed in Appendix G of the Transport Assessment.
- 3.31 The proposed locations for site access are shown on the Access Parameter Plan (drawing ref: 18008-00-205E). New pedestrian access to the Site will accompany all four of the vehicular access points. The Proposed Development features a spine road corridor which links to key vehicular connections at Leeds Road and Chidswell Lane. This has been fixed on the above parameter plan, allowing flexibility for the design of the road within this corridor. The employment element of the proposals has its own independent access to Leeds Road.

There will be no vehicular connection between the employment and the residential areas to the south, unless in an emergency or potentially via public transport, subject to further discussion with the highways authority.

- 3.32 The Illustrative Movement Plan (drawing ref: 18008-00-005E) is provided in addition to the fixed Access Parameter Plan and illustrates how secondary connections and tertiary estate roads could come forward at the detailed design stage. This plan also identifies the existing Public Rights of Way and potential additional pedestrian and cycle routes.

### Landscaping and Drainage

- 3.33 The landscaping design concept has evolved around three design principles:

- Acknowledgement of the Site's landscape character and existing biodiversity;
- Promotion of strong pedestrian links incorporating existing Public Rights of Way to improve the Site's permeability; and the
- Preservation of the existing ancient replanted woodlands and the inclusion of a 20m buffer zone from the woodlands to the Site boundary.

- 3.34 The proposed strategic green infrastructure is set out on the Green Infrastructure Parameter Plan (drawing ref: 18008-00-204H). The proposals incorporate sensitively positioned green corridors and buffers which seek to assimilate the residential and employment development into the existing landscape and townscape context. The existing ridge running west-east through the Site forms a natural boundary between the employment and residential schemes. Around the ridge is one of several key 'green fingers', which will connect existing communities through the Site and to the countryside beyond and create new recreational opportunities.

- 3.35 The drainage strategy has been developed alongside the green infrastructure proposals and is presented in the Blue Infrastructure Parameter Plan (drawing ref: 18008-00-202F). It ensures that the Site is successfully drained utilising a series of strategic swales and ponds, which will form part of a detailed drainage strategy to be submitted at Reserved Matters stage. The blue infrastructure will provide a sustainable approach to drainage across the site including promoting improvements in biodiversity.

### Ecology

- 3.36 The majority of the Site consists of intensively farmed agricultural land, much of which is laid with crops. A number of significant hedgerows and tree belts cross the Site and provide habitat for existing wildlife.
- 3.37 A suite of detailed ecological studies have been undertaken by Brooks Ecological in relation to the Site (attached to the Environmental Statement as technical appendices). These studies have helped to inform the proposed design.
- 3.38 The Illustrative Masterplan (drawing ref: 18008-00-007), demonstrates that native trees and hedgerows can be retained where possible to preserve the existing character of the Site and incorporated into areas of publically accessible open space and amenity grassland.

- 3.39 20m buffer zones are proposed around the perimeter of Dum and Dogloitch Woodlands, with a 15m wildlife corridor included within the design to provide a link between the woodlands. These are fixed on the Green Infrastructure Parameter Plan (drawing reference: 18008-00-204H).
- 3.40 Strategic sustainable urban drainage ponds and swales can be positioned to provide a habitat network for native species. The final design of the strategic ponds and swales and the positioning of non-strategic drainage ponds and swales will be subject to future Reserved Matters submission(s).
- 3.41 The substantial linked areas of green space in the Green Infrastructure Parameter Plan (drawing ref: 18008-00-204H) combined with the proposals set out in the Blue Infrastructure Parameter Plan (drawing ref: 18008-00-202F) will provide a varied set of habitats across the Site which will contribute to increasing biodiversity over the existing arable fields.

### Summary

- 3.42 The Application seeks Outline Planning Permission for the development of the Site with all matters reserved except access. The Parameter Plans highlight how the proposals will positively contribute to the housing and employment needs for the area, in addition to providing; a new local centre, land for a primary school with early years' provision, new areas of publically accessible open space and enhancement to the ecological value of the Site.
- 3.43 The exact details of the development, including the layout and the design will be established through Reserved Matters submissions, which would be submitted following the granting of any Outline Planning Permission. The Reserved Matters submissions should comply with the conditions of the Outline Planning Permission and the parameters shown on the parameter plans once approved.

# 4 Planning Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*

4.2 This section of the Statement sets out the planning policy framework (comprising the Development Plan and material considerations) which forms the basis for the consideration of the Proposed Development.

4.3 A summary of the key policies contained in these documents is set out below. These policies are reviewed in further detail in Section 5 of this Statement, which examines the key planning considerations and site-specific matters relevant to the determination of the Application.

## Local Planning Policy

4.4 The Development Plan comprises:

- Kirklees Local Plan Strategy and Policies Document (2019);
- Kirklees Local Plan Allocations and Designations (2019); and
- Policies Map (2019).

## Kirklees Local Plan 2019

4.5 The Kirklees Local Plan ("KLP19") sets the spatial vision, objectives and strategic growth to 2031. The Local Plan covers the administrative area of KMDC except for the part within the Peak District National Park. The aim of the KLP19 is to set out the key elements of the planning framework for Kirklees and explain the approach to its long term physical development to achieve KMDC's vision of what sort of place Kirklees wants to become.

4.6 The KLP19 is set out in two parts: Part 1 'Strategy and Policies' which contains the spatial strategy and development management policies and Part 2 'Allocations and Designations', which sets out the allocations and designations.

4.7 The Site is included within an allocation for mixed use development in the KLP19 (site reference MXS7). The gross site area for the allocation totals 120.78 ha.

4.8 There are a number of policies within the KLP19 relevant to the consideration of the Application, which are set out below.

- **Policy LP1: Presumption in favour of sustainable development** states that KMDC will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. The Policy states that KMDC will work proactively with applicants to find solutions which mean that proposals can be approved. Proposals that accord with the policies in the KLP19 will be approved without delay, unless material considerations indicate otherwise.

- **Policy LP2: Place shaping** advises that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the KLP19.
- **Policy LP3: Location of new development** explains that all development will be required to reflect the Spatial Development Strategy, Policy LP1 and Policy LP2.
- **Policy LP4: Providing infrastructure** states that KMDC will work with partners to bring forward the infrastructure that is required in order to deliver the spatial strategy as set out in the KLP19. Additionally, it states that new development should contribute to the provision of infrastructure, taking account of local and strategic needs and financial viability. This may be achieved through planning conditions and/or through contributions to the Community Infrastructure Levy (CIL).
- **Policy LP5: Masterplanning sites** advises that masterplans must involve all the relevant stakeholders and be developed in consultation with KMDC prior to the submission of a planning application. Additionally, masterplans would only be sought where feasible and appropriate.
- **Policy LP7: Efficient and effective use of land and buildings** outlines the expectations for housing density. Developments should achieve a net density of at least 35 dwellings per hectare, where appropriate.
- **Policy LP9: Supporting skilled and flexible communities and workforce** states that KMDC will work with partners to accelerate economic growth through the development of skilled and flexible communities and workforce in order to underpin future economic growth to deliver the Kirklees Economic Strategy. KMDC will seek to secure an agreed training or apprenticeship programme with applicants where development meets the thresholds of 3,500 sq. m. or more of business or industrial floorspace, or housing developments which would deliver 60 dwellings or more.
- **Policy LP11: Housing Mix and Affordable Housing** states that all proposals for housing will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need. For schemes of more than 10 dwellings, the housing mix should reflect the proportions of households that require housing, achieving a mix of house size and tenure. The policy sets the affordable housing requirement at 20% and this percentage will be sought unless it can be demonstrated through viability evidence that the required figure would render the scheme unviable.
- **Policy LP13: Town centre uses** outlines the need for a sequential test if main town centre uses are proposed to be located outside of the defined boundaries. Proposals which fail to pass the sequential test will not be supported.
- **Policy LP20: Sustainable travel** states that new development will be expected to be located and designed to reduce the need to travel. Proposals will be required to facilitate the needs of the following user hierarchy: a) pedestrians; b) cyclists; c) public transport; d) private vehicles.
- **Policy LP21: Highways and access** states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively by all users. Adequate information and mitigation measures are needed to avoid any detrimental impact on highway safety and the local highway network.
- **Policy LP22: Parking** explains that car parking provision in new developments will be determined by the availability of public transport, the accessibility of the site, location of

the development, local car ownership levels and the type, mix and use of development. Provision should be made to meet the needs of cyclists for cycling parking.

- **Policy LP24: Design** expects development to be of high quality design and provide a high standard of amenity for future and neighbouring occupiers. High levels of sustainability should also be incorporated.
- **Policy LP26: Renewable and low carbon energy** outlines a set of criteria which must be met for renewable and low carbon energy proposals. Where the criteria can be met KMDC encourages dialogue with local community groups promoting community renewable and low carbon energy schemes.
- **Policy LP28: Drainage** explains that there is a presumption that Sustainable Drainage Systems (SuDS) will be used and for proposals on greenfield sites, typical greenfield run-off rates should not be exceeded.
- **Policy LP29: Management of water bodies** states that where it is proposed to develop a site already containing a water area, this should normally be retained as part of the proposal and include a future management plan for the maintenance of the water area.
- **Policy LP30: Biodiversity & Geodiversity** advises that KMDC will seek to protect and enhance the biodiversity and geodiversity of Kirklees.
- **Policy LP32: Landscape** states that proposals should be designed to take into account and seek to enhance the landscape character of the area.
- **Policy LP33: Trees** explains that KMDC will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity.
- **Policy LP34: Conserving and enhancing the water environment** outlines that proposals must ensure no deterioration of water courses or water bodies by conserving and enhancing where practicable. Surface water should also be disposed of appropriately and the KLP19 provides a list of networks of ???? in order of preference.
- **Policy LP38: Minerals Safeguarding** states that in Mineral Safeguarding Areas (such as that within which the Site is located), surface development will be permitted where it has been demonstrated that (*inter alia*), "there is an overriding need for the development".
- **Policy LP47: Healthy, active and safe lifestyles** states that KMDC will, with its partners, create an environment which supports healthy, active and safe communities and reduced inequality. This will be enabled in a number of ways including increasing access to green spaces, encouraging more sustainable travel choices and encouraging initiatives to promote energy efficient homes.
- **Policy LP49: Educational and health care needs** outlines that where the scale of development proposed may impact on education and health provision, KMDC will actively work with applicants to resolve key planning issues in advance of a planning application being submitted. Proposals for new or enhanced educational facilities will be permitted where they meet an identified deficiency in provision; the scale, range, quality and accessibility of education facilities are improved; and, they are well related to the catchment they are intended to serve to minimise the need to travel or they can be made accessible by walking, cycling and public transport.

- **Policy LP51: Protection and improvement of local air quality** explains that development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would have an unacceptable impact on the natural and built environment or to people.
- **Policy LP63: New open space** states that KMDC will seek to secure well-designed new and improved open space, sport and recreation facilities to encourage everyone in Kirklees to be as physically active as possible and promote a healthy lifestyle.

## Material Considerations

4.9 The following national and local planning policy and guidance documents represent material considerations in the determination of the Application:

- National Planning Policy Framework (NPPF) 2019;
- Planning Practice Guidance ('live' document);
- National Design Guide (2019);
- Affordable Housing (SPD2) (2008) and Interim Affordable Housing Policy (2020);
- Highway Design Guide SPD (2019);
- Leeds City Region Strategic Economic Plan 2016 – 2036 (2016);
- Kirklees Economic Strategy 2019 – 2025 (2019);
- North Kirklees Growth Zone (2017); and
- Dewsbury Strategic Development Framework (2018).

## National Policy and Guidance

### National Planning Policy Framework (NPPF)

4.10 The National Planning Policy Framework (NPPF) was last updated in June 2019 and sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, which must be in accordance with the NPPF. The NPPF is a material consideration in the determination of all planning applications.

4.11 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF notes there are three dimensions to sustainable development:

- **Economic** – the NPPF outlines the Government's commitment to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and co-ordinating the provision of infrastructure.
- **Social** – the NPPF aims to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

- **Environmental** – the NPPF outlines how the planning system will contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.12 When considered in their entirety, these three dimensions inter-define sustainable development.

4.13 In addition to the overarching objective of achieving sustainable development, the NPPF contains chapters setting out more detailed policies relating to specific planning considerations. The chapters which are most relevant to the Application are:

- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

4.14 The NPPF also includes guidance on pre-application engagement and consultation with the Local Planning Authority (LPA), the public, and other relevant bodies.

### **Planning Practice Guidance**

4.15 The Planning Practice Guidance (“PPG”) was first published in March 2014 and sets out advice, information and best practice on a wide range of planning issues, with the overall objective of becoming a single source for planning guidance which will be maintained as a live resource.

4.16 The document aims to fulfil the wider objective of successive governments since 2010 to make the planning system simpler, clearer and easier for people to use. This guidance was developed following a detailed review of planning policy guidance through the Taylor Review between October and December 2012 which considered ways to streamline policy.

### **National Design Guide**

4.17 The National Design Guide was published in October 2019. This addresses the question of how we recognise well-designed places, by outlining and illustrating the Government’s priorities for well-designed places in the form of ten characteristics. These include: context, identity, built form, movement, nature, public space, uses, homes and buildings, resources, and lifespan.

4.18 The National Design Guide is based on national planning policy, practice guidance and objectives for good design as set out in the NPPF. However, it also notes that specific,

detailed and measurable criteria for good design are most appropriately set out at the local level.

## **Local Policy and Guidance**

### **Kirklees Interim Affordable Housing Policy (2020)**

- 4.19 The Kirklees Interim Affordable Housing Policy 2020 (KIAHP20) supersedes the Interim Affordable Housing Policy 2016 and provides guidance on how current identified affordable housing needs should be secured in accordance with KLP19 Housing Mix Policy (LP11).
- 4.20 A district-wide assessment of the economic viability of land for housing has shown that, for market housing schemes in Kirklees, 20% of the total units on sites should be provided as affordable housing. The policy document states that the proportion may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.
- 4.21 Additionally, the policy document requires the type of affordable housing to reflect latest housing evidence in terms of the requirement for type, tenure, size and suitability and to incorporate appropriate arrangements to retain the benefits of affordability for initial and subsequent occupiers or for the subsidy to be recycled for alternative affordable housing provision.

### **Highway Design Guide SPD (2019)**

- 4.22 The Highway Design Guide SPD was adopted on 4 November 2019. It promotes high standards of highway design that reflects nationally recognised best-practice, and facilitates the delivery of high quality developments in Kirklees.
- 4.23 Its purpose is to support the priorities set out in the KLP19 and provide advice on how applicants can bring forward policy-compliant schemes.

### **Leeds City Region Strategic Economic Plan 2016 – 2036 (2016)**

- 4.24 The West Yorkshire Combined Authority and Leeds City Region Enterprise Partnership created a long-term Strategic Economic Plan which outlines the vision for the City Region up to 2036. The key aims of the economic plan are for the City Region to:
- Create upwards of 35,000 additional jobs and an additional £3.7 billion of annual economic output by 2036;
  - Become a positive, above average contributor to the UK economy;
  - Seek to exceed the national average on high level skills and to become a NEET (not in employment, education or training)-free City Region; and,
  - Make a good progress on Headline Indicators of growth and productivity, employment, earnings, skills and environmental sustainability.
- 4.25 The Leeds City Region Strategic Economic Plan (LCRSEP16) identifies Chidswell as a major employment growth opportunity and lists it as a 'spatial priority area' for employment.

### **Kirklees Economic Strategy 2019 – 2025 (2019)**

- 4.26 The Kirklees Economic Strategy 2019 – 2025 (KES19) was approved by Full Council on 20 March 2019 and replaced the 2014 Kirklees Economic Strategy.
- 4.27 The KES19 has five priorities which will help to deliver KMDC's vision for an inclusive and productive economy:
- Modern, Innovative Business;
  - Skilled and Ambitious People;
  - Active Partnerships;
  - Advanced Connectivity and Infrastructure; and,
  - Revitalising and Promoting Key Centres.
- 4.28 The KES19 focuses on creating sustained economic growth and providing employment for and with communities and businesses.

### **North Kirklees Growth Zone (2017)**

- 4.29 The North Kirklees Growth Zone (NKGZ) is located at the centre of West Yorkshire and has good connections to the Leeds City Region and Northern Powerhouse. The NKGZ offers the potential for economic growth and will contribute to higher productivity and employment within the City Region.
- 4.30 The Site has been identified as an area for employment growth within the NKGZ with 35 hectares of land being promoted for businesses to create c. 2,500 jobs and over 1,500 new homes.

### **Dewsbury Strategic Development Framework (2018)**

- 4.31 The Dewsbury Strategic Development Framework (DSDF18) sets out a 25 year vision for the town centre, supported by a delivery programme that includes projects and actions over 2018 – 2023.
- 4.32 The DSDF18 highlights that Dewsbury town centre is located within the NKGZ and therefore the future revival of Dewsbury town centre needs to be seen in the context of the development of the whole of Dewsbury and the wider North Kirklees area.

### **Summary**

- 4.33 The KLP19 and all material considerations identified above have been considered, where appropriate, in the preparation of the Application and during the evolution of the design of the development, alongside relevant site-specific considerations. Policies and guidance contained within these documents are presented in more detail within this Statement at Section 5 and within other technical reports submitted with the Application.

# 5 Key Planning Considerations

- 5.1 This section identifies and summarises the key planning considerations and site-specific matters relevant to the determination of the Application.
- 5.2 It identifies the planning policies and guidance which relate to these considerations and provides details of how the Proposed Development will comply with these requirements. The full wording of relevant planning policies is provided in Appendix A, alongside summaries of the relevant National Planning Policy Framework (NPPF) chapters.

## Principle of Development

### Policy and Guidance

- 5.3 The Site falls within an allocation for mixed-use development in the *KLP19* under *Policy Site MXS7*, which states:

<b>Site address</b>	<b>Land east of, 932-1110 Leeds Road, Shaw Cross/Woodkirk, Dewsbury</b>
<b>Ownership</b>	<i>Private</i>
<b>Gross site area (Ha)</b>	<i>120.78</i>
<b>Net site area (Ha)</b>	<i>114.59 – UK BAP Priority Habitat removed from the developable area</i>
<b>Constraints</b>	<ul style="list-style-type: none"> <li>• <i>Third party land required for access</i></li> <li>• <i>Multiple access points required</i></li> <li>• <i>Public rights of way cross the site</i></li> <li>• <i>Additional mitigation on the wider highway network may be required</i></li> <li>• <i>Power lines cross the site</i></li> <li>• <i>Multiple watercourses cross the site</i></li> <li>• <i>Air quality issues</i></li> <li>• <i>Noise source near site</i></li> <li>• <i>Odour source near site</i></li> <li>• <i>Potentially contaminated land</i></li> <li>• <i>Part of the site lies within a UK BAP priority habitat</i></li> <li>• <i>Site is within the Wildlife Habitat Network</i></li> <li>• <i>Part of the site contains a Habitat of Principal Importance</i></li> <li>• <i>Site is close to an archaeological site</i></li> <li>• <i>Part/all of the site is within a High Risk Coal Referral Area</i></li> </ul>
<b>Allocation</b>	<i>Mixed use – housing and employment</i>
<b>Indicative capacity: Housing</b>	<i>1,535 dwellings</i>
<b>Indicative capacity: Employment (sq.m)</b>	<i>122,500</i>

<p><b>Reports/commentary</b></p>	<ul style="list-style-type: none"> <li>• <i>Transport Assessment</i></li> <li>• <i>Travel Plan</i></li> <li>• <i>Flood Risk Assessment</i></li> <li>• <i>Drainage masterplan required</i></li> <li>• <i>Air Quality Impact Assessment</i></li> <li>• <i>Noise assessment</i></li> <li>• <i>Odour assessment</i></li> <li>• <i>Contamination report (Phase 1)</i></li> <li>• <i>Ecological Assessment</i></li> <li>• <i>Predetermination archaeological assessment</i></li> <li>• <i>Health Impact Assessment</i></li> <li>• <i>Coal Mining Risk Assessment</i></li> </ul>
<p><b>Other site specific considerations</b></p>	<ul style="list-style-type: none"> <li>• <i>Landscape character assessment has been undertaken for this site which should be considered in the development masterplan/site proposals.</i></li> <li>• <i>This location is identified in the Leeds City Region Strategic Economic Plan and in the Kirklees Economic Strategy and the site will play a key role in helping transform Dewsbury.</i></li> <li>• <i>Proposals should indicate how the place shaping strengths, opportunities and challenges can be addressed through reference to policies in the Local Plan, the Dewsbury Strategic Framework and other regeneration and urban renaissance strategies and initiatives.</i></li> <li>• <i>The provision of a new 2 form entry primary school will be required on this site.</i></li> <li>• <i>The provision of secondary school places will be monitored and delivered to meet demand as new housing is delivered during and beyond the plan period.</i></li> <li>• <i>Early Years and Childcare provision will also be required relating to this allocation.</i></li> <li>• <i>This site requires the provision of multiple access points and will need to be carefully phased to ensure it complies with other policies in the Local Plan regarding transport. Access to HS47 will be provided as part of this allocation, including no left turn onto Chidswell Lane and the provision of a new roundabout at the junction with the B6128 (Owl Lane).</i></li> <li>• <i>Residential amenity will need safeguarding through sensitive siting of buildings and landscape buffer areas.</i></li> <li>• <i>Adjacent to cycling network.</i></li> <li>• <i>Additional mitigation on the wider highway network will be required. Development of this site has the potential for a significant impact on the Strategic Road Network. Measures will be required to reduce and mitigate that impact. The transport assessment will need to demonstrate that any committed schemes are sufficient to deal with the additional demand generated by the site. Where committed schemes will not provide sufficient capacity or where Highways England does not have committed investment, development may need to contribute to additional schemes identified by Highways England and included in the Infrastructure Delivery Plan (IDP) or other appropriate schemes. If development is dependent upon construction of a committed scheme, then development will need to be phased to take place following scheme opening.</i></li> <li>• <i>In accordance with LP13 (part a, paragraph 4) the creation of a new local centre commensurate with the scale of growth proposed will be supported, subject to the sequential test and impact assessment.</i></li> </ul>

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|--|---|
|  | <ul style="list-style-type: none"><li>• <i>A masterplan is required for this site to be prepared in accordance with policies in the Local Plan.</i></li><li>• <i>A buffer will be required to protect the ancient woodlands at Dum Wood and Dogloitch Wood.</i></li></ul> |
|--|---|

- 5.4 Paragraph 8.6 of the KLP19 outlines the housing requirement as a minimum of 31,140 homes over the plan period from 2013 to 2031. This equates to an annual housing requirement of 1,730 new homes per annum. In the latest Kirklees Annual Monitoring Report it has been confirmed that there were 1,550 net completions in 2018/19, 1,330 in 2017/18 and 983 in 2016/17.
- 5.5 The Spatial Development Strategy within the KLP19 states that sustainable economic growth in Kirklees will be delivered during the plan period through the provision of roughly 95 hectares of new employment land to achieve a 75% employment rate over the plan period, with 35 hectares of the net additional employment land to be located in Chidswell.
- 5.6 KLP19 *Policy LP3: Location of new development* advises that development should reflect the settlements': size and function; place shaping strengths, opportunities and challenges for growth; spatial priorities for urban renaissance; and the need to provide for new homes and jobs. In addition it states that development will be permitted where it supports the delivery of housing and employment growth in a sustainable way, taking account of the housing and job requirements set out in the KLP19.
- 5.7 Paragraph 9.13 of the KLP19 highlights the need for a local centre within the MXS7 allocation as a significant level of residential growth is proposed with the absence of an existing local centre nearby. In accordance with KLP19 *Policy LP13: Town Centre Uses* (part a, paragraph 4) the creation of a new local centre proportionate with the scale of growth proposed will be supported, subject to the sequential test and impact assessment.
- 5.8 Chapter 5 of the NPPF, *Delivering a sufficient supply of homes* (paragraphs 59 to 79) outlines the need to provide high quality homes, widen opportunities for home ownership and create sustainable communities. It identifies that the mix of housing should be based on demographic trends and market trends, and that there is an appropriate mix of size, type and tenure of housing to meet local demands.
- 5.9 This Chapter also presents a clear objective of significantly boosting the supply of homes. In achieving this, paragraph 59 states 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.*
- 5.10 Chapter 6 of the NPPF, *Building a strong, competitive economy* (paragraphs 80 to 84) emphasises that planning decisions should help to create the conditions in which businesses can invest, expand and adapt, and significant weight should be placed on the need to support economic growth and productivity.

### **Compliance of the Proposed Development**

- 5.11 The proposals have been the subject of pre-application discussion with KMDC and have

been welcomed in principle by the LPA, as indicated by the Site's allocation under *Policy Site MXS7*, which establishes the principle of mixed-use development at the Site.

5.12 In terms of meeting the requirements set out under the allocation, the Illustrative Masterplan (drawing ref: 18008-00-007) demonstrates that development in accordance with the Parameter Plans can deliver:

- Development of up to 1,354 dwellings ranging in size, type and tenure;
- Development of up to 35 hectares of employment uses with a maximum floor area capacity of 122,500 sq. m;
- Development of a local centre providing up to 1,500 sq. m. of flexible floorspace for commercial and community use;
- Vehicular access from Leeds Road and Chidswell Lane.
- New pedestrian and cycle links;
- Strategic green infrastructure and publically accessible open space;
- A 2 ha site for a two-form entry primary school including early years provision;
- Up to 1ha of C2 (Residential institution use);
- A Sustainable Drainage System (SuDs) to drain the development in a sustainable way; and,
- Retention of key woodland blocks (Dum Wood and Dogloitch Wood) and associated 20m buffer zone and wildlife corridor (15m wide) connecting the two woodland blocks.

5.13 The reports requested in the policy have been included in the Application package and the site specific considerations addressed. These matters are considered in more detail through the rest of this statement.

5.14 The Proposed Development has addressed the key principles of the allocation set out under Policy MX7 in the Local Plan.

## Contribution to Sustainable Development

### Policy and Guidance

5.15 *KLP19 Policy LP1: Presumption in favour of Sustainable Development* aims to secure sustainable development in Kirklees. The Policy states that KMDC will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and that proposals that accord with the policies in the local plan will be approved without delay, unless material considerations indicate otherwise.

5.16 The NPPF states at paragraph 10 that at the heart of the document is a presumption in favour of sustainable development. This encompasses economic, social and environmental objectives. For decision-taking this means approving development proposals that accord with an up-to-date Development Plan without delay.

## Compliance of the Proposed Development

5.17 The Proposed Development will provide a range of benefits which will meet the economic, social and environmental strands of sustainable development as set out in the NPPF. These benefits include:

- The delivery of up to 1,354 new homes, including the provision of a mix of housing in accordance with KMDC policy - which will be subject to future Reserved Matters submissions;
- Provision of affordable housing – the amount and tenure split to be agreed with the LPA.
- A substantial number of new jobs which will be created through construction, within the local supply chain and during operation of the development. In total, 167 FTE direct and indirect jobs will be created during the construction phase. When operational, the Proposed Development is projected to generate 3,019 direct FTE jobs with further employment opportunities available indirectly within the supply chain.
- Land to be made available for a new two-form entry primary school with early years' provision. Without this provision it is estimated that each of the seventeen primary schools within 3km of the Site would have to accommodate an additional thirty three pupils;
- The provision of a new Local Centre which would serve the local community. The fixed, Developable Area and Use Parameter Plan (drawing reference: 18008-00-201F) shows that a local centre would be accommodated centrally within the scheme and encourage access by sustainable modes of travel.
- The possibility to achieve an overall net gain in biodiversity as set out in the Ecology Report prepared by Brooks Ecological.
- Delivery of up to 1ha of C2 (residential institution) use which will promote a diverse community providing options for a wide range of people including potentially housing for older persons.
- Sustainable Drainage System (SuDS) to minimise flood risk, provide natural drainage, and potentially enhance wildlife opportunities;
- Strategic green areas, as set out on the Green Infrastructure Parameter Plan (drawing ref: 18008-00-204H), which existing and future residents will be able to enjoy.
- The inclusion of a 20m buffer around key woodland blocks adjacent to Site (Dum Wood and Dogloitch Wood). This is complemented by the promotion of proposed landscaped corridors throughout the Site which provide connection to the countryside beyond for both existing and proposed communities.
- Provision of a range of publically accessible open space including designated play areas and allotments.
- Opportunities for new pedestrian/cycle links to be promoted throughout the Site, with the detail to be developed at Reserved Matters stage.

5.18 Further details of the Proposed Development's contribution to sustainable development in Kirklees and its compliance with specific elements of the criteria set out in *KLP19* Policy LP1 and the NPPF, as relevant to this section, are provided under the headings below.

## Design

### Policy and Guidance

- 5.19 KLP19 *Policy LP24: Design* seeks to ensure that good design is at the core of all proposals and to secure high quality, green, accessible, inclusive and safe design.
- 5.20 KLP19 *Policy LP32: Landscape* states that development should be designed to take into account and seek to enhance the landscape character of the area.
- 5.21 NPPF *Chapter 12. Achieving well-designed places* (paragraphs 124 to 132) states that the planning process is fundamental to creating high-quality buildings and places. The NPPF goes on to state that good design is key to sustainable development and contributes to creating better places in which to live and work.
- 5.22 The PPG stresses the importance of good design and that planning should drive up standards across all forms of development at paragraphs 001 (Reference ID: 26-001-20140306) to 042 (Reference ID: 26-042-20140306) (revision date 1<sup>st</sup> October 2019). As a core planning principle, plan-makers and decision-takers should always seek to ensure high quality design through creating places, buildings or space that work well for everyone, look good, last well and will adapt to the need of future generations.
- 5.23 The PPG references pre-application discussions, Design and Access Statements and Design Reviews as some of the methods that can be used to achieve good design.
- 5.24 The National Design Guide (adopted 2019), sets out the characteristics of well-designed places and demonstrates good design in practice. It identifies characteristics of well-designed places: context; identity; built form; movement; nature; public spaces; uses; homes and buildings; resources; and, lifespan.

### Compliance of the Proposed Development

- 5.25 The Application is accompanied by a Masterplan Framework and a Design and Access Statement. The Masterplan Framework sets out the design rationale for the allocation as a whole and the Design and Access Statement explains the design approach to the Application. The key outcomes of the design process explained in these documents are secured through the Parameter Plans. The Illustrative Masterplan (drawing ref: 00-001 Rev R) demonstrates that a scheme can be delivered in compliance with the parameters and shows how the proposals for the Heybeck Lane development and Leeds Road development have been prepared as one cohesive whole.
- 5.26 The Design and Access Statement explains how the scheme design has evolved, taking account of the Site's constraints and opportunities, in addition to responding to the pre-application discussions and public consultation that took place prior to submission. The following constraints and opportunities were taken forward within the design proposals:
- The extensive network of Public Rights of Way which dissect the Site provide an opportunity to provide pedestrian activity into and through the Site.
  - Community facilities such as the new primary school/ local centre should be located to serve the existing, surrounding community as well as new residents.

- The existing hedgerows and tree belts which cross the Site should be retained where possible within green corridors to enhance wayfinding, preserve biodiversity and add character to the design.
- The ancient woodland, Dogloitch Wood and Dum Wood, should be preserved and a development buffer applied to the proposals to help protect them for future generations.
- Long range views both into and out of the Site which should be addressed, within the orientation of development parcels and through design mitigation measures at detailed design stage.
- The tributaries that feed into Hey Beck provide a natural landscaped amenity space which should form a green spine through the Site.
- Existing vehicular access to the Site is limited to gated tracks from Leeds Road and Chidswell Lane.

5.27 The Parameter Plans draw on the guidance set out within the recently adopted National Design Guide. The proposed land parcels have been carefully designed to provide a coherent pattern of development that responds to the Site's topography and aspect. Mitigation measures are embedded within the design and secured through the Parameter Plans to ensure the preservation of green infrastructure assets including an appropriate buffer zone that integrates the Site with the areas of replanted ancient woodland. Pedestrian and vehicular movement routes will be distinctive and easy to negotiate through strong lines of sight and use of open aspect.

5.28 Details submitted for approval as part of subsequent Reserved Matters submissions will have to comply with the Parameter Plans and deliver high quality design and construction methods with carefully selected materials to create a well-designed residential community.

5.29 It is therefore considered that the Proposed Development accords with the requirements of Local and National Planning Policy and guidance with respect to design.

## Promoting healthy and safe communities

### Policy and Guidance

- 5.30 KLP19 *Policy LP24: Design* promotes that new developments are designed in a way which reduces crime, anti-social behaviour and the fear of crime.
- 5.31 Additionally, KLP19 *Policy LP47: Healthy, active and safe lifestyles* states that KMDC will, with its partners create an environment which supports healthy, active and safe communities and reduces inequality. Health Impact Assessments will be carried out for all proposals that are likely to have a significant impact on the health and well-being of local communities, in order to identify measures to maximise the health benefits of the development and avoid any potential adverse impacts.
- 5.32 NPPF *Chapter 8. Promoting healthy and safe communities* (paragraphs 91 to 101) sets out that development should promote social interaction and should be safe and accessible, reducing crime and the fear of crime. In addition, proposals should encourage and support healthy lifestyles through provision of safe and accessible green infrastructure and layouts that encourage walking and cycling. Developments should also protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

5.33 Paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

*a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*

*b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and*

*c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.*

#### **Compliance of the Proposed Development**

5.34 The Parameter Plans show how the proposed layout has been developed with consideration for health impact and ensuring a safe and secure site for future residents by:

- The creation of new pedestrian and cycle links, including connections into the countryside beyond;
- The provision of publically accessible open space which wherever possible promotes natural surveillance;
- Strategically locating the primary school with early years provision so that it is within easy walking distance of existing and future residents;
- The promotion of healthy lifestyles through the inclusion of landscaping and publically accessible open space, and the provision of a local centre to provide amenities within easy walking distance; and
- The provision of new trees, shrubs and habitat planting.

5.35 These principles will be developed further at detailed design stage to ensure:

- Boundary treatments clearly define and separate the public and private areas;
- Rear access footpaths are avoided; and,
- Public spaces and communal parking areas are sufficiently illuminated to deter anti-social behaviour.

5.36 The Proposed Development is therefore in compliance with the requirements of the NPPF and KLP19 in seeking to promote healthy and safe communities.

## Transport and Access

### Policy and Guidance

- 5.37 KLP19 *Policy LP20: Sustainable travel* states that new development will be located in accordance with the spatial development strategy to ensure the need to travel is reduced and that essential travel needs can be met by forms of sustainable transport other than the private car.
- 5.38 KLP19 *Policy LP20: Sustainable travel* outlines a transport user hierarchy whereby proposals will be required to facilitate the needs of:
- a. Pedestrians
  - b. Cyclists
  - c. Public transport
  - d. Private vehicles
- 5.39 KLP19 *Policy LP21: Highways and access* states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. Proposals will be expected to demonstrate adequate information and mitigation measures to avoid any detrimental impact on highway safety and the local highway network. Proposals must also consider any impacts on the Strategic Road Network.
- 5.40 KLP19 *Policy LP22: Parking* outlines that the provision of parking will be determined by the availability of public transport, the accessibility of the site, location of the development, local car ownership levels and the type, mix and use of the development. Additionally new developments should meet the needs of cyclists for cycle parking in new developments.
- 5.41 NPPF *Chapter 9. Promoting sustainable transport* (paragraphs 102 to 111) requires proposals to promote walking, cycling and public transport, and states that patterns of movement, streets, parking and other considerations should be integral to the design of schemes. Proposals should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.42 The PPG sets out the overarching principles behind Travel Plans, Transport Assessments and Statements which are methods of assessing and helping mitigate the negative transport impacts of development in order to promote sustainable development. LPAs must make a judgement as to whether a development proposal would generate significant amounts of movement on a case-by-case basis.

### Compliance of the Proposed Development

- 5.43 The Application is supported by a Transport Assessment (TA) and Framework Travel Plan (FTP) (both appended to the Environmental Statement) prepared by Pell Frischmann.
- 5.44 The Proposed Development has been designed so that safe and suitable access to the Site can be provided. The development will be accessed from Leeds Road and Chidswell Lane as set out on the Access Parameter Plan (drawing ref: 18008-00-205E) and the Site Access

Plans appended to the Transport Assessment (Appendix G), which have been submitted for approval at this outline stage. The Access Parameter Plan seeks approval of a corridor within which a central spine road will be incorporated. The access arrangements for the Site have been agreed with the Local Highway Authority.

- 5.45 There will be no vehicular link between the employment development and the residential development, apart from the potential provision of an emergency access and/or public transport connection, subject to discussion and agreement with the Council's highways department.
- 5.46 New pedestrian access to the Site will accompany all four of the proposed vehicular access points as well as the retention of all existing Public Rights of Way (PROW) subject to minor diversions.
- 5.47 The methodology and content of the TA was developed through a scoping process during 2018 and 2019 with Kirklees Council, Leeds City Council, Wakefield Council, and Highways England. A multi-modal trip generation assessment has been undertaken to assess the impact of the Proposed Development on the local highway network to forecast generated (person) trip numbers.
- 5.48 A number of the junctions are identified as having operational and/or capacity issues in future years as a result of the background growth of traffic (inclusive of committed developments). Background growth in the area is predominantly due to Local Plan growth in Kirklees, but further reinforced by similar high growth plans for adjacent local authorities (such as Leeds and Wakefield) and wider regional and national growth expectations. In light of this, when Proposed Development traffic is added to junctions already at or over capacity, existing issues are exacerbated, and as an overall result traffic levels at a number of the considered junctions are anticipated to be taken beyond the point of capacity. In order to provide highway capacity to cater for forecast flows, some mitigation may be necessary.
- 5.49 The TA sets out which junctions may require mitigation works. A collaborative approach between the Applicant and the relevant Highways Authorities will be necessary to agree mitigation requirements, taking account of existing commitments by Kirklees Council to improve certain junctions.
- 5.50 As far as possible, those making trips to and from the Proposed Development in the future will be encouraged to use sustainable and active travel modes as a result of the design and location of the Site, and further reinforced by the Framework Travel Plan (FTP) which will be in place. Existing and future bus, rail and local active travel options (such as walking and cycling) will ensure that the impacts of the Proposed Development are minimised, and that residents, visitors and employees have the maximum choice of travel options.
- 5.51 It is therefore considered that the Proposed Development accords with the requirements of Local and National planning policy and guidance with respect to transport and access considerations.

## Flood Risk and Drainage

### Policy and Guidance

- 5.52 KLP19 *Policy LP24: Design* states that proposals should promote good design by ensuring that buildings are resilient and resistant to flood risk and development should be acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate.
- 5.53 KLP19 *Policy LP27: Flood Risk* requires applicants to demonstrate that development proposals have been directed to areas at the lowest probability of flooding. Additionally proposals must be supported by an appropriate site specific Flood Risk Assessment in line with national planning policy.
- 5.54 KLP19 *Policy LP28: Drainage* states that there is a presumption that Sustainable Drainage Systems (SuDS) will be used to assist in achieving typical greenfield run-off rates and ensuring that there is no negative impact on local water quality. Development will only be permitted if it can be demonstrate that the water supply and waste water infrastructure required is available or can be co-ordinated to meet the demand generated by the new development.
- 5.55 Chapter 14 of the NPPF, *Meeting the challenge of climate change, flooding and coastal change* (paragraphs 148 to 169) sets out how the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the re-use of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 5.56 Paragraphs 155 to 165 address planning and flood risk. This section of Chapter 14 provides details regarding strategic planning to manage and minimise flood risk, by avoiding inappropriate development and applying a sequential, risk-based approach when assessing plans and development proposals.

### Compliance of the Proposed Development

- 5.57 A Site-Specific Flood Risk and Drainage Statement has been prepared by Delta Simons and is submitted with the Application (appended to the Environmental Statement). The Flood Risk Statement identifies that the Site is located in Flood Zone 1 and is therefore at low risk of fluvial flooding.
- 5.58 All methods of surface water discharge have been assessed. Soakaways will be used where practical. Where soakaways are not feasible, surface water runoff will be discharged to the appropriate local unnamed watercourses located within and to the east of the Site.
- 5.59 The required attenuation volume for each parcel has been calculated based on the contributing area and has informed the preparation of the Blue Infrastructure Parameter Plan (drawing ref: 18008-00-202F). The Parameter Plan sets out broad areas of strategic swales/ponds which have been sited and sized to meet the development requirements of the scheme. The detailed design of the strategic and non-strategic attenuation areas will be developed further at reserved matters stage alongside a detailed drainage strategy.

- 5.60 Post-development, surface water flooding which occurs within small parts of the Site will be reduced or eliminated as Site levels will be regraded to direct surface water away from buildings and towards landscaped areas or impermeable areas. Surface water will be collected by gullies, linear drainage channels and guttering systems with the use of SuDS/attenuation and discharge to local sewers at restricted agreed rates where necessary.
- 5.61 Yorkshire Water sewer plans suggest foul flows can be discharged to a 375 mm foul sewer or a 900 mm combined sewer to the east of the Site boundary, located within the Applicant's land ownership. A topographical survey suggests that a gravity connection can be achieved.
- 5.62 The Proposed Development therefore demonstrates accordance with the requirements of Local and National planning policy and guidance with respect to flood risk and drainage considerations.

## Green Infrastructure, Ecology, Agriculture

### Policy and Guidance

- 5.63 KLP19 *Policy LP5: Masterplanning sites* states that masterplans will be expected to include a green infrastructure strategy, providing an integrated network of green spaces.
- 5.64 KLP19 *Policy LP30: Biodiversity & Geodiversity* explains that KMDC will seek to protect and enhance the biodiversity and geodiversity of Kirklees. Development proposals will be required to result in no significant loss or harm to biodiversity in Kirklees and provide net biodiversity gains through good design.
- 5.65 Chapter 15 of the NPPF, *Conserving and enhancing the natural environment* (paragraphs 170 to 183), identifies numerous ways in which planning policies and decisions can contribute to and enhance the natural and local environment. It states that new development should minimise impacts on ecology, and should provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 5.66 *NPPF Paragraph 170(b)* outlines that planning decisions should contribute to and enhance the local environment by recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land.

### Compliance of the Proposed Development

- 5.67 The green infrastructure requirements have been considered for the whole allocation, to ensure that an integrated network of green spaces is provided.
- 5.68 The Green Infrastructure Parameter Plan (drawing ref: 18008-00-204H) shows the proposed locations of buffer zones, landscape corridors, wildlife corridors and allotments within the Site.
- 5.69 The Blue Infrastructure Parameter Plan (drawing ref: 18008-00-202F) identifies fixed zones where sustainable urban drainage infrastructure could be accommodated. The Illustrative Masterplan (drawing ref: 18008-00-007) demonstrates how sustainable urban drainage ponds and swales could be positioned to provide a habitat network for native species and to

integrate with the wider development. The final positioning of drainage ponds and swales will be subject to future Reserved Matters submission(s).

- 5.70 A suite of ecological studies have been prepared by Brooks Ecological and are submitted in support of the Application (appended to the Environmental Statement). In addition, an Ecological Summary Note has been prepared. The ecology studies cover a number of different fauna, including assessing the potential for key protected or notable species such as Great Crested Newts and Bats to be present on the Site. For the majority of these species, the surveys confirm that they are likely to be absent with the exception being high numbers of breeding birds.
- 5.71 It has been acknowledged in the Ecology ES chapter that there will be a decrease in many of the farmland and woodland species currently recorded, and an increase in more typical urban/ garden bird species. This is consistent with the re-use of agricultural land for housing and employment uses, the principle for which has been established through the allocation of the Site in the Local Plan.
- 5.72 Mitigation is focused on the retention and protection of key habitats and faunal populations, and at detailed design stage a net gain could be achieved through long term management and enhancement of lower value retained habitats within the designated greenspace. The Green Infrastructure Parameter Plan (drawing ref: 18008-00-240H) shows proposed landscape corridors and wildlife corridors which will provide habitat for native species.
- 5.73 Further mitigation measures are recommended within the Ecological Appraisal for the detailed design and construction phases of the Proposed Development, which will be addressed through a Construction Environment Management Plan, Biodiversity Management Plan, and Invasive Weed Management Plan.
- 5.74 It is concluded that a biodiversity net gain could be achieved through this Proposed Development, which will evolve through a detailed scheme at reserved matters stage.
- 5.75 As per the Agricultural Land Classification Map for the Yorkshire and the Humber region (ref 10-111c), the Site is characterised as Grade 3 Agricultural Land. However, the proposals are considered to be supported in principle by the LPA as indicated by the Site's allocation for development which establishes the principle of development at this location.
- 5.76 The Proposed Development is compliant with the requirements of the *KLP19* and NPPF policies to provide increased biodiversity value.

## Open Space Provision

### Policy and Guidance

- 5.77 *KLP19 Policy LP47: Healthy, active and safe lifestyles* states that healthy, active and safe lifestyles will be enabled by facilitating access to a range of high quality, well maintained and accessible open spaces and play, sports, leisure and cultural facilities.
- 5.78 *KLP19 Policy LP63: New open space* explains that the KMDC will seek to secure well-designed new and improved open space, sport and recreation facilities in the district to encourage everyone in Kirklees to be as physically active as possible and promote a healthy lifestyle for all. New housing developments will be required to provide or contribute towards new open space or the improvement of existing provision in the area. New open space

should be provided in accordance with KMDC’s local open space standards or national standards where relevant.

- 5.79 Additionally *KLP19 Policy LP63: New open space* states that KMDC will support proposals that provide a sustainable and community led approach to the management and maintenance of public open spaces to encourage local communities to take an active role in looking after public open spaces near where they live.
- 5.80 Chapter 8 of the NPPF, *Promoting healthy and safe communities* (paragraphs 91 to 101), sets out that development should encourage and support healthy lifestyles through provision of safe and accessible green infrastructure and layouts that encourage walking and cycling. Developments should also protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.
- 5.81 Paragraph 92 states that planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.
- 5.82 KMDC provided advice on the likely open space requirements of the scheme through pre-application discussions. The indicative figures and other details within the note are based upon the *KLP19 Policy LP63* and the *Fields in Trust Guidance*<sup>1</sup>.

**Compliance of the Proposed Development**

- 5.83 The Illustrative Masterplan (drawing ref: 18008-00-007) contains a full schedule of the proposed publically accessible open space. The schedule details the cumulative amount of publically accessible open space provided across the Heybeck Lane application and this Application site.
- 5.84 The areas proposed for this Application are as follows:

<b>Category of PAOS</b>	<b>Policy Requirement (sqm)</b>	<b>Provision on Illustrative Masterplan (sqm)</b>
Parks/recreation grounds (19.44sqm per dwelling)	26,322	36,768
Allotments (5sqm per dwelling)	6,770	7,675
Children’s equipped/designated play areas (6.1sqm per dwelling)	8,259	8,310
Amenity greenspace (14.58sqm per dwelling)	19,741	32,129

<sup>1</sup> <http://www.fieldsintrust.org/guidance>

Natural/semi-natural greenspace (48.6sqm per dwelling)	65,804	76,458
Young people's provision (7.3sqm per dwelling)	9,884	12,838
<b>Totals</b>	<b>136,780</b>	<b>174,178</b>

5.85 The proposed level of open space set out above shows that the Site can comply with the Fields in Trust Guidance. However, it should be noted that KLP19 Policy LP63 highlights that “*determining the required open space provision, the council will have regard to the type of housing proposed and the availability, quality and accessibility of open space provision in the area assessed in accordance with the council's district wide open space standards*”. Clearly, at this stage of the development process, it is not possible to be certain on the type of housing that will be proposed as this will be subject to the documentation submitted within future Reserved Matters submissions. The detailed design and layout of the open space will be refined in discussion with the council during Reserved Matters stages to ensure the provision responds appropriately to the type of housing proposed and the local requirements.

## Landscape and Visual Impact

### Policy and Guidance

- 5.86 KLP19 Policy LP24: *Design* requires applicants to promote good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.
- 5.87 KLP19 Policy LP32: *Landscape* states that proposals should be designed to take into account and seek to enhance the landscape character of the area including the setting of settlements and buildings within the landscape; the patterns of woodland, trees and field boundaries; and the appearance of rivers, canals, reservoirs and other water features within the landscape.
- 5.88 Chapter 12 of the NPPF, *Achieving well-designed places* states at paragraph 127 that planning policies and decisions should ensure that new development is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

### Compliance of the Proposed Development

- 5.89 The methodology for the Landscape Visual Impact Assessment, undertaken by Re-form Landscape Architecture, has been agreed with KMDC and relevant stakeholders.

- 5.90 The assessment concludes that the Proposed Development could be incorporated into the surrounding landscape context without major harm to landscape character and fabric, notwithstanding the loss of agricultural land.
- 5.91 The assessment considers that the principles for future development as shown on the proposed Parameter Plans has been carefully designed in a manner which respects and responds to existing settlement pattern and landscape assets such as topography, hedgerows, trees, water courses, and offsite woodland copses. Furthermore, the assessment considers that mitigation measures would ensure that these assets are conserved, protected and enhanced, and future reserved matters applications would further augment these features by additional planting within a comprehensive green infrastructure proposal. This planted network would reinforce landscape character and bring about environmental benefits such as wildlife habitat and corridors, storm water relief, visual amenity, and recreational functions.
- 5.92 The visual assessment considers that the most significant visual effects are experienced from existing residential development at East & West Ardsley, which sit on elevated ground east of the Site. There are also high levels of visual effects for users of public rights of way through or close to the site.
- 5.93 It does however consider that the significant effects identified will be mitigated by green infrastructure proposals set out in the Parameter Plans will help to screen and soften the appearance of the Proposed Development. Furthermore, the assessment stated that detailed landscape schemes brought forward at reserved matters stage would further help to assimilate proposed built form within the surrounding landscape by strengthening existing landscape features and by extending this network throughout the Site. Whilst the assessment acknowledges that the mitigation measures might not significantly reduce some adverse effects to landscape fabric and visual amenity, they nonetheless positively contribute to the creation of a sustainable development.
- 5.94 The proposals have responded to the landscape and visual impact assessment through a number of design responses which, where appropriate, have been fixed through Parameter Plans, in particular:
- The creation of a comprehensive green and blue infrastructure network across the Site;
  - The creation of buffer zones between existing housing and the Proposed Development;
  - The creation of buffer zones separating the Proposed Development from the ancient replanted woodlands of Dogloitch and Dum Woods and connecting the two through a designated wildlife corridor;
  - The protection of existing Public Rights of Way (PROW) with only minor diversions proposed;
  - Utilising the proposed green infrastructure to promote pedestrian connections throughout the Site linking existing and proposed communities with the countryside beyond and integrating existing PROWs;

- The use of existing topography to inform the development areas which are fixed on the Parameters Plan (18008-00-201F) and the size of employment units (which will be determined at the reserved matters stage);
- Proposed illustrative densities which respond to the countryside edges of the Site and fixed building height zones which take account of the landscape and built context across the Site.

5.95 The landscape and visual impact of the Proposal Development has therefore been fully considered and the Parameter Plans show how the scheme has been shaped to respond positively to the built and landscape setting, which is consistent with the requirements of Local and National planning policy and guidance with respect to landscape and visual impact.

## Historic Environment

### Policy and Guidance

- 5.96 KLP19 *Policy LP5: Masterplanning sites* outlines an expectation for masterplans to achieve high standards of design that respect the heritage of adjacent and nearby development. Masterplans will be expected to demonstrate a good understanding and respect for the heritage assets and their setting both within the site and in the wider locality, whether designated or not, and include details of how the heritage assets will be conserved and enhanced.
- 5.97 KLP19 *Policy LP35: Historic environment* explains the importance of the historic environment in relation to local distinctiveness, therefore development proposals affecting a designated heritage asset should preserve or enhance the significance of the asset and development that is likely to result in substantial harm or loss will only be supported where it can be demonstrated that the proposal would bring substantial public benefits that clearly outweigh the harm.
- 5.98 NPPF *Chapter 16. Conserving and enhancing the historic environment* (paragraphs 184 to 202) states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. When determining a planning application the local planning authority should take account of the desirability of sustaining and enhancing the significance of heritage assets and consider if a new development makes a positive contribution to the local character and distinctiveness.

### Compliance of the Proposed Development

- 5.99 The Site does not fall within a conservation area. The closest conservation area is located 1.2km to the west of the Site (Station Road Batley Conservation Area).
- 5.100 There are no designated heritage assets recorded within the Site. In the study area (a 1km radius from the Site boundary) there are a total of eleven Grade II Listed Structures, including Haigh Hall 750m to the north west and Howley Hall, a Scheduled Monument, 1.5km to the north west of the Site.

- 5.101 Although not designated assets, there are also five areas of ancient replanted woodland within the study area most notably Dogloitch Wood which bounds the Site to the east, and Dum Wood located just to the north of the Site.
- 5.102 A Heritage Assessment has been prepared by Cotswold Archaeology. Settings assessments were undertaken in respect of nearby designated heritage assets. It was concluded that the Proposed Development will not cause any harm to the physical components of any designated heritage assets and, with the exception of Haigh Hall, there will be no change to non-physical elements (settings) that contribute to the significance of any designated heritage assets.
- 5.103 Perception of the wider agricultural landscape in which Haigh Hall is set will change, slightly altering an element of setting that contributes to the asset's significance. This will result in a minor adverse effect at the very lower end of less than substantial harm and will not result in a significant adverse effect on the asset's heritage significance.
- 5.104 A geophysical survey carried out across the Site in October 2019 recorded magnetic anomalies indicating the likely presence of buried remains of field systems and enclosures potentially dating to the Iron Age period; plus evidence of medieval, post medieval and modern cultivation practices; and evidence of 19<sup>th</sup> century extraction activity. However, there is no evidence to suggest that the surviving (or potential) buried archaeological remains would be of such heritage significance to conclude that their excavation in advance of construction would result in a significant adverse effect. Indeed such remains are routinely excavated as part of the industry standard mitigation response to construction impacts. A phased scheme for intrusive works to explore the potential for archaeology will be agreed with the Council's archaeologist through a planning condition.
- 5.105 As there is some potential for the Proposed Development to cause less than substantial harm to the setting of Haigh Hall at the very lower end of the sliding scale the public benefits of the Proposed Development have been weighed against the potential impact in accordance with paragraph 196 of NPPF and Local Plan Policy LP35. The public benefits of the proposal include:
- The delivery of up to 1,354 new homes, which will contribute positively to local market demand and local needs, including affordable housing;
  - A substantial number of new jobs which will be created through construction, within the local supply chain and through the operation of the development. In total, 167 FTE direct and indirect jobs are estimated to be created during the construction phase. When operational, the Proposed Development is projected to generate 3,019 direct FTE jobs with further employment opportunities available indirectly within the supply chain;
  - Land for a new two-form entry primary school with early years provision;
  - A new Local Centre providing services to the local community. This will be located centrally within the scheme and encourage access by sustainable modes of travel;
  - Landscaped zones at the edge of the development to provide protection to the amenity of existing dwellings and woodland blocks and landscape and wildlife corridors providing connection to the countryside beyond for existing and proposed communities;

- Delivery of up to 1ha of C2 (residential institution) which will promote a diverse community providing options for a wide range of people;
- A Sustainable Drainage System to minimise flood risk, provide natural drainage and potentially enhance wildlife opportunities;
- Provision of substantial levels of publically accessible open space for the benefit of existing and new residents and employees; and
- New pedestrian and cycle links throughout the Site providing improved connectivity from existing communities to the countryside beyond.

5.106 It is therefore considered that the public benefits of the Proposed Development outweigh the potential impact of the Proposed Development on the setting of Haigh Hall.

5.107 The Proposed Development accords with the requirements of the NPPF and KL19 policies with respect to historic environment considerations.

## Ground Conditions

### Policy and Guidance

- 5.108 KLP19 *Policy LP38: Minerals safeguarding* states that surface development will only be permitted within a Mineral Safeguarded Area where it has been demonstrated that (*inter alia*) "there is an overriding need for the development".
- 5.109 KLP19 *Policy LP53: Contaminated and unstable land* states that development on land that is unstable, currently contaminated or suspected of being contaminated due to previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate contamination assessment and/or land instability risk assessment. Measurements should be incorporated to remediate land where necessary and/or incorporate other measures to ensure that the contamination/instability does not have the potential to cause harm to people or the environment.
- 5.110 Chapter 15 of the NPPF, *Conserving and enhancing the natural environment* states at paragraph 170 that planning policies and decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

### Compliance of the Proposed Development

- 5.111 A Phase 1 Geo-Environmental Desk Study for the Site has been prepared by Patrick Parsons and is submitted with the Application. The report examines ground conditions across the Site and concludes that the risk of significant contamination on Site is generally considered to be low, with areas indicated during the walkover to present a moderate risk associated with mining legacy infrastructure.
- 5.112 With regard to KM19 Policy LP38, it is considered that the Proposed Development satisfies the criteria to justify surface development within a Mineral Safeguarded Area and particularly 1c – "*there is an overriding need for the development*". This is justified through the Site's allocation for mixed-use development in the Local Plan and its major contribution to housing and employment need.

5.113 Due to the Site's mining legacy, a Coal Mining Risk Assessment for the Site has been prepared by Patrick Parsons and is submitted with this Application. The Assessment recommended mitigation measures which can be addressed by planning condition:

- Comprehensive assessment of archive exploratory data associated with the historic opencast of the Site. Further proof drilling is recommended to confirm the status of shallow coal seams and historic mine workings.
- Intrusive investigation to determine the exact location of the former recorded shafts within the Site with appropriate treatment and capping required.

5.114 It is therefore considered that the Proposed Development complies with the requirements of Local and National planning policy with respect to the consideration of ground conditions.

## Pollution

### Policy and Guidance

5.115 KLP19 *Policy LP52: Protection and improvement of environmental quality* outlines that proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals or other forms of pollution must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment. Such developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted.

5.116 Chapter 15 of the NPPF, *Conserving and enhancing the natural environment* states at paragraph 170 that planning policies and decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

5.117 Paragraphs 180 to 183 address noise and other forms of pollution. Paragraph 180 states that planning policies and decisions should seek to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life.

### Compliance of the Proposed Development

5.118 A noise assessment has been submitted in support of the Application. It identifies relevant sensitive receptors within the vicinity of the Site. Baseline noise conditions were ascertained through on-site monitoring at eleven locations with the methodology agreed with the Local Authority through the EIA Scoping process.

5.119 The assessment concludes that temporary effects from noise generated through construction activities can be mitigated through the implementation of a construction management plan. Long term operational impacts on existing residents and the impact on future residential receptors and proposed uses could be addressed through appropriate planning conditions.

5.120 The Proposed Development therefore meets the requirements of Local and National

planning policy with respect to the consideration of noise impact.

## Air Quality

### Policy and Guidance

- 5.121 KLP19 *Policy LP21: Highways and access* states that all proposals where the development would generate significant trip generation should be accompanied by a supporting Transport Assessment or Transport Statement providing detail as to the impact on highway safety, air quality, noise and light restrictions.
- 5.122 KLP19 *Policy LP51: Protection and improvement of local air quality* explains that development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would have an unacceptable impact on the natural and built environment or to people. Development which has the potential to cause levels of local air pollution must incorporate sustainable mitigation measures that reduce the level of this impact. If sustainable measures cannot be introduced the development will not be permitted.
- 5.123 KLP19 *Policy LP52: Protection and improvement of environmental quality* outlines that proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals or other forms of pollution must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.
- 5.124 Chapter 15 of the NPPF, *Conserving and enhancing the natural environment*, states at paragraph 170 that planning policies and decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.
- 5.125 Paragraph 181 sets out that planning policies and decisions should sustain and contribute toward compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas or Clean Air Zones.

### Compliance of the Proposed Development

- 5.126 The Site is not located within an Air Quality Management Area (AQMA) however it is noted that KMDC has identified an AQMA within Dewsbury Town Centre known as AQMA 5. This is circa 2.5km from the Site.
- 5.127 The Proposed Development has the potential to expose future users to elevated pollution levels and impact existing air quality in the vicinity of the Site during operation.
- 5.128 Applying good practice dust control measures through the implementation of a Construction Environmental Management Plan (CEMP), the residual significance of potential air quality effects from dust generated by construction was not considered significant. The residual effects on annual mean Nitrogen Dioxide concentrations as a result of the traffic generated by the Proposed Development were predicted to be minor adverse at two locations and negligible at 50 locations. Furthermore, the residual effects on annual mean Particular

Matter concentrations were predicted to be negligible at all sensitive receptors.

- 5.129 The results of the dispersion modelling assessment indicated that predicted Nitrogen Dioxide and Particulate Matter concentrations were below the relevant Air Quality Objectives at all locations across the Proposed Development. The Site is therefore considered suitable for the Proposed Development.
- 5.130 The Proposed Development complies with the requirements of Local and National planning policy and guidance with respect to the consideration of air quality.

## Energy, Sustainability and Resilience to Climate Change

### Policy and Guidance

- 5.131 KLP19 *Policy LP24: Design* states that proposals should promote good design by ensuring high levels of sustainability, through where practicable:
- Creating a design that promotes behavioural change by promoting walkable neighbourhoods and making walking and cycling more attractive;
  - Considering the use of innovative construction materials and techniques;
  - Where possible minimising resource use in the building and considering the use of renewable energy;
  - Providing charging points to encourage the use of electric and low emission vehicles;
  - Designing buildings that are resilient and resistant to flood risk and through incorporation of multi-functional green infrastructure where appropriate; and,
  - Designing places that are more 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.
- 5.132 KLP19 *Policy LP26: Renewable and low carbon energy* highlights that renewable and low carbon energy proposals will be supported and planning permission granted where any adverse effects of the proposal are mitigated by wider environmental, social and economic benefits.
- 5.133 KLP19 *Policy LP47: Healthy, active and safe lifestyles* states that proposals which include energy efficient design will be supported.
- 5.134 Chapter 14 of the NPPF, *Meeting the challenge of climate change, flooding and coastal change* states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

## Compliance of the Proposed Development

- 5.135 The framework for the Proposed Development has been set out through a series of Parameter Plans. These provide a structure to the development of the Site that promotes a network of green and blue infrastructure connecting the key development components of the Site, and links existing and new communities through the Site and to the open countryside beyond. These substantial corridors will promote sustainable patterns of movement, creating new and much improved opportunities for walking and cycling and enhanced access to open space and recreation opportunities. The integration of green and blue infrastructure promotes sustainable drainage systems and provides an enhancement to habitats and wildlife.
- 5.136 At the Reserved Matters stage the detailed design of the Proposed Development including individual dwellings and employment units will be considered carefully to promote energy efficient design and construction methods, including:
- The consideration of innovative construction techniques and materials;
  - A surface water drainage system will be incorporated into the detailed design to maintain current greenfield run off rates (with appropriate allowance for climate change) and provide sustainable drainage;
  - Private car travel will not be encouraged. Travel by walking and cycling and access to public transport will be promoted;
  - Achieving energy efficiency standards via a fabric first approach to design; and
  - Consideration of a district heat network for the Site, and local renewable energy generation where practicable and viable.
- 5.137 As far as possible, future trips from the Proposed Development will be encouraged to take place through sustainable and active travel modes by design and location of the Site, but further reinforced by the FTP which will be in place. Existing and future bus, rail and local active travel options (such as walking and cycling) will ensure that the impacts of the Proposed Development are minimised, and that residents, visitors and employees have the maximum choice of travel options.
- 5.138 The sustainability assessment submitted with the Application considers the sustainability of the Proposed Development which complies with national and local planning policy.

## Employment

### Policy and Guidance

- 5.139 The Site falls within an allocation for mixed-use development in the *KLP19* under *Policy Site* MXS7, which states an indicative capacity for employment of 122,500 sq.m.
- 5.140 Chidswell has been identified as a suitable location for new employment development within the *KLP19*, Leeds City Region Strategic Economic Plan and Kirklees Economic Strategy, as it is located within close proximity to both the M62 corridor to the north of Kirklees and M1.

- 5.141 The Site falls within the North Kirklees Growth Zone, which is itself part of the wider Kirklees economic strategy for this part of the authority. It is aimed at providing targeted economic growth through to 2030 and beyond.
- 5.142 KLP19 *Policy LP9* states that KMDC will encourage proposals that contribute to the creation of local employment opportunities within the district. KMDC will also seek to secure an agreed training or apprenticeship programme with applicants where development provides 3,500 sq. m or more of business floorspace, or housing developments which would deliver 60 dwellings or more.
- 5.143 Chapter 6 of the NPPF, *Building a strong, competitive economy*, emphasises that planning decisions should help to create the conditions in which businesses can invest, expand and adapt, and significant weight should be placed on the need to support economic growth and productivity.

### **Compliance of the Proposed Development**

- 5.144 The Proposed Development will provide up to 35 ha of employment uses (B1 (parts a and c), B2 and B8 uses) comprising up to 122,500 sqm of new floorspace. The proposals will deliver an employment site of strategic significance within the district and across the City region.
- 5.145 During the construction phase, approximately 121 FTE jobs would be created at the Site. Total job creation would amount to more than this figure, when taking indirect job creation into account from increased demand within the supply chain. In total it is estimated that approximately 3,019 FTE jobs will be created at the Site as a result of the employment generating uses.

The potential to agree a training or apprenticeship programme as set out in Policy LP9 will be discussed with the LPA following submission of the Application.

- 5.146 The Proposed Development therefore supports local and national planning policy and guidance with respect to the consideration of employment.

### **Retail Sequential Assessment**

- 5.147 A detailed consideration of the Proposed Development's potential impact on the viability of local centres has been undertaken as part of this planning application. This responds to local and national planning policy requirements. This assessment, including reference to relevant planning policy, is presented in full within Section 6 of this Statement. This concludes that the proposals satisfy the requirements of the sequential test and are acceptable.

### **Developer Contributions**

#### **Policy and Guidance**

- 5.148 KLP19 *Policy LP4: Providing infrastructure* explains that new development should contribute to the provision of infrastructure, taking account of local and strategic needs and financial viability. This may be achieved on-site or off-site through planning conditions or legal agreements and/or through contributions to the Community Infrastructure Levy (CIL).
- 5.149 The NPPF sets out at Paragraph 34 that plans should set out the contributions expected from development. This should include setting out the levels and types of affordable

housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).

### **Compliance of Proposed Development**

5.150 The on-Site infrastructure proposed as part of the Proposed Development has been set out in this statement and through the submitted planning application package. Any requirements for financial contributions to mitigate the impact of the proposals will be discussed and agreed with the Council following submission of the planning application.

### **Affordable Housing**

#### **Policy and Guidance**

5.151 *KLP19 Policy LP11: Housing Mix and Affordable Housing* sets out the requirements for affordable housing. Housing developments of 10 or more dwellings will be expected to provide affordable housing. The proportion of affordable homes should be 20% of the total units on market housing sites. This percentage will be sought by KMDC unless it can be demonstrated through viability evidence that the required figure would render the scheme unviable. The affordable homes should be incorporated within the development, however if this is not possible a financial contribution of at least equal value may be accepted to provide affordable homes elsewhere or to re-use or improve the existing housing stock.

5.152 Additionally, *KLP19 Policy LP11: Housing Mix and Affordable Housing* states that the affordable housing provision should:

- Cater for the type of affordable need identified in the latest housing evidence in terms type, tenure, size and suitability to meet the needs of specific groups;
- Incorporate appropriate arrangements to retain the benefits of affordability for initial and subsequent occupiers or for the subsidy to be recycled for alternative affordable housing provision; and
- Be indistinguishable from market housing in terms of achieving the same high quality design.

5.153 *Kirklees Interim Affordable Housing Policy 2020 (KIAHP20)* provides guidance on how current identified affordable housing needs should be secured in accordance with *KLP19 Housing Mix Policy (LP11)*. A district-wide assessment of the economic viability of land for housing has shown that, for market housing schemes in Kirklees, 20% of the total units on sites should be provided as affordable housing. The policy document states that the proportion may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.

5.154 *NPPF Chapter 5. Delivering a sufficient supply of homes* (paragraphs 59 to 79) outlines the need to provide high quality homes, widen opportunities for home ownership and create sustainable communities. It identifies that the mix of housing should be based on demographic trends and market trends, and that there is an appropriate mix of size, type and tenure of housing to meet local demands.

### **Compliance of the Proposed Development**

- 5.155 The proposals will provide a level of affordable housing on Site. The amount and tenure split will be subject to discussion and agreement with the LPA during the determination of this application and will be secured through a s106 agreement.
- 5.156 The level of affordable housing provision forms a key component of the viability of the scheme and will be considered following confirmation of infrastructure costs including any transport mitigation, education provision, and health requirements.

### **Conclusion**

- 5.157 It is considered that the principle of mixed-use development is accepted by KMDC and that the Proposed Development is consistent with and supports KLP19 and the NPPF.
- 5.158 The effects of the Proposed Development have been comprehensively assessed through a range of technical reports and an Environmental Impact Assessment. These documents propose mitigation where necessary to ensure that the impact of the Proposed Development is acceptable.
- 5.159 The Proposed Development has been the subject of a programme of pre-application consultation with key stakeholders, and the responses from consultees have been considered, as far as practical.
- 5.160 The Application has addressed key planning matters relating to the Site and Proposed Development through a detailed review of the policies and guidance that are applicable to the Site. It has also balanced these policy requirements with site-specific considerations and matters raised through the pre-application process.
- 5.161 Overall, the Proposed Development supports national and local planning policy and guidance. Taken as a whole the Application complies with the Development Plan and all other material considerations. The Local Plan is up to date and therefore in accordance with the NPPF (para 11c) the Application should be approved without delay.

# 6 Sequential Assessment

## Introduction

- 6.1 This section of the Statement considers whether there are any sequentially preferable sites for the proposed retail uses within Chidswell and the surrounding area in accordance with the NPPF, PPG and KLP19.
- 6.2 The Assessment has been produced in response to a request by KMDC during pre-application discussions.
- 6.3 A Scoping Note was issued to the Local Planning Authority in October 2019. A response was received from the Local Planning Authority on 28 October 2019.

## Site Description

- 6.4 A full description of the Site and the Proposed Development can be found in Section 2 and Section 3 of this Planning Statement.
- 6.5 This Sequential Assessment relates to the proposed local centre. It is proposed that the local centre, which is to form part of the development proposals, will comprise no more than 500 sq. m of commercial retail space (A1-A5 Uses), with a total floorspace of up to 1,500 sq. m to potentially include facilities such as a doctor's surgery or dentist.
- 6.6 As neither a development partner nor an end operator will be identified until after the granting of any Outline Planning Permission, the Application seeks permission for the following Use Classes to ensure flexibility to respond to future needs– A1, A2, A3, A4, A5, D1 and D2.
- 6.7 The details of the retail provision will be determined by subsequent submissions by way of Reserved Matters and will be provided by the future developer of the Site. However, no more than 500 sq. m. of retail floorspace (A1-A5 Uses) would be provided within the local centre.
- 6.8 The proposed retail space is anticipated to meet basic amenity needs of the occupiers of the proposed dwellings and employment uses. Due to the limited size of the retail proposals (up to 500 sq. m.), it is not anticipated that the proposal will cater for the needs of residents outside of the development.
- 6.9 The Site is identified for development in a mixed-use allocation within the Kirklees Local Plan (ref. Site MXS7) for residential and employment uses.
- 6.10 The policy allocating the Site (ref. Site MXS7) states that in accordance with Policy LP13 (part a, paragraph 4) the creation of a new local centre of an appropriate size will be supported within this location, subject to a sequential test and impact assessment.

- 6.11 The nearest postcode to the Site is WF12. The Kirklees Retail Capacity Study Update (September 2017)<sup>2</sup> categorises the postcode WF12 as 'Zone 8'. The study estimates the convenience floorspace requirement for Zone 8 as between 1,900 sq. m and 3,000 sq. m net at 2016. This figure increases to between 2,500 sq. m and 3,900 sq. m net at 2031.

## Planning Policy Context

### National Planning Policy Framework

- 6.12 Paragraph 86 of the NPPF sets out the sequential test for planning applications for main town centre uses and states:

*"Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered"*

- 6.13 Paragraph 87 adds:

*"When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored."*

- 6.14 Paragraph 90 of the NPPF concludes where an application fails to satisfy the sequential test it should be refused.

### National Planning Practice Guidance (PPG)

- 6.15 The PPG launched on 6 March 2014, and includes a section titled 'Town centres and retail', which was last updated in July 2019.

- 6.16 The PPG is designed to guide local authorities in planning positively to 'support town centres' and to guide applicants for planning permission, particularly where proposals are for town centre uses which would not be located within existing town centres.

- 6.17 Paragraph 001 (Reference ID: 2b-001-20190722) states that a wide range of complementary uses, can if suitably located, help to support the vitality of town centres, including residential, employment, office, commercial, leisure/entertainment, healthcare and educational development.

- 6.18 The PPG outlines the method and need for a sequential test in Paragraph 009 (Reference ID: 2b-009-20190722):

*"The sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre location are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). It support the*

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<sup>2</sup> [https://www.kirklees.gov.uk/beta/planning-policy/pdf/retail-capacity/retail\\_study-update-2017.doc.pdf](https://www.kirklees.gov.uk/beta/planning-policy/pdf/retail-capacity/retail_study-update-2017.doc.pdf)

*viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision making.”*

**Local Plan**

- 6.19 As previously discussed in Paragraphs 6.9 and 6.10, the Site is allocated for mixed-use development.
- 6.20 A local centre is defined in *KLP19 Policy LP13* which states that such centres should provide a location for top-up shopping and local services.
- 6.21 A full assessment of the proposal against the Local Plan, can be found in Section 5 of this Planning Statement.
- 6.22 *KLP19 Policy LP13* sets out the requirements for a sequential assessment.
- 6.23 Additionally Policy LP13 sets out the requirement for a retail assessment if a proposal for an out of centre retail use is larger than 500 sq. m gross. As the gross external area of the total proposed retail provision is a maximum of 500 sq. m., a retail impact assessment is not required, however a sequential assessment is required. This has also been agreed with KMDC in the Scoping Response received on 28 October 2019.

<b>Total gross size of built development</b>	<b>Sequential Assessment</b>	<b>Impact Assessment</b>	<b>Catchment Area (radius) drive time</b>
Up to 500 sq. m.	YES	NO	10 minutes

**Sequential Assessment**

- 6.24 As the proposed retail unit is located ‘out of centre’ in retail policy terms, it is necessary to demonstrate that there are no suitable, available and viable sequentially preferable sites that could accommodate the proposed Local Centre.
- 6.25 In undertaking a sequential test, it is important that the correct interpretation and application of the sequential test is applied at the outset, taking relevant case law and relevant appeal decisions into account.
- 6.26 The NPPF requires applications to ‘demonstrate flexibility’ on issues such as format and scale of the proposal and to consider the suitability of more central sites to accommodate the proposal. Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre.
- 6.27 Past appeal decisions have clarified the extent of flexibility which applicants are expected to show in the application of the sequential test. On the issue of flexibility, within the Supreme Court Judgement in the *Tesco Stores Limited (Appellants) v Dundee City Council (Respondents) (Scotland) (March 2012)*, Lord Reed ruled that “suitable” means suitable for the development proposed by the applicant.

- 6.28 In the 2014 Rushden appeal<sup>3</sup>, the Secretary of State confirmed that the sequential test needs to be considered in the context of the specific development proposed by the applicant, and not an attempt at disaggregation that might otherwise seek to accommodate separate elements of the proposed development on a smaller, sequentially preferable site.
- 6.29 Accordingly, careful consideration should be given to the commercial requirements of an applicant, in light of the specific application proposal. The two decisions referred to above, both assist in demonstrating how the sequential test should be lawfully and properly applied.
- 6.30 Whilst we acknowledge the requirement for some flexibility in applying the sequential test, as referred to in paragraph 010 of the National Planning Practice Guidance, commercial requirements need to be applied sensibly in the context of scale and format. A proposal cannot be disaggregated into separate elements.
- 6.31 Therefore, whilst in some circumstances there may be some limited scope to reduce the scale of a proposed development, it would be unreasonable to expect the Applicant to amend it to the extent that, for example, it no longer meets the requirement of providing retail facilities to new residents.
- 6.32 The provision of the retail floorspace within the Proposed Development will provide a convenient and accessible facility for future residents that is not currently available within the immediate locality.

### Sequential Considerations

- 6.33 In line with NPPF policy requirements, we have undertaken a sequential site assessment to support the Application. The proposed Local Centre includes retail floorspace (A1-A5 uses) of up to 500 sq. m.
- 6.34 The retail floorspace (500 sq. m.) will only form part of the proposed local centre. The local centre will have a total floorspace of up to 1,500 sq. m. and may include facilities such as a doctor's surgery or a dentist. It is therefore considered that the sites tested as part of the sequential assessment should be large enough to accommodate the local centre proposed as a whole. The various uses should not be disaggregated as outlined by the 2014 Rushden appeal, discussed previously in Paragraph 6.28.
- 6.35 The sequential assessment will test the suitability, availability and viability of alternative locations to accommodate the whole local centre. The methodology and findings are set out below.

### Methodology

#### The Sequential Sites 'Area of Search'

- 6.36 The 'area of search' has been agreed with the Local Planning Authority in a scoping response on 28 October 2019.

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<sup>3</sup> APP/G2815/V/12/2190175 – LXB RP (RUSHDEN) Limited vs East Northamptonshire District Council. 2014 - "Rushden Lakes Appeal"

6.37 Consideration has been given to locating the new local centre within the following existing centres as they are within 10 minutes' drive from the location of the proposed centre:

- Wakefield Road (Earlsheaton) Local Centre;
- Earlsheaton Local Centre;
- Chickenley Local Centre;
- Dewsbury Town Centre;
- Batley Town Centre; and
- Batley Carr Local Centre.

### **Identification of Alternative Locations**

6.38 The assessment essentially considers two types of alternative locations: vacant / allocated development sites and existing vacant units within the assessment area.

6.39 To ensure a thorough approach to site identification, the sites and vacant units which have been considered have been identified through:

- Allocations within the Local Plan;
- Sequential assessments previously undertaken to support retail proposals within the area;
- Online commercial let searches – CoStar has been used as the primary search database in order to identify alternative sites which meet the size thresholds set out in Paragraphs 6.41, 6.42 and 6.43 below.

### **Minimum Unit Size Tested**

6.40 The NPPF requires developers to demonstrate flexibility in the approach to the consideration of alternative locations, to ensure that new development makes effective and efficient use of previously developed land, ensure schemes are located within accessible locations, and improve the range and diversity of activities within town centres.

6.41 As specified above, the application proposals are for a local centre with a total floorspace of 1,500 sq.m in size. Although the retail provision proposed is only up to 500 sq. m, any alternative locations must be large enough to be able to bring forward the development as a whole. Therefore, the analysis tests the potential of sites to accommodate the proposed new centre as a whole. To allow some flexibility within our search we have also allowed for sites which are 10% smaller than the proposed local centre (1,350 sq.m / 14,531 sq. ft.).

6.42 Sites which fall below this threshold have not been considered further, on the basis that any further departure from this size range would result in sites which would not be capable of accommodating the local centre, even allowing for flexibility in format.

## **Assessment of Locations**

6.43 The assessment of individual sites / vacant units has been based on their suitability, availability and viability for redevelopment to accommodate the proposed local centre. This assessment is based on a review of detailed criteria for each location including:

- Size of the site and capacity to accommodate the type of development proposed;
- Current use and availability for development;
- Current ownership and the ease with which the site could be assembled (where known);
- Site allocation;
- Accessibility by foot, bus and cycle as well as by car (including the supply of nearby car parking for the bulky goods floorspace);
- Physical constraints of the site; and,
- Existing planning permissions and commitments.

## **Availability**

6.44 Phasing and delivery of the Proposed Development will be confirmed by future Reserved Matters submissions. As this has not yet been confirmed, the availability has been assessed based on a three year period for robustness.

6.45 To identify whether the locations identified are available to accommodate the proposals, consideration has been given to whether the locations are currently vacant and if they are being marketed to seek alternative occupiers.

## **Suitability**

6.46 The proposals are to accommodate the requirements of a 1,500 sq. m. local centre.

6.47 The suitability of alternative locations has not been considered against the requirements of single occupiers for the uses proposed (in accordance with the advice within the NPPG).

6.48 Our interpretation of this test relates to whether the proposed Local Centre can be reasonably and successfully located at a particular site.

## **Viability**

6.49 This assessment is based on a review of criteria for each location including; whether the site presents any obvious economic obstacles to the proposed Local Centre such as requiring significant upfront costs/ investment to facilitate the operation of the development, securing the site and its operational management.

## Assessment of Alternatives

### Potential Development Sites

- 6.50 We have considered the suitability and availability of any potential development sites in the area of search to accommodate the proposed development as a whole (1,500 sq. m. / 16,145 sq. ft. in total) and which are 10% smaller.
- 6.51 We were unable to identify any available or suitable development sites within the local centres and town centres identified in Paragraph 6.37.
- 6.52 Therefore, no development sites are available or suitable within the search area to accommodate the proposed local centre.

### Vacant Units

- 6.53 The Tables below set out the results of the vacant unit search which was undertaken in November 2019.
- 6.54 No suitable vacant units were identified within the following local centres:
- Wakefield Road (Earlsheaton) Local Centre;
  - Earlsheaton Local Centre;
  - Chickenley Local Centre;
  - Batley Town Centre; and,
  - Batley Carr Local Centre.

**Ref A: Units 1 & 2, Railway St Centre, Railway Street, Dewsbury. WF12 8EQ.**



The property is located on Railway Street, Dewsbury with access to the A638. The property is 700m distant from Dewsbury Railway Station.

<b>Suitable</b>	The property comprises a building of masonry construction providing retail accommodation arranged over one floor. The property comprises floorspace (38,472 sq. ft. in total) which could accommodate the local centre as a whole. However, the property is located approximately 3.8 km distant from the Site, therefore it would not provide a convenience facility for future residents.
<b>Available</b>	Whilst the property is for sale, it is currently fully let and multi-tenanted. The property is therefore considered to be unavailable.
<b>Viable</b>	Whilst the site could accommodate the local centre, it would require significant adaptation in terms of format and layout. This adaptation would require significant upfront costs.
<b>Summary</b>	The property is located in an area that would not be convenient for future residents and users of the Proposed Development. Further, the site is not considered to be available. On this basis, the site is therefore discounted.

**Ref B: Princess of Wales Shopping Centre, 30-48 Church Street, Dewsbury, WF13 1NH**



The property is located within the centre of Dewsbury and as such benefits from good public transport links, with close proximity to Dewsbury Railway Station.

<b>Suitable</b>	The site comprises a retail building of steel frame construction providing 18,919 sq. ft. of lettable space across two floors. Whilst it comprises floorspace which could accommodate the local centre as a whole, its current format is not suitable for the provision of the Local Centre as it does not provide flexibility. Additionally the property is located approximately 4 km distant from the Site, therefore it would not provide a convenient facility for future residents.
<b>Available</b>	The property is currently being marketed for lease and is therefore available.
<b>Viable</b>	Whilst the site could accommodate the proposed floorspace, it could not accommodate the Local Centre in its entirety without significant adaptation in terms of format and layout. This adaptation would require significant upfront costs.
<b>Summary</b>	The property is located in an area that would not be convenient for future residents and users of the Proposed Development. Additionally the property would require significant adaptation to be suitable. On this basis, the site is therefore discounted.

**Ref C: Princess of Wales Shopping Centre, 1-27 Long Causeway, Dewsbury, WF13 1NH**



The property is located in Dewsbury town centre and is a short walk from Dewsbury Railway Station.

<b>Suitable</b>	The property comprises a two floor building of steel frame construction and provides retail accommodation which extends to 42,866 sq. ft. The property could therefore accommodate the local centre as a whole. However, the property is located approximately 3.7 km distant from the Site, therefore it would not provide a convenient facility for future residents.
<b>Available</b>	The property is currently being marketed for lease and is therefore available.
<b>Viable</b>	Whilst the site could accommodate the local centre, it would require significant adaptation in terms of format and layout. This adaptation would require significant upfront costs.
<b>Summary</b>	The property is located in an area that would not be convenient for future residents and users of the Proposed Development. Additionally property would require significant adaptation. On this basis, the site is therefore discounted.

6.55 Therefore, vacant units identified within the area of search are not available, suitable or viable to accommodate the local centre including the retail provision.

**Summary and Conclusion**

6.56 This Sequential Assessment has assessed the availability, suitability and viability of sites identified within the agreed area of search against the NPPF.

6.57 The assessment has concluded that there are no sites which can adequately accommodate the Local Centre in its entirety. Therefore, it is clear that the proposed location is the most sequentially preferable one in Chidswell and the surrounding area capable of accommodating the Proposed Development.

6.58 The proposals therefore satisfy the tests identified in Paragraphs 86-90 of the NPPF as follows:

- There are no sequentially preferable sites or vacant units which are available and suitable to accommodate the proposals; and
- Due to the scale and nature of the floorspace proposed, the proposals would not undermine the vitality and viability of any defined centre either inside or outside of the Chidswell boundary, and is unlikely to lead to any material impact on either private or public investments within these centres.

# 7 Summary and Conclusions

- 7.1 This Planning Statement accompanies an Application for Outline Planning Permission with means of access specified and all other matters reserved, for the development of Land East of Leeds Road, Chidswell. The Statement has provided a review of the Proposed Development, the Site context, the planning policy context and a planning assessment of the Proposed Development.
- 7.2 The Site is identified as being suitable for residential and employment led development, as supported by the allocation for mixed-use development within the Kirklees Local Plan. The Site is available and is deliverable, and will make a considerable contribution towards meeting Kirklees' housing supply and employment land requirements.
- 7.3 The Proposed Development is considered to be a sustainable development as it is an accessible location, adjacent to the existing built development of Chidswell and close to existing facilities, services, infrastructure and public transport links. The Proposed Development will provide benefits including family housing; construction jobs and further jobs within the local supply chain and operation of the development; investment and increased expenditure into the local area; ecological enhancements; and the creation of new publically accessible open space. The Proposed Development will align with and contribute to the planned housing growth in the area.
- 7.4 The impact of the Proposed Development has been assessed through technical surveys and Environmental Impact Assessment submitted with the Application. These demonstrate that appropriate consideration has been given to the environment and local community and that mitigation has been proposed, where necessary, to minimise impacts to acceptable levels. Detailed design and other elements of the scheme will be secured through a Reserved Matters submission in due course.
- 7.5 Site-specific considerations have been identified and discussed in detail within Section 5 of this Statement, which sets out how a wide range of aspects of the proposals have been assessed in a robust matter against the relevant Development Plan policies and material considerations.
- 7.6 Applicable planning policies, guidance and other material considerations have been reviewed, and this Statement provides full and robust justification for the Proposed Development, alongside supporting design and technical assessments that are submitted with the Application.
- 7.7 Overall, the Proposed Development supports national and local planning policy and guidance. Taken as a whole the Application complies with the Development Plan and all other material considerations. The Local Plan is up to date and therefore in accordance with the NPPF (para 11c) the Application should be approved without delay.

Land East of Leeds Road, Chidswell

# Appendix A: Planning Policy Review

A.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*

A.2 This technical Appendix provides a comprehensive review of the relevant documents that make up the Local Plan and are material considerations in the determination of the Application, as detailed in Section 4 of this Statement.

A.3 The wording of planning policies which are pertinent to the Site and Proposed Development is shown in the tables below, alongside text which sets out how the Application complies with these policies.

## Adopted Local Plan

### Kirklees Local Plan

Policy	Application Compliance
<b>Policy LP1: Presumption in favour of sustainable development</b>	
<p>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. The council will always work pro-actively 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.</p> <p>Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the proposal 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:</p> <ol style="list-style-type: none"> <li>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</li> <li>specific policies in that Framework indicate that development should be restricted.</li> </ol>	<p>The Site is a sustainable location and will contribute to Chidswell’s social vitality and economic viability.</p> <p>The Proposed Development will provide a range of benefits including:</p> <ul style="list-style-type: none"> <li>The delivery of up to 1,354 new homes;</li> <li>A new two form entry primary school with early years provision;</li> <li>Up to 35 ha of employment generating uses which is expected to provide c. 3,019 FTE jobs;</li> <li>New jobs will also be created through construction and within the local supply chain;</li> <li>Up to 500 sq. m. flexible commercial floorspace within a new local centre, suitable to provide a range of services to existing and future residents;</li> <li>New sustainable drainage system proposed to minimise flood risk and provide natural drainage (locations of the Blue Infrastructure are outlined in the Parameter Plan (drawing ref: 18008-00-202F));</li> <li>Integrated publically accessible open space (as shown on the Green Infrastructure Parameter Plan (drawing ref: drawing ref: 18008-00-204H));</li> <li>New pedestrian and cycle links are proposed; and</li> <li>The Illustrative Masterplan (drawing ref: 18008-00-007) shows how the proposals could incorporate natural surveillance, which can minimise opportunities for crime and disorder.</li> </ul> <p>The Proposed Development is compliant with local planning policy.</p>

Policy	Application Compliance
<p><b>Policy LP2: Place shaping</b></p>	
<p>All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below:</p> <p><u>Dewsbury and Mirfield</u></p> <p>Dewsbury and Mirfield form an extensive urban area within a wide valley, bounded by some steep slopes and containing significant areas of historic or architectural interest. The area benefits from good transport links to the M62 and the M1, and by rail to Leeds and Manchester. There is also a well-established green network making it easy to walk and cycle. Dewsbury town centre is the main location for shopping. Local shopping centres exist in Mirfield and Ravensthorpe, where shops and services are either side of the busy main road. Overall, household incomes are below the Kirklees average but there are some higher income areas. Relative to other areas of Kirklees, skills levels in Dewsbury are lower than average. The area experiences both strong and weak housing market areas.</p> <p><u>Statement Place Shaping – Dewsbury and Mirfield</u></p> <p>Strengths/opportunities for growth</p> <ul style="list-style-type: none"> <li>• Dewsbury is less than ten minutes from Leeds on the train and enjoys direct rail links to other major northern cities.</li> <li>• Dewsbury is an important public transport hub with bus services linking to other parts of North Kirklees and to Leeds, Bradford and Wakefield.</li> <li>• Mirfield is currently the district's only direct rail link to London.</li> <li>• Relatively good motorway links from Mirfield to M62 and north-east Dewsbury to M62 and M1.</li> <li>• Priority in Kirklees Economic Strategy to transform Dewsbury, building on strategic location and driven by integrated housing and economic development in town centre.</li> <li>• Strong housing market areas of Mirfield and outskirts of Dewsbury.</li> <li>• District centres at Mirfield and Ravensthorpe meeting a range of everyday shopping and service needs, along with other local centres throughout Dewsbury and Mirfield.</li> <li>• Attractive buildings and townscape in Dewsbury, with enhanced buildings such as Pioneer House and the Victorian Arcades.</li> <li>• Kirklees College potentially attracting investment.</li> <li>• Established greenway network and Dewsbury Country Park.</li> <li>• Brownfield opportunities from former industrial uses.</li> <li>• Potential to enhance river and canal corridors for the River Calder, Spen River and the Calder Hebble Navigation to help attract investment and provide an attractive setting and a leisure and recreation asset.</li> <li>• A growing young population with a history of enterprise and community networks.</li> <li>• Crow Nest Park has a Green Flag award and is a leisure and recreation asset for Dewsbury.</li> </ul>	<p>The Application includes Parameter Plans which set a framework for a future detailed scheme and reflects the outcome of a range of technical assessment. The Parameter Plans outline the following:</p> <ul style="list-style-type: none"> <li>• (Drawing ref: 18008-00-201F) – Proposed Parameter Plan: Developable Area &amp; Use – sets out the extents of the proposed land parcels and their intended uses.</li> <li>• (Drawing ref: 18008-00-203F) – Proposed Parameter Plan: Maximum Building Heights – sets the maximum building heights for proposed buildings including dwellings, employment development and the local centre.</li> <li>• (Drawing ref: 18008-00-205E) – Proposed Parameter Plan: Access - identifies the vehicular access points and the main spine road corridor. It also identifies a potential future vehicular connection point to the adjacent MXS5 allocation.</li> <li>• (Drawing ref: 18008-00-202F) – Proposed Parameter Plan: Blue Infrastructure – identifies the broad locations for strategic blue infrastructure including sustainable urban drainage ponds and underground attenuation which form the basis of the site's strategic drainage strategy. Swales and localised drainage ponds are excluded from this drawing and will be detailed at a subsequent Reserved Matters stage.</li> <li>• (Drawing ref: 18008-00-204H) – Proposed Parameter Plan: Green Infrastructure – identifies the main strategic green corridors proposed.</li> </ul> <p>The Design and Access Statement explains how the Illustrative Masterplan (drawing ref: 18008-00-007) has evolved, having considered the Site's constraints and opportunities, in addition to responding to the pre-application discussions and public consultation that took place prior to submission.</p>

Policy	Application Compliance
<ul style="list-style-type: none"> <li>• Out of centre retail and leisure park at Birstall, attracts visitors from a wide area and provides an opportunity to create linked trips to towns in north of the district</li> </ul> <p>Challenges to growth</p> <ul style="list-style-type: none"> <li>• Traffic congestion on key routes.</li> <li>• Railway stations at Ravensthorpe and Mirfield currently have a lack of facilities.</li> <li>• High levels of inequality between strong and weak housing market areas.</li> <li>• Narrow Green Belt gaps separating some settlements, particularly around Mirfield.</li> <li>• Flatter areas at low levels tend to be at risk of flooding.</li> <li>• Many brownfield opportunities are in weak housing market areas.</li> <li>• Poor air quality in some areas.</li> <li>• Poor environmental quality in some areas reduces potential for investment.</li> <li>• Higher than average retail floorspace vacancy in Dewsbury Town Centre.</li> <li>• Traffic detracting from environmental quality between Dewsbury Town Centre and the railway station and in Mirfield and Ravensthorpe centres which are located on busy roads.</li> <li>• Dewsbury town centre Conservation Area is on the Heritage at Risk register.</li> <li>• Pockets of high unemployment, deprivation and poor health.</li> <li>• The regeneration of Dewsbury as a place to live, work and invest.</li> <li>• Out of centre retail and leisure park at Birstall, attracts visitors from a wide area and plays an important retail role, meaning it is necessary to reinforce the role of main town centres in north of the district.</li> </ul>	
<p><b>Policy LP3: Location of new development</b></p>	
<p>Development proposals will be required to reflect the Spatial Development Strategy, Policy LP1 Presumption in Favour of Sustainable Development and Policy LP2 Place Shaping. This means:</p> <ol style="list-style-type: none"> <li>1) Development should reflect:             <ol style="list-style-type: none"> <li>a. the settlement’s size and function; and</li> <li>b. place shaping strengths, opportunities and challenges for growth; and</li> <li>c. spatial priorities for urban renaissance and regeneration; and</li> <li>d. the need to provide for new homes and jobs;</li> </ol> </li> <li>2) Development will be permitted where it supports the delivery of housing and employment growth in a sustainable way, taking account of the following criteria:             <ol style="list-style-type: none"> <li>a. delivering the housing and job requirements set out in the Local Plan;</li> </ol> </li> </ol>	<p>The Site is located to the east of the A653 Leeds Road dual carriageway, which is a strategic corridor between Dewsbury and Leeds. In the immediate vicinity of the Site, Leeds Road runs in a north-south direction, adjoining the A638 Wakefield Road and Junction 28 (the Tingley Interchange) of the M62 Motorway to the north. The A638 Wakefield Road links with the M1 Motorway Junction 40 to the east of the Site.</p> <p>The Site is located in close proximity to Woodkirk and Shaw Cross. Both locations offer a range of services and facilities to meet the daily needs of its residents. Woodkirk provides a primary school, a secondary school, convenience store and a public house. Batley Railway station is located 1.5 miles west of the Site.</p> <p>Chidswell has been identified as a suitable location for new employment development within the KLP18, Leeds City Region Strategic Economic Plan and Kirklees Economic Strategy, as it is located along the M62 corridor to the north of Kirklees, where easy access can be achieved to the M1.</p> <p>The Proposed Development is strategic in nature and provides an opportunity to address an identified need for employment and residential development within Kirklees, as required within the Kirklees Local Plan. The submission of this planning application demonstrates the Applicant’s willingness to proceed and deliver the allocation, which is central to the aspirations of the Local Plan.</p> <p>A key element of the Applicant’s strategy is to create conditions for early delivery, this has influenced the planning strategy. With this in mind, a separate outline planning application has been simultaneously submitted</p>

Policy	Application Compliance
<ul style="list-style-type: none"> <li>b. the need to maintain a supply of specific deliverable sites, in accordance with national policy and enabling the delivery of allocations set out in the Local Plan or in Neighbourhood Plans;</li> <li>c. ensuring that opportunities for development on brownfield (previously developed) sites are realised early in the plan, subject to maintaining a five year supply of housing land and to delivering the overall housing and jobs requirements;</li> <li>d. ensuring delivery of housing and jobs in smaller settlements to meet local housing and employment needs;</li> <li>e. ensuring that proposals have regard to connecting links to existing green and blue infrastructure networks;</li> <li>f. co-ordinating housing and employment land delivery with the provision of new infrastructure.</li> <li>g. providing access to a range of transport choices and access to local services.</li> </ul>	<p>to KMDC by the Applicant covering the remainder of the allocation, for residential development to the north of this Site and south of Hey Beck Lane. This could be developed as a standalone, early phase.</p> <p>The Proposed Development includes substantial levels of publically accessible open space, connecting with the proposed blue infrastructure, and adding to the existing network of public rights of way which connect existing communities with the countryside beyond.</p> <p>A comprehensive range of infrastructure has been proposed on Site and this will be supported by financial contributions to off-site mitigation where required and to be agreed through the Application determination process.</p> <p>As far as possible, future trips from the Proposed Development will be encouraged to take place through sustainable and active travel modes by design and location of the Site, but further reinforced by the Framework Travel Plan which will be in place. Existing and future bus, rail and local active travel options (such as walking and cycling) will ensure that the impacts of the Proposed Development are minimised, and that residents, visitors and employees have the maximum choice of travel options.</p> <p>It is therefore considered that the Proposed Development accords with the requirements of Local planning policy and guidance with respect to transport and access considerations.</p>
<p><b>Policy LP4: Providing infrastructure</b></p>	
<p>The council will work with partners to bring forward the necessary and proportionate essential and desirable infrastructure that is required in order to deliver the spatial strategy as set out in the Local Plan.</p> <p>Essential infrastructure is defined as infrastructure that is required to make development acceptable in planning terms. Desirable infrastructure is described as infrastructure which would improve the capacity and deliver place making benefits.</p> <p>Where new infrastructure is needed to support new development, the essential infrastructure must be operational no later than the appropriate phase of development for which it is needed.</p> <p>Where new infrastructure is needed, the council will expect phasing plans to be submitted as part of planning applications and where appropriate, will link the construction and occupation of that development to infrastructure provision.</p> <p>New development should contribute to the provision of infrastructure, taking account of local and strategic needs and financial viability. This may be achieved on-site or off-site through planning conditions or legal agreements and/or through contributions to the Community Infrastructure Levy (CIL).</p>	<p>The development will be supported by, and have good access to, all necessary infrastructure.</p> <p>The Proposed Development will address its key infrastructure requirements through a combination of on-site infrastructure and off-site financial contributions. The timing and scale of any contributions will be subject to discussion and agreement with the LPA during the determination of this application and will be finalised in a s106 agreement.</p> <p>The Proposed Development responds positively to the objectives of the Local Plan.</p>
<p><b>Policy LP5: Masterplanning sites</b></p>	
<p>Masterplans must involve all the relevant stakeholders, including the council, landowners, developers, the local community, service providers and other interested parties. Masterplans will be developed in consultation with the council prior to the submission of a planning application. Masterplans would only be sought where feasible and appropriate.</p> <p>Masterplans will be expected to achieve the following (proportionate to the scale of development):</p> <ul style="list-style-type: none"> <li>a. an illustrative development layout and phasing and implementation plan;</li> <li>b. high standards of design that respect the character of the landscape, heritage, adjacent and nearby settlements and built development, reflecting the urban to rural transition with appropriate boundary treatment;</li> <li>c. make effective use of the site through the application of appropriate densities in terms of scale, height and massing, and its relationship to adjoining buildings and landscape;</li> </ul>	<p>The proposals are based on sound masterplanning principles, whilst seeking to meet the requirements of the policies within KLP19 and providing the Site requirements specified by the allocation MXS7. This holistic approach to design ensures that all important components have been considered including the Site's context and, as appropriate, responded to within the emerging proposals. The green infrastructure proposals have been considered for the whole allocation to ensure that an integrated network of greenspace is provided as shown on the Illustrative Masterplan (drawing ref: 18008-00-007).</p> <p>The Application includes Parameters Plans which set a framework for a future detailed scheme and reflect the outcome of a range of technical assessments. The Parameter Plans outline the following:</p> <ul style="list-style-type: none"> <li>• (Drawing ref: 18008-00-201F) – Proposed Parameter Plan: Developable Area &amp; Use – sets out the extents of the proposed land parcels and their intended uses.</li> </ul>

Policy	Application Compliance
<p>d. create a strong sense of place, ensuring the proposed development makes a positive contribution to local character and distinctiveness;</p> <p>e. plan for integrated development, providing for a mix of housing that addresses the range of local housing needs, and encourages community cohesion;</p> <p>f. reduce the need for car use and encourage sustainable modes of travel, including provision for public transport, cycle routes, footpaths and bridleways and electric charging points;</p> <p>g. a network of permeable and interconnected streets and public spaces;</p> <p>h. measures to mitigate the traffic impacts of the proposed development on the strategic and local road networks;</p> <p>i. timely delivery of physical infrastructure, including sewage connections and fibre optic broadband;</p> <p>j. appropriate employment provision and community facilities to serve the new development (e.g. local shops, community halls, schools and health facilities, community sport and fitness provision);</p> <p>k. accessible open space to meet identified local needs and/or increase accessibility to existing open spaces;</p> <p>l. a green infrastructure strategy, providing an integrated network of green spaces;</p> <p>m. appropriate measures to mitigate flood risk and ensure that the development is resilient to the potential impacts of climate change;</p> <p>n. assessment of the potential for energy efficient design including renewable energy schemes; and</p> <p>o. demonstration of a good understanding and respect for the natural environment, its heritage assets and their setting both within the site and in the wider locality, whether designated or not, and include details of how the natural environment and heritage assets will be conserved and enhanced.</p> <p>A management plan must be produced as part of the master-planning process to demonstrate how infrastructure and community assets will be maintained and managed following completion of development.</p>	<ul style="list-style-type: none"> <li>(Drawing ref: 18008-00-203F) – Proposed Parameter Plan: Maximum Building Heights – sets the maximum building heights for proposed buildings including dwellings, employment development and the local centre.</li> <li>(Drawing ref: 18008-00-205E) – Proposed Parameter Plan: Access - identifies the vehicular access points and the main spine road corridor. It also identifies a potential future vehicular connection point to the adjacent MXS5 allocation.</li> <li>(Drawing ref: 18008-00-202F) – Proposed Parameter Plan: Blue Infrastructure – identifies the broad locations for strategic blue infrastructure including sustainable urban drainage ponds and underground attenuation which form the basis of the site’s strategic drainage strategy. Swales and localised drainage ponds are excluded from this drawing and will be detailed at a subsequent Reserved Matters stage.</li> <li>(Drawing ref: 18008-00-204H) – Proposed Parameter Plan: Green Infrastructure – identifies the main strategic green corridors proposed.</li> </ul> <p>The Design and Access Statement explains how the proposals have evolved, having considered the Site’s constraints and opportunities, in addition to responding to the pre-application discussions and public consultation that took place prior to submission.</p> <p>In addition to the Illustrative Masterplan (drawing ref: 18008-00-007), a number of drawings have been submitted as part of the planning application. These include an Illustrative Density Plan (drawing ref: 18008-00-00-1R), Illustrative Movement Plan (drawing ref: 18008-00-005E) and an Illustrative Phasing and Infrastructure Plan (drawing ref: 18008-00-006D).</p> <p>The proposals have fully considered and responded positively to the requirements of Policy LP5.</p>
<p><b>Policy LP7: Efficient and effective use of land and buildings</b></p>	
<p>To ensure the best use of land and buildings, proposals:</p> <ul style="list-style-type: none"> <li>a. should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value;</li> <li>b. should encourage the reuse or adaptation of vacant or underused properties;</li> <li>c. should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value;</li> <li>d. will allow for access to adjoining undeveloped land so it may subsequently be developed.</li> </ul> <p>Housing density should ensure efficient use of land, in keeping with the character of the area and the design of the scheme:</p> <ul style="list-style-type: none"> <li>a. developments should achieve a net density of at least 35 dwellings per hectare, where appropriate;</li> <li>b. higher densities will be sought in principal town centres and in areas close to public transport interchanges</li> </ul>	<p>To demonstrate how the quantum of development applied for can be appropriately accommodated on the Site, an Illustrative Masterplan (drawing ref: 18008-00-007) has been prepared by Enjoy Design and is submitted to accompany the Application. Alongside this, an Illustrative Density plan (drawing ref: 18008-00-00-1R) is included in the application.</p> <p>As Reserved Matters submissions come forward, further details on density will be provided. These will seek to address the requirements of Policy LP7.</p>

Policy	Application Compliance
<p>c. lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs;</p> <p>d. more detailed density requirements may be set out in area actions plans, neighbourhood plans, supplementary planning documents and development briefs, where appropriate.</p>	
<p><b>Policy LP9: Supporting skilled and flexible communities and workforce</b></p>	
<p>The council will work with partners to accelerate economic growth through the development of skilled and flexible communities and workforce in order to underpin future economic growth to deliver the Kirklees Economic Strategy.</p> <p>Wherever possible, proposals for new development will be strongly encouraged to contribute to the creation of local employment opportunities within the district with the aim of increasing wage levels and to support growth in the overall proportion of the districts' residents in education or training. Applicants should reach an agreement with the council about measures to achieve this, which could include: provision of specific training and apprenticeships that are related to the proposed development or support other agreed priorities for improving skills and education in Kirklees or the creation of conditions to support a higher performing workforce, increasing productivity and the in work progression of employees. The Council will therefore seek to secure an agreed training or apprenticeship programme with applicants where development meets the following thresholds:</p> <ul style="list-style-type: none"> <li>• 3,500 sq.m. or more of business or industrial floorspace; or</li> <li>• Housing developments which would deliver 60 dwellings or more</li> </ul> <p>In instances where the development does not trigger one of the above thresholds then wherever feasible the Council will seek to secure alternative education or training programmes with the applicant.</p> <p>To contribute to skills development, the council will support development which relates to the operational needs of and/or expansion of all of the district's higher, further and specialist education establishments including the University of Huddersfield and Kirklees College.</p> <p>Ancillary and related uses will also be supported providing it can be demonstrated that such uses are:</p> <ol style="list-style-type: none"> <li>a. genuinely linked to the education establishment and its operations;</li> <li>b. in locations where they are compatible with the surrounding land uses;</li> <li>c. in accessible locations which minimise the need to travel; and</li> <li>d. where it does not conflict with the plan's town centre policies or other relevant policies.</li> </ol> <p>Where appropriate any new or proposed extensions to existing campuses should be guided by a comprehensive, up to date strategy and masterplan.</p>	<p>The Proposed Development will provide up to 35 ha of employment generating uses (B1 (part a and c), B2 and B8 uses).</p> <p>Not only will the delivery of employment uses provide a considerable number of new employment opportunities within Chidswell and the surrounding areas, there will be supply chain benefits leading to further job creation. The Proposed Development is anticipated to provide up to 3,019 FTE net new jobs during the operational phase as calculated in Chapter 6: Socio-economics of the Environmental Statement submitted in support of this application. This contributes to KMDC's employment delivery targets over the current plan period to 2031, as set out in Spatial Development Strategy within the KLP19, which identifies the provision of roughly 95 hectares of new employment land to achieve a 75% employment rate over the plan period.</p> <p>The provision of local employment opportunities can be explored with KMDC during the Reserved Matters stage when further detail on development is available.</p>

Policy	Application Compliance
<b>Policy LP11: Housing Mix and Affordable Housing</b>	
<p>All proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need.</p> <p>All proposals for housing must aim to provide a mix (size and tenure) of housing suitable for different household types which reflect changes in household composition in Kirklees in the types of dwelling they provide, taking into account the latest evidence of the need for different types of housing. This includes consideration of provision for those with specialist needs. For schemes of more than 10 dwellings or those of 0.4ha or greater in size, the housing mix should reflect the proportions of households that require housing, achieving a mix of house size and tenure. The council encourages the inclusion of appropriate design elements that ensure buildings are suitable or can be adapted to meet the needs of people needing specialist accommodation at present and into later life. The council will encourage proposals for custom/self build homes where consistent with other policies in the Local Plan.</p> <p>Taking into account the annual overall shortfall in affordable homes, the council will negotiate with developers for the inclusion of an element of affordable homes in planning applications for housing developments of more than 10 homes, including proposals involving self-contained residential units. The proportion of affordable homes should be 20% of the total units on market housing sites. The proportion may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal. Achievement of a higher proportion of affordable housing on sites will be encouraged.</p> <p>The affordable homes should be incorporated within the development but where justified, a financial contribution of at least equal value may be accepted to provide affordable homes elsewhere or to re-use or improve the existing housing stock.</p> <p>The affordable housing provision should:</p> <ul style="list-style-type: none"> <li>a. cater for the type of affordable need identified in the latest housing evidence in terms type, tenure, size and suitability to meet the needs of specific groups;</li> <li>b. incorporate appropriate arrangements to retain the benefits of affordability for initial and subsequent occupiers or for the subsidy to be recycled for alternative affordable housing provision; and</li> <li>c. be indistinguishable from market housing in terms of achieving the same high quality of design.</li> </ul> <p>Exceptionally, planning permission may be granted for affordable homes on land which would not normally be permitted for housing development, where there is otherwise little prospect of meeting robustly evidenced local needs particularly for housing to rent by people who work locally. Where appropriate, such schemes must include arrangements for the homes to remain affordable in perpetuity.</p>	<p>The proposals meet the aspirations of local and national planning policy through providing high quality dwellings that will deliver up to 1,354 new homes. The Proposed Development will contribute significantly to Kirklees' objectively assessed need of an average of 1,730 dwellings per annum.</p> <p>The homes will include a range of house sizes to be determined at Reserved Matters stage. The exact types of homes and layout will be determined at Reserved Matters stage. This will be given careful consideration to ensure that the proposals make the best and most efficient use of the land.</p> <p>The proposals will provide a level of affordable housing on Site. The amount and tenure split will be subject to discussion and agreement with the LPA during the determination of this Application and will be finalised in a s106 agreement.</p>
<b>Policy LP13: Town centre uses</b>	
<p><u>Town centre uses</u></p> <p>A. Within Kirklees, main town centre uses shall be located within defined centres (principal town centres, town centres, district centres, and local centres), as shown on the Policies and Town Centre Maps, and as detailed in the shopping centre hierarchy and then in accordance with the sequential test.</p> <p>Main town centre uses which are appropriate in scale, help to retain an existing centre's market share, and enhance the experience of those visiting the centre and the businesses which operate in that centre will be supported. The scale and types of services expected within each centre are set out in Delivery of Services Table as shown below . Proposals that have a significant adverse impact on the vitality and viability of a centre, or compromise the role and function of a centre will not be supported.</p>	<p>Paragraph 9.13 of the KLP19 highlights the need for a local centre within the MXS7 allocation as a significant level of residential growth is proposed with the absence of an existing local centre nearby. In accordance with KLP19 Policy LP13: Town Centre Uses (part a, paragraph 4) the creation of a new local centre proportionate with the scale of growth proposed will be supported, subject to the sequential test and impact assessment.</p> <p>The Proposed Development includes up to 500 sq. m of flexible commercial floorspace within the proposed local centre. The proposed retail space is anticipated to provide a basic amenity to the proposed dwellings and some existing residents. Due to the limited size of the retail proposals (up to 500 sq. m.), it is not anticipated that the proposals will cater for the needs of residents outside of the development and instead it will mostly cater for new residents.</p> <p>Policy LP13 sets out the requirements for a sequential assessment. Additionally, Policy LP13 sets out the requirement for a retail impact assessment if a proposal for an out of centre retail use is larger than 500 sq. m.</p>

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Centres shall provide a mix of uses to serve the local community, businesses and visitors to the district. The uses shall complement each another whilst retaining a strong retail core. Centres in Kirklees shall aim to provide a range of uses to support the daytime and evening economy.

The creation of new Local Centres in areas of significant residential growth or where there are deficiencies in the existing network of centres will be supported, where it can be demonstrated that existing centres cannot be expanded to deliver local services, and subject to the sequential test and impact assessment as set out in B and C below.

All proposals shall be inclusive for all users, and be attractive to pedestrians, cyclists, and public transport users. They shall also conserve and enhance the local character, heritage, green spaces and the public realm where appropriate.

As the gross external area of the total proposed retail provision is 500 sq. m. or less, a retail impact assessment is not required, however a sequential assessment is required.

As the proposed retail unit is located 'out of centre' in retail policy terms, it is necessary to demonstrate that there are no suitable, available and viable sequentially preferable sites that could accommodate the Proposed Development. This information is provided within the Sequential Assessment included within this Statement (Chapter 6).

Level	Defined Centres and Role and Function
<b>1. Principal Town Centre</b>	<p><i>Huddersfield and Dewsbury</i></p> <ul style="list-style-type: none"> <li>• Provide for the shopping needs (particularly for non-food goods) of residents across Kirklees.</li> <li>• The main focus in Kirklees for the provision of financial and professional services; offices, entertainment, sport, leisure, arts, culture and tourism facilities; further and high education; and health services.</li> </ul>
<b>2. Town Centre</b>	<p><i>Batley, Cleckheaton, Holmfirth and Heckmondwike</i></p> <ul style="list-style-type: none"> <li>• Provide for the shopping needs of residents across Kirklees mainly in the convenience (food) goods sector.</li> <li>• Be the focus for the local provision of financial services; offices; entertainment and leisure facilities; arts, culture and tourism facilities, further education; and health services.</li> </ul>
<b>3. District Centre</b>	<p><i>Almondbury, Birstall, Denby Dale, Honley, Kirkburton, Lindley, Marsden, Marsh, Meltham, Milnsbridge, Mirfield, Moldgreen, Ravensthorpe, Skelmanthorpe and Slaithwaite.</i></p> <ul style="list-style-type: none"> <li>• Provide a range of shopping for everyday needs and serving specialist markets.</li> <li>• Be the local focus for basic financial services, food and drink, entertainment, leisure and tourist facilities, and health services.</li> </ul>
<b>4. Local Centre</b>	<p><i>There are 61 local centres as set out in the Local Plan – Allocations and Designations document.</i></p> <ul style="list-style-type: none"> <li>• Provide for top-up shopping and local services particularly food and drink.</li> </ul>

B. Sequential Test - Proposals which come forward for main town centre uses, which are located outside of the defined centre boundaries, will require the submission of a Sequential Test. For retail proposals the boundary shall form the Primary Shopping Area; for all other main town centre uses this shall be the extent of the centre boundary. Main town centre uses shall be first located in the defined centres, then edge of centre locations, and only if there are no suitable sites shall out of centre locations be

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<p>considered. For offices and small scale proposals in non urban areas*, the sequential approach will not be required for proposals of 150 square metres and under.</p> <p>The scope and content of any Sequential Test shall be agreed with the council and shall be reflective of the scale, role and function of the proposal.</p> <p>Proposals which fail to pass the sequential test will not be supported.</p> <p>C. Impact Assessment - An Impact Assessment will be necessary for proposals (including the formation of mezzanine floors) for/or which include retail, leisure and office developments which are not located within a defined centre where:</p> <ul style="list-style-type: none"> <li>o the proposal provides a floorspace greater than 500 sq.m gross; or</li> <li>o the proposal is located within 800 metres of the boundary of a Town Centre or District Centre and is greater than 300 sq.m gross; or</li> <li>o the proposal is located within 800 metres of the boundary of a Local Centre and is greater than 200 sq.m gross.</li> </ul> <p>The scope and content of any Impact Assessment shall be agreed with the Council and shall be reflective of the scale, role and function of the proposal.</p> <p>Proposals which would have a significant adverse impact on surrounding centres shall not be supported.</p> <p>*non-urban areas are defined as areas or land located within the Green Belt.</p>	
<p><b>Policy LP19: Strategic transport infrastructure</b></p>	
<p>The ability to move goods and people is particularly important given the district's strategic position on the national motorway and rail networks, its links with regional facilities such as airports/ports and its central position between the Leeds, Sheffield and Manchester City regions. This gives the district a distinct locational advantage. Efficient access for goods and services is also a key factor in supporting the vitality of urban areas. The aim is to achieve a balanced and integrated transport network which makes the most efficient and effective use of road, rail and public transport.</p> <ol style="list-style-type: none"> <li>1. The Council is committed to ensuring that new developments have safe and convenient access to the West Yorkshire Key Route Network where possible, the main arterial routes and the West Yorkshire Core Bus Network that connect the region. Development will be strategically placed along core networks where available and the developing core cycle network, all of which will be improved and maintained where possible to reduce congestion and reliance on the private car;</li> <li>2. Proposals will be encouraged where they assist to bring forward strategic transport infrastructure where possible, particularly where they would directly benefit from these schemes;</li> <li>3. Proposals that may prejudice the future development of the following will not be permitted: <ul style="list-style-type: none"> <li>o strategic transport infrastructure;</li> <li>o identified highway improvements;</li> <li>o traffic management schemes; proposed public transport facilities, including the improvement of existing rail stations and rail corridors and walking and cycling infrastructure; and</li> <li>o strategic cross boundary schemes.</li> </ul> </li> </ol>	<p>The Site is located to the east of the A653 Leeds Road dual carriageway, which is a strategic corridor between Dewsbury and Leeds. In the immediate vicinity of the Site, Leeds Road runs in a north-south direction, adjoining the A638 Wakefield Road and Junction 28 (the Tingley Interchange) of the M62 Motorway to the north. The A638 Wakefield Road links with the M1 Motorway Junction 40 to the east of the Site.</p> <p>The Application is supported by a Transport Assessment and FTP prepared by Pell Frischmann. The Proposed Development has been designed in a way so that safe and suitable access to the Site can be provided. Pedestrian and cycle links will help improve opportunities for active travel. Pedestrian access to the Site will accompany the vehicular access points and a number of formal and informal footpaths are proposed throughout the Site. Where impacts which require mitigation have been identified on the highway network through the Transport Assessment, the Applicant will enter into discussions with the highways authority to establish a proportional response.</p> <p>The Proposed Development does not prejudice the future development of strategic infrastructure as listed within the policy.</p>

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<p>4. National, regional and local transport schemes are identified on the Policies Map and listed below:</p> <ul style="list-style-type: none"> <li>○ TS1 A62/A644 Huddersfield to M62 J25</li> <li>○ TS2 New Motorway junction 24a on M62</li> <li>○ TS3 Huddersfield Southern Gateways</li> <li>○ TS4 A629 Halifax Road (Huddersfield to Halifax Corridor)</li> <li>○ TS5 Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone</li> <li>○ TS6 Highway Network Efficiency Programme</li> <li>○ TS7 Public Transport Improvement Schemes</li> <li>○ TS8 Walking and Cycling Improvement Schemes</li> <li>○ TS9 Strategic Road Network Improvements</li> </ul> <p>5. The Council will safeguard land to ensure these schemes can be delivered. Detailed transport schemes that require planning permission will have regard to the constraints and considerations as set out in Local Plan such as impact on designated heritage assets and any other environmental impacts.</p>	
<p><b>Policy LP20: Sustainable travel</b></p>	
<p>New development will be located in accordance with the spatial development strategy to ensure the need to travel is reduced and that essential travel needs can be met by forms of sustainable transport other than the private car. The council will support development proposals that can be served by alternative modes of transport such as public transport, cycling and walking and in the case of new residential development is located close to local facilities or incorporates opportunities for day to day activities on site and will accept that variations in opportunity for this will vary between larger and smaller settlements in the area.</p> <p>The council will support demand management measures which discourage single occupancy car travel within new development and encourage the use of low emission vehicles to improve areas with low levels of air quality. Proposals should include measures to encourage the use of sustainable travel options, including public transport, the promotion of personal journey planning, walking, cycling, car sharing, electronic communication and home working.</p> <p>Travel plans will normally be required for all major planning applications in accordance with current guidance and should set targets and monitoring arrangements to ensure sustainable travel patterns are maintained. Travel plans should include agreed and defined outcomes related to a package of specified measures to be implemented including an approach to lower carbon emissions where applicable.</p> <p>The requirement of a travel plan will also be considered on case by case basis where the proposed development falls below the major application category where it has the potential to generate significant transport movements and/or has insufficient off-street parking within the vicinity of a stressed part of the highway network</p> <p>Proposals for new development shall be designed to encourage sustainable modes of travel and demonstrate how links have been utilised to encourage connectivity. Proposals will be required to facilitate the needs of the following user hierarchy:</p> <ul style="list-style-type: none"> <li>a. pedestrians</li> <li>b. cyclists</li> </ul>	<p>The Site has been allocated in the Local Plan as a sustainable location for a new strategic housing and employment development.</p> <p>The Application is supported by a Transport Assessment and an FTP. The TA covers the whole allocation, but considers the implications of the Application individually.</p> <p>As far as possible, future trips from the Proposed Development will be encouraged to take place through sustainable travel modes by design and location of the Site, but further reinforced by the FTP which will be in place. Existing and future bus, rail and local active travel options (such as walking and cycling) will ensure that the impacts of the Proposed Development are minimised, and that residents, visitors and employees have the maximum choice of travel options.</p> <p>The Proposed Development includes an illustrative movement plan which highlights how pedestrian footways, cycleways, and roads could be accommodated within the Site. Cycle and pedestrian connectivity is also shown within the Illustrative Masterplan (drawing ref: 18008-00-007).</p> <p>The proposals are consistent with Policy LP20.</p>

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<ul style="list-style-type: none"> <li>c. public transport</li> <li>d. private vehicles</li> </ul>	
<b>Policy LP21: Highways and access</b>	
<p>Proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users.</p> <p>New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe.</p> <p>Proposals shall demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network.</p> <p>All proposals shall:</p> <ul style="list-style-type: none"> <li>a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network;</li> <li>b. where needed, provide new infrastructure or improvements on or off site to ensure safe access from the highway network for pedestrians, cyclists, public transport users and private vehicles;</li> <li>c. be accompanied by a supporting Transport Assessment or Transport Statement where the development would generate significant trip generation, providing detail as to the impact on highway safety, air quality, noise and light restrictions;</li> <li>d. take into account changes in site levels and topography to ensure the development can be accessed easily and safely by all sections of the community and by different modes of transport;</li> <li>e. take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely;</li> <li>f. take into account access for emergency, service and refuse collection vehicles;</li> <li>g. provide on-site safe, secure and convenient cycle parking/storage facilities to encourage sustainable travel modes.</li> </ul>	<p>The Proposed Development has been designed so that safe and suitable access to the Site can be provided. Suitable access for the Site can be gained from Leeds Road, Chidswell Lane and Owl Lane. The access points are shown on the Access Parameter Plan prepared by Enjoy Design and submitted with this application (drawing ref: 18008-00-205E). Additionally cycle and pedestrian connectivity is shown within the Illustrative Masterplan (drawing ref: 18008-00-007).</p> <p>A comprehensive study of local roads and junctions has been carried out to determine the impact that the new development will have on the local road network. The extent of the assessment and surveys has been carried out in conjunction with ongoing discussions with KMDC Highways officers to ensure that any local issues have been considered within the assessment.</p> <p>When Proposed Development traffic is added to junctions already at or over capacity, existing issues are exacerbated. Subsequently, traffic levels at a number of the considered junctions are taken beyond the point of capacity/operability that is usually considered acceptable. Some mitigations may be necessary if it is sought to provide highway capacity for forecasted motor vehicle flows.</p> <p>The TA sets out which junctions may need mitigation to be applied. A collaborative approach between the Applicant and the relevant Highways Authorities will be necessary to fully understand mitigation requirements, especially in light of existing commitments to improve certain junctions.</p> <p>As far as possible, future trips from the Proposed Development will be encouraged to take place through sustainable and active travel modes by design and location of the Site, but further reinforced by the Framework Travel Plan which will be in place. Existing and future bus, rail and local active travel options (such as walking and cycling) will ensure that the impacts of the Proposed Development are minimised, and that residents, visitors and employees have the maximum choice of travel options.</p> <p>As the site would be serviced by a KMDC standard refuse vehicle, a vehicle swept path analysis of the Site access points has been undertaken. Further analysis will be required of the internal road layout at detailed design stage.</p>
<b>Policy LP22: Parking</b>	
<p>The provision of parking will be based on the following principles:</p> <ul style="list-style-type: none"> <li>a. in town, district and local centres, car parks close to the main shopping area will be for short-stay use and peripheral car parks for long stay use;</li> <li>b. long stay parking in town centres will be reduced progressively in conjunction with improvements to sustainable transport opportunities, where appropriate;</li> <li>c. provision of private non-residential parking in town centres will not be permitted unless it can be demonstrated that it is required for operational reasons. Where such provision is permitted appropriate arrangements will need to be put in place to provide management arrangements consistent with public parking in the centre;</li> <li>d. provision of residential parking schemes within town centres for private vehicles/motorcycles/and cycles will be permitted; where appropriate and where schemes can be shown to enhance residential developments in the town centre;</li> </ul>	<p>Sufficient levels of parking for vehicles and cycles can be provided within the Proposed Development.</p> <p>The details of the development will be determined by subsequent submissions by way of the Reserved Matters and will be provided by the future developer(s) of the Site.</p>

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<p>e. car parking provision in new developments will be determined by the availability of public transport, the accessibility of the site, location of the development, local car ownership levels and the type, mix and use of the development;</p> <p>f. new developments will incorporate flexibly designed minimum parking spaces for private cars, considering a range of solutions, to provide the most efficient arrangement of safe, secure, convenient and visually unobtrusive car parking within the site including a mix of on and off street parking in accordance with current guidance;</p> <p>g. provision will be made to meet the needs of cyclists for cycling parking in new developments;</p> <p>h. provision will be made to accommodate the needs of disabled people for the parking of vehicles.</p> <p>All proposals shall provide full details of the design and levels of proposed parking provision. They should demonstrate how the design and amount of parking proposed is the most efficient use of land within the development as part of encouraging sustainable travel.</p>	
<p><b>Policy LP23: Core walking and cycling network</b></p>	
<p>The core walking and cycling network as shown on the Policies Map will provide an integrated system of cycle routes, public footpaths and bridleways that provide opportunity for alternative sustainable means of travel throughout the district and provide efficient links to urban centres and sites allocated for development in the Local Plan.</p> <p>The core cycling and walking network will be safeguarded and extended to provide opportunities to reduce the number of car journeys and to link settlements, employment sites and transport hubs. The safeguarding of the network will also provide further opportunities for leisure uses, cycling, walking and riding in the countryside by linking to existing bridleways and national trails where appropriate.</p> <p>Disused railway lines and waterways throughout the district shall be protected from other forms of development to safeguard their potential to be reinstated to their former use for commercial or leisure purposes or to extend the cycling or footpath networks.</p> <p>Proposals that may prejudice the function, continuity or implementation of the core walking and cycling network will not be permitted. Existing public rights of way that form part of the core walking and cycling network or elsewhere will be protected and enhanced.</p> <p>Proposals shall seek to integrate into existing and proposed cycling and walking routes as identified in the core walking and cycling network by providing connecting links where appropriate; and regard shall also be had to linking to Strategic Green Infrastructure networks as identified on the Policies Map.</p> <p>Where there is an identified need, extensions or enhancements to the existing network can be secured through scheme design, planning conditions and planning obligations if this does not prejudice the overall viability of the development.</p>	<p>The Proposed Development has been designed so that safe and suitable access to the Site can be provided. Pedestrian and cycle links will help improve opportunities for active travel. Pedestrian access to the Site will accompany the vehicular access points and a number of formal and informal footpaths are proposed throughout the Site.</p> <p>The Illustrative Masterplan (drawing ref: 18008-00-007) sets out how the proposals will retain the existing PROWs and incorporate new pedestrian and cycle links throughout the Site.</p> <p>The FTP outlines how future residents of the Proposed Development will be encouraged to travel by sustainable modes as opposed to car based travel.</p>
<p><b>Policy LP24: Design</b></p>	
<p>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.</p> <p>Proposals should promote good design by ensuring:</p> <p>a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;</p>	<p>The Application is accompanied by a Masterplan Framework and a Design and Access Statement. The Masterplan Framework sets out the design rationale for the allocation as a whole and the design and access statement explains the design approach to the planning Application. The outcome of the design process explained in these documents is set out in a series of Parameters Plans. They show how the proposals for the Heybeck Lane development and Leeds Road development have been prepared as one cohesive whole.</p> <p>The Design and Access Statement explains how the illustrative layout has evolved, having considered the Site's constraints and opportunities, in addition to responding to the pre-application discussions and public consultation that took place prior to submission. The following constraints and opportunities were taken forward within the design proposals:</p>

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<p>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;</p> <p>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;</p> <p>d. high levels of sustainability, to a degree proportionate to the proposal, through:</p> <p>i. The re-use and adaptation of existing buildings, where practicable;</p> <p>ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;</p> <p>iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;</p> <p>iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;</p> <p>v. providing charging points to encourage the use of electric and low emission vehicles;</p> <p>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;</p> <p>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;</p> <p>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.</p> <p>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;</p> <p>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;</p> <p>g. any new open space is accessible, safe, overlooked and strategically located within the site and well integrated into wider green infrastructure networks;</p> <p>h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;</p> <p>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</p> <p>j. the provision of public art where appropriate.</p>	<ul style="list-style-type: none"> <li>• The extensive network of Public Rights of Way which dissect the Site provide an opportunity to provide pedestrian activity into the Site.</li> <li>• Community facilities such as the new primary school/ local centre should be located to serve the existing, surrounding community as well as new residents.</li> <li>• The existing hedgerows and tree belts which cross the Site should be retained where possible within green corridors to enhance wayfinding, preserve biodiversity and add character to the design.</li> <li>• The ancient woodland, Dogloitch Wood and Dum Wood, should be preserved and a development buffer provided within the proposals to protect them for future generations.</li> <li>• There are strong long range views both into and out of the Site which should be addressed, within the orientation of development parcels and through detailed design.</li> <li>• Hey Beck provides a natural landscaped amenity space which should form a green spine through the Site.</li> <li>• Existing vehicular access to the Site is limited to gated tracks from Leeds Road and Chidswell Lane.</li> </ul> <p>The Parameter Plans draw on the guidance set out within the recently adopted National Design Guide. The proposed land parcels adopt a coherent pattern of development that responds to the Site's topography and aspect. Design mitigation measures are embedded within the design and reflected in the Parameter Plans to ensure the preservation of green infrastructure assets including an appropriate buffer zone that integrates the Site with areas of replanted ancient woodland. Pedestrian and vehicular movement routes are distinctive and easy to negotiate through strong lines of sight and use of open aspect.</p> <p>Details submitted as part of subsequent Reserved Matters submissions will demonstrate how the proposals use high quality design and construction methods with carefully selected materials to create a well-designed residential community.</p> <p>It is therefore considered that the Proposed Development accords with the requirements of Local and National Planning Policy and guidance with respect to design.</p>

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<p><b>Policy LP27: Flood Risk</b></p> <p>Proposals for development which require a Sequential Test in accordance with national planning guidance will need to demonstrate that development has been directed to areas at the lowest probability of flooding, following a sequential risk based approach. The whole Kirklees district should be the starting point for the sequential test with applicants required to provide justification where a smaller area of search is proposed. If following application of the sequential test, there are no reasonably available sites which could accommodate the development in zones with a lower probability of flooding, it should also be demonstrated that a sequential approach has been applied within sites. This is to ensure that highly vulnerable and more vulnerable uses are directed towards the areas of lowest flood risk within the site. Proposals will also need to demonstrate that the exception test is passed, where applicable, as set out in national planning policy.</p> <p>Proposals within flood zone 3ai will be assessed in accordance with national policies relating to flood zone 3a but with all of the following additional restrictions:</p> <ul style="list-style-type: none"> <li>a. no new highly vulnerable or more vulnerable uses will be permitted;</li> <li>b. less vulnerable uses may only be permitted provided that the sequential test has been passed and; <ul style="list-style-type: none"> <li>i. where extensions are linked operationally to an existing business or,</li> <li>ii. where redevelopment of a site provides buildings with the same or a smaller footprint;</li> </ul> </li> <li>c. all proposals will be expected to include flood mitigation measures such as compensatory storage which should be identified and considered through a site specific Flood Risk Assessment;</li> <li>d. development will not be permitted on any part of the site identified through a site specific Flood Risk Assessment as performing a functional floodplain role.</li> </ul> <p>Proposals must be supported by an appropriate site specific Flood Risk Assessment in line with national planning policy. This must take account of all sources of flooding set out in the Strategic Flood Risk Assessment and demonstrate that the proposal will be safe throughout the lifetime of the development (taking account of climate change). The proposal must also not increase flood risk elsewhere and where possible should reduce flood risk. Mitigation measures, where necessary, should be proposed.</p> <p>Proposals involving building over existing culverts or the culverting or canalisation of water courses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure and that there will be no detrimental effect on flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised water courses and consideration of mitigation measures to achieve a more natural and maintainable state.</p> <p>Proposals for natural management such as targeted vegetation planting in upper catchments and along river banks will be supported in appropriate locations where consistent with national and local plan policies and relevant water catchment management plans to reduce flood risk and improve water quality.</p>	<p>A Site-Specific Flood Risk and Drainage Statement has been prepared by Delta Simons and is submitted with the Application (appended to the Environmental Statement). The Flood Risk Statement identifies that the Site is located in Flood Zone 1 and is therefore at low risk of fluvial flooding.</p> <p>All methods of surface water discharge have been assessed. Soakaways will be used where practical. Where soakaways are not feasible, surface water runoff will be discharged to the appropriate local unnamed watercourses located within and to the east of the Site. The required attenuation volume for each parcel has been calculated based on the contributing area and has informed the preparation of the Blue Infrastructure Parameter Plan (drawing ref: 18008-00-202F).</p> <p>Post development surface water flooding within small parts of the Site will be reduced or eliminated as Site levels will be regraded to direct surface water away from buildings and towards landscaped areas or impermeable areas which will be collected by gullies, linear drainage channels and guttering systems with the use of SuDS/ attenuation and discharging to local sewers at restricted agreed rates where necessary.</p> <p>Yorkshire Water sewer plans suggest foul flows can be discharge to a 375 mm foul sewer or a 900 mm combined sewer to the east of the Site boundary, this area is within the Applicant's land ownership. A topographical survey suggests that a gravity connection can be achieved.</p> <p>At detailed design stage, a surface water drainage system will be incorporated into the design to maintain current greenfield runoff rates and provide suitable drainage with appropriate water quality benefits and treatment before infiltrating into the ground.</p> <p>The Proposed Development therefore demonstrates accordance with the requirements of Local and National planning policy and guidance with respect to flood risk and drainage considerations.</p>

Policy	Application Compliance
<b>Policy LP28: Drainage</b>	
<p>The presumption is that Sustainable Drainage Systems (SuDS) will be used to assist in achieving the following on each site:</p> <ul style="list-style-type: none"> <li>a. for proposals on greenfield sites, typical greenfield run-off rates should not be exceeded;</li> <li>b. for proposals on brownfield sites there should be a minimum 30% reduction in surface water run-off where previous positive surface water connections from the site can be proven. New connections will be subject to at least greenfield restrictions;</li> <li>c. No negative impact on local water quality and improvements in water quality where practicable;</li> <li>d. Consider whether proposed open spaces and green infrastructure within sites can contribute to the sustainable drainage of the site.</li> </ul> <p>Local conditions including the existence of critical drainage areas may require a lower run-off rate to be agreed to reflect volume control, local surface water risks, water course capacity and flood risk further downstream.</p> <p>There will be a general presumption against pumping surface water. It must also be demonstrated that the surface water management solution is designed to meet requirements over the lifetime of the development including evidence that management and maintenance arrangements have been secured to cover that period. This includes ensuring proposals to store water meet national standards and latest best practice.</p> <p>Flow paths accommodating water from outside the site or due to an exceedance event should be designed to avoid buildings and curtilages.</p> <p>Development will only be permitted if it can be demonstrated that the water supply and waste water infrastructure required is available or can be co-ordinated to meet the demand generated by the new development.</p>	<p>See above</p>
<b>Policy LP29: Management of water bodies</b>	
<p>Where it is proposed to develop a site already containing a water area, this should normally be retained as part of the proposal and include a future management plan for the maintenance of the water area to ensure the safety of residents for the lifetime of the development. This includes bodies of water associated with existing buildings, even where they are remote from the building, and also includes ancillary elements linked to the operation of the water body</p>	<p>See above</p>
<b>Policy LP30: Biodiversity &amp; Geodiversity</b>	
<p>The council will seek to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife and geological sites, Habitats and Species of Principal Importance and the Kirklees Wildlife Habitat Network.</p> <p>South Pennine Moors</p> <p>Proposals which may directly or indirectly compromise achieving the conservation objectives of a designated or candidate European protected site will not be permitted unless the proposal meets the conditions specified in Article 6 (3) - (4) of the Habitats Directive.</p> <p>Statutory Designated Sites</p> <p>Statutory designated sites, including the South Pennine Moors Special Protection Area (SPA) and Special Area for Conservation (SAC) and Sites of Special Scientific Interest, are already highly protected through existing laws and legislation. In accordance with legislation, the Council will seek to ensure that harmful impacts to these areas as a result of development proposals are avoided.</p>	<p>The Ecological Assessment and Tree and Hedgerow Survey have contributed to the design of the Green Infrastructure Parameter Plan (drawing ref: 18008-00-204H) and have ensured that proposals for the avoidance, mitigation and compensation of any predicted impacts are considered.</p> <p>The Green Infrastructure Parameter Plan (Drawing ref: 18008-00-204H) shows that the Proposed Development will include new areas of informal, publicly accessible open space across the previously privately-owned field, together with the opportunity to provide new accessible pedestrian links across the Site. The green infrastructure requirements have been considered for the whole allocation, to ensure that an integrated network of green spaces is provided.</p> <p>The ecological value of the Site could be enhanced through the provision of new trees, shrub and planting, in addition to be being opened up for informal recreation and wildlife amenity. Further ecological enhancements are recommended within the Ecological Appraisal for the detailed design and construction phases of the Proposed Development. These details will form part of a Reserved Matters submission(s).</p>

Policy	Application Compliance
<p>Development proposed within or outside a designated Site of Special Scientific Interest, likely to have an adverse effect on the site's special nature conservation features, will not normally be permitted. Exceptionally development will be allowed where the benefits of the development clearly outweigh the impacts on the site's special conservation features and measures are provided to mitigate harmful impacts.</p> <p>The Dark Peak Nature Improvement Area</p> <p>Proposals that contribute to the aims and objectives of the Dark Peak Nature Improvement Area will in principle be supported, subject to other policies in this plan. Development likely to have an adverse impact on the aims and objectives of the NIA will not be permitted.</p> <p>Local Designated Sites &amp; Important Local Ecological Features</p> <p>Proposals having a direct or indirect adverse effect on a Local Wildlife Site or Local Geological Site, Ancient Woodland, Veteran Tree or other important tree, will not be permitted unless the benefits of the development can be clearly shown to outweigh the need to safeguard the local conservation value of the site or feature and there is no alternative means to deliver the proposal. In all cases, full compensatory measures would be required and secured in the long term.</p> <p>Habitats and Species of Principal Importance</p> <p>Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured.</p> <p>Biodiversity and Development</p> <p>Development proposals will be required to:-</p> <p>(i) result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement;</p> <p>(ii) minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist;</p> <p>(iii) safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its functional role within the network can be fully maintained or compensated for in the long term;</p> <p>(iv) establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and</p> <p>(iv) incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone.</p>	<p>The proposals have been designed to demonstrate that the Site can achieve a net biodiversity gain. The details relating to the achievement of a net gain in biodiversity will be developed at Reserved Matters stage. The development is therefore, consistent with relevant national and local planning policy.</p>

Policy	Application Compliance
<b>Policy LP31: Strategic Green Infrastructure Network</b>	
<p>Within the Strategic Green Infrastructure Network identified on the Policies Map, priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide.</p> <p>Development proposals within and adjacent to the Strategic Green Infrastructure Network should ensure:-</p> <ul style="list-style-type: none"> <li>(i) the function and connectivity of green infrastructure networks and assets are retained or replaced;</li> <li>(ii) new or enhanced green infrastructure is designed and integrated into the development scheme where appropriate, including natural greenspace, woodland and street trees;</li> <li>(iii) the scheme integrates into existing and proposed cycling, bridleway and walking routes, particularly the Core Walking and Cycling Network, by providing new connecting links where opportunities exist;</li> <li>(iv) the protection and enhancement of biodiversity and ecological links, particularly within and connecting to the Kirklees Wildlife Habitat Network.</li> </ul> <p>The council will support proposals for the creation of new or enhanced green infrastructure provided these do not conflict with other Local Plan policies.</p>	<p>The Green Infrastructure Parameter Plan (drawing ref: 18008-00-204H) shows that the Proposed Development will include new areas of informal, publicly accessible open space across the previously privately-owned field, together with the opportunity to provide new accessible pedestrian and cycle links across the Site.</p>
<b>Policy LP32: Landscape</b>	
<p>Proposals should be designed to take into account and seek to enhance the landscape character of the area considering in particular:</p> <ul style="list-style-type: none"> <li>a. the need to protect the setting and special qualities of the Peak District National park, views in and out of the park and views from surrounding viewpoints;</li> <li>b. the setting of settlements and buildings within the landscape;</li> <li>c. the patterns of woodland, trees and field boundaries;</li> <li>d. the appearance of rivers, canals, reservoirs and other water features within the landscape.</li> </ul>	<p>The methodology for the Landscape Visual Impact Assessment, undertaken by Re-form Landscape Architecture, has been agreed with KMDC and relevant stakeholders. The assessment concludes that the Proposed Development could be incorporated into the surrounding landscape context without major harm to landscape character and fabric, notwithstanding the loss of agricultural land.</p> <p>The Illustrative Masterplan and Parameter Plans were influenced by the following principles:</p> <ul style="list-style-type: none"> <li>• Inward and outward views across the existing landscape;</li> <li>• The existing site topography;</li> <li>• Orientation and aspect;</li> <li>• The retention of existing green infrastructure including Dum Wood and Dogloitch Wood, Public Rights of Way and existing hedgerows/ trees;</li> <li>• Key interfaces with the existing residential properties neighbouring the Site; and</li> <li>• Maintaining and improving pedestrian connectivity and permeability through the Site.</li> </ul> <p>The proposals have responded to the landscape through a number of design responses which, where appropriate have been fixed through Parameter Plans, in particular:</p> <ul style="list-style-type: none"> <li>• The creation of strategic green corridors through the Site, most notably between the housing and the employment development;</li> <li>• Ensured appropriated buffer zones between existing housing and proposed development;</li> <li>• Proposed appropriate buffer zones to the ancient replanted woodlands of Dogloitch and Dum Woods and connected the two through a designated wildlife corridor;</li> <li>• Protected existing Public Rights of Way with a limited number of diversions proposed;</li> <li>• Promoted pedestrian connections throughout the Site linking existing and proposed communities with the countryside beyond;</li> <li>• Used existing topography to inform development areas and the size of illustrative employment units in particular; and</li> <li>• Proposed illustrative densities which respond to the countryside edges of the Site and paid careful attention to building heights across the Site.</li> </ul>

Policy	Application Compliance
	The Proposed Development is consistent with Policy LP32.
<b>Policy LP33: Trees</b>	
<p>The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity.</p> <p>Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks.</p> <p>Proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction. Where tree loss is deemed to be acceptable, developers will be required to submit a detailed mitigation scheme.</p>	<p>The Tree Survey prepared by Brooks Ecological and submitted in support of the Application concludes that one woodland block adjacent to the Site has Tree Preservation Order status, as well as a significant number of trees within the wider Site. This identifies that the majority of the trees and tree groups were assessed to be high quality (retention category A). Thirty-four individual trees, one hedgerow, and thirty groups of these trees are situated within the Site. The Parameter Plans have been heavily influenced by the tree survey, with substantial amendment made at the design stage to try to incorporate as many high amenity trees as possible into the scheme. Native trees and hedgerows have been retained wherever possible to preserve the existing character of the Site. In addition, 20m buffer zones are proposed to Dum and Dogloitch Woodlands, with a 15m wildlife corridor included within the design to provide a link between the woodlands.</p> <p>As Reserved Matters submissions come forward detailed attention will be paid to the protection of trees during design and construction in accordance with Policy LP33.</p>
<b>Policy LP35: Historic environment</b>	
<ol style="list-style-type: none"> <li>1. Development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm, or all of the following are met: <ol style="list-style-type: none"> <li>a. the nature of the heritage asset prevents all reasonable uses of the site;</li> <li>b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;</li> <li>c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and</li> <li>d. the harm or loss is outweighed by the benefit of bringing the site back into use.</li> </ol> </li> <li>2. Proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset. In the case of developments affecting archaeological sites of less than national importance where development affecting such sites is acceptable in principle, mitigation of damage will be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before or during development.</li> <li>3. Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to: <ol style="list-style-type: none"> <li>a. ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets;</li> <li>b. ensure that proposals within Conservation Areas conserve those elements which contribute to their significance;</li> <li>c. secure a sustainable future for heritage assets at risk and those associated with the local textile industry, historic farm buildings, places of worship and civic and institutional buildings constructed</li> </ol> </li> </ol>	<p>There are no designated heritage assets within the Site, and it does not fall within a Conservation Area. There are a number of heritage assets (both designated and non-designated) which lie in close proximity to the Site:</p> <ul style="list-style-type: none"> <li>• Station Road Batley Conservation Area, which lies c. 1.15km to the west;</li> <li>• The Schedules Monument of Howley Hall, which lies c. 1.7 km to the north west;</li> <li>• Six Grade II Listed Buildings comprising: the Church of St Mary and a group of tombs and grave slabs, Haigh Hall, Manor Farm Barn, 25 and 27 Baghill Road, the Church of St Paul, and Toll Gates outside Toll Bar Cottage</li> </ul> <p>Settings assessments were undertaken in respect of nearby designated heritage assets. It was concluded that the Proposed Development will not cause any harm to the physical components of any designated heritage assets and with the exception of Haigh Hall there will be no change to non-physical elements (settings) that contribute to the significance of any designated heritage assets.</p> <p>Perception of the wider agricultural landscape in which Haigh Hall is set will change, slightly altering an element of setting that contributes to the asset's significance, which will result in less than substantial harm at the very lower end of the sliding scale.</p> <p>As there is some potential for the Proposed Development to cause less than substantial harm on the non-physical elements of Haigh Hall, the public benefits of the Proposed Development have been weighed against the potential impact. The public benefits of the proposal include:</p> <ul style="list-style-type: none"> <li>• The delivery of up to 1,354 new homes, which will contribute positively to local market demand and local needs, including affordable housing;</li> <li>• New jobs will be created through construction, within the local supply chain and during the operation of the development. In total, 167 FTE direct and indirect jobs will be created during the construction phase. When operational, the Proposed Development is projected to generate 3,019 direct FTE jobs with further employment opportunities available indirectly within the supply chain;</li> <li>• Land for a new two-form entry primary school with early years provision;</li> <li>• A new Local Centre providing services to the local community. This will be located centrally within the scheme and encourage access by sustainable modes of travel;</li> </ul>

Policy	Application Compliance
<p>on the back of the wealth created by the textile industry as expressions of local civic pride and identity;</p> <p>d. identify opportunities, including use of new technologies, to mitigate, and adapt to, the effects of climate change in ways that do not harm the significance of heritage assets and, where conflict is unavoidable, to balance the public benefit of climate change mitigation measures with the harm caused to the heritage assets' significance;</p> <p>e. accommodate innovative design where this does not prejudice the significance of heritage assets;</p> <p>f. preserve the setting of Castle Hill where appropriate and proposals which detrimentally impact on the setting of Castle Hill will not be permitted.</p>	<ul style="list-style-type: none"> <li>• Landscaped zones at the edge of the development to provide protection to the amenity of existing dwellings and woodland blocks and landscape and wildlife corridors providing connection to the countryside beyond for existing and proposed communities;</li> <li>• Delivery of up to 1ha of C2 use (residential institution) which will promote a diverse community providing options for a wide range of people;</li> <li>• A Sustainable Drainage System to minimise flood risk, provide natural drainage and potentially enhance wildlife opportunities;</li> <li>• 174,178 sq. m of publically accessible open space including designated areas for play; and</li> <li>• New pedestrian and cycle links throughout the Site providing improved connectivity from existing communities to the countryside beyond.</li> </ul> <p>It is therefore considered that the public benefits of the Proposed Development outweigh the potential impact of the Proposed Development on the setting of Haigh Hall.</p> <p>A geophysical survey carried out across the Site recorded anomalies, confirmed that the previously recorded cropmarks were likely to be archaeological in origin. It is considered that there is potential of currently unknown archaeological remains to be present within the Site ranging in date from the prehistoric period, potentially through to the modern period. However, previous uses of the Site (including colliery activity) will have impacted any potential unknown archaeological remains. A scheme for intrusive works to explore the potential for archaeology will be agreed with the Council's archaeologist prior to commencement of development.</p>
Policy LP38: Minerals safeguarding	
<p>1. Surface development will only be permitted within a Mineral Safeguarded Area where it has been demonstrated that:</p> <ul style="list-style-type: none"> <li>a. the mineral concerned is proven to be of no economic value as a result of the undertaking of a Mineral Resource Assessment; or</li> <li>b. the development will not inhibit mineral extraction if required in the future; or</li> <li>c. there is an overriding need for the development; or</li> <li>d. the mineral can be extracted prior to the development taking place</li> </ul> <p>2. This policy will not apply to the following classes of surface development as they are unlikely to lead to the long term sterilisation of viable mineral resources:</p> <ul style="list-style-type: none"> <li>a. extension to existing buildings and the erection of ancillary buildings within their curtilages;</li> <li>b. developments on sites of less than 1000 sq. meters except for proposals within 250 metres of an existing planning permission for mineral extraction;</li> <li>c. minor development (such as walls, gates and access);</li> <li>d. temporary uses of sites for periods of less than 5 years;</li> <li>e. amendments to previously approved developments;</li> <li>f. applications for Listed Building Consent;</li> <li>g. reserved matters;</li> </ul>	<p>It is considered that the Proposed Development satisfies the criteria to justify surface development within a Mineral Safeguarded Area. This is 1c – "there is an overriding need for the development". This is justified through the Site's allocation for mixed-use development in the Local Plan and its major contribution to housing and employment need.</p>

Policy	Application Compliance
<p>h. applications for advertisement consent.</p>	
<p><b>Policy LP47: Healthy, active and safe lifestyles</b></p>	
<p>The council will, with its partners, create an environment which supports healthy, active and safe communities and reduces inequality.</p> <p>Healthy, active and safe lifestyles will be enabled by:</p> <ul style="list-style-type: none"> <li>a. facilitating access to a range of high quality, well maintained and accessible open spaces and play, sports, leisure and cultural facilities;</li> <li>b. increasing access to green spaces and green infrastructure to promote health and mental well-being;</li> <li>c. the protection and improvement of the stock of playing pitches;</li> <li>d. supporting initiatives which enable or improve access to healthy food. For example, land for local food growing or allotments;</li> <li>e. increasing opportunities for walking, cycling and encouraging more sustainable travel choices;</li> <li>f. supporting energy efficient design and location of development;</li> <li>g. ensuring that the current air quality in the district is monitored and maintained and, where required, appropriate mitigation measures included as part of new development proposals;</li> <li>h. creating high-quality and inclusive environments incorporating active design and the creation of safe, accessible and green environments which minimise and mitigate against potential harm from risks such as pollution and other environmental hazards;</li> <li>i. encouraging the co-location of facilities so that different types of open space and facilities for sport and recreation can be located next to each other and in close proximity to other community facilities for education and health;</li> <li>j. working with partners to manage the location of hot food take-aways particularly in areas of poor health;</li> <li>k. encouraging initiatives to promote energy efficiency within homes; and</li> <li>l. supporting appropriate initiatives which address poor health indicators and anti-social behaviour in the district.</li> </ul> <p>Health Impact Assessments will be carried out for all proposals that are likely to have a significant impact on the health and well-being of the local communities, or particular groups within it, in order to identify measures to maximise the health benefits of the development and avoid any potential adverse impacts.</p>	<p>A Health Impact Assessment (HIA) has been submitted with the planning application package.</p> <p>The Proposed Development has been developed with consideration for health impact and ensuring a safe and secure site for future residents and employees by:</p> <ul style="list-style-type: none"> <li>• The creation of new pedestrian and cycle links, including connections into the countryside beyond;</li> <li>• The provision of publically accessible open space within the centre of the site ensuring natural surveillance;</li> <li>• Strategically locating the primary school with early years provision so that it is within easy walking distance if existing and future residents;</li> <li>• The creation of residential communities through the inclusion of landscaping and publically accessible open space, and the provision of a local centre to provide amenities within easy walking distance;</li> <li>• The provision of new trees, shrubs and habitat planting; and</li> <li>• The provision of land for sport and recreation.</li> </ul> <p>At the detailed design stage further consideration will be given to these policy objectives, including the long term management of the Site.</p>

Policy	Application Compliance
<b>Policy LP48: Community facilities and services</b>	
<p>Community facilities should be provided in accessible locations where they can minimise the need to travel or they can be made accessible by walking, cycling and public transport. This will normally be in town, district or local centres.</p> <p>Proposals will be supported for development that protects, retains or enhances provision, quality or accessibility of existing community, education, leisure and cultural facilities that meets the needs of all members of the community.</p> <p>Where community facilities are provided as an integral part of a development, they should wherever possible be within adaptable mixed-use buildings.</p> <p>Proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or</li> <li>its current use is no longer viable; or</li> <li>there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or</li> <li>an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and</li> <li>any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation.</li> </ol>	<p>The Proposed Development includes a new local centre to provide facilities for existing and new residents. As neither a development partner(s) nor an end operator will be identified until after the granting of any Outline Planning Permission, a range of Use Classes have been applied for to ensure flexibility (A1, A2, A3, A4, B1, D1 and D2). The retail floorspace (A1-A5 uses) has been limited to 500 sq. m.</p> <p>The Proposed Development includes the delivery of a 2ha site for a two-form primary school with early years' provision. This will be a key community facility for new residents. It is considered that any future primary school could also be utilised for community uses outside of school hours and at weekends. This would be subject to arrangements being made by the future education provider.</p>
<b>Policy LP49: Educational and health care needs</b>	
<p>Where the scale of development proposed may impact on education and health provision, the council will actively work with applicants to resolve key planning issues in advance of a planning application being submitted.</p> <p>The need for the provision of additional school places will be a material consideration when proposals for new housing development are considered. Developers should work with the council at the earliest opportunity to ensure the phasing of development and appropriate mitigation is identified in a timely manner to ensure education provision can be secured.</p> <p>Proposals for new or enhanced education facilities will be permitted where:</p> <ol style="list-style-type: none"> <li>they will meet an identified deficiency in provision;</li> <li>the scale, range, quality and accessibility of education facilities are improved;</li> <li>they are well related to the catchment they are intended to serve to minimise the need to travel or they can be made accessible by walking, cycling and public transport.</li> </ol> <p>Proposals for new or enhanced healthcare facilities will be permitted where:</p> <ol style="list-style-type: none"> <li>the scale and location is appropriate for the catchment;</li> <li>there is a need for a new healthcare facility, particularly in relation to the spatial development strategy;</li> </ol>	<p>The Proposed Development includes land for a two-form entry primary school with early year's provision. The primary school has been located within easy walking distance of existing and future residents.</p> <p>The Proposed Development includes a new local centre to provide facilities for existing and new residents. As neither a development partner(s) nor an end operator will be identified until after the granting of any Outline Planning Permission, a range of Use Classes have been applied for to ensure flexibility (A1, A2, A3, A4, B1, D1 and D2).</p> <p>This range of uses would potentially allow health care needs (for example, a dentist or GP surgery which fall within Use Class D1) to be delivered.</p>

Policy	Application Compliance
<p>c. they are well related to the catchment they will serve to minimise the need to travel or they can be made accessible by walking, cycling and public transport.</p>	
<p><b>Policy LP50: Sport and physical activity</b></p>	
<p>The council will seek to protect, enhance and support new and existing open spaces, outdoor and indoor sport and leisure facilities where appropriate, encouraging everyone in Kirklees to be as physically active as possible and promoting a healthier lifestyle for all.</p> <p>Sport and leisure facilities will be protected where they are needed to meet current and future demands. The loss of open space, sport and leisure facilities will only be allowed where:-</p> <ul style="list-style-type: none"> <li>a. an assessment clearly shows that the site is no longer required to meet an identified need for open space, sport, or recreation use; or</li> <li>b. equivalent or better replacement facilities in terms of quantity and quality are provided to compensate for those lost as a result of the development and these are within an easily accessible location for existing and potential new users; or</li> <li>c. the proposal is for an alternative sport, leisure or open space use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing facility.</li> </ul> <p>Any proposed loss of community sports facilities should be supported by a detailed needs assessment report.</p> <p>The enhancement of outdoor sports facilities through improving the quality and management of sites as identified in the Playing Pitch Strategy will be supported.</p> <p>The creation of new outdoor sport facilities will be supported which help address deficiencies in playing pitches identified in the Playing Pitch Strategy particularly proposals which help meet the significant shortfalls in football.</p> <p>Support will be given to proposals which expand and enhance the range of indoor leisure facilities on offer in the district, provided this does not conflict with other Local Plan policies. Where these facilities are included within the definition of town centre uses, such as health and fitness facilities and sports centres, the Local Plan town centres policy will apply including the sequential test.</p> <p>Support will be given to proposals that enable community use of school facilities, particularly where these help meet sport and leisure needs of the local community as identified in the Built Leisure &amp; Sports Facilities Strategic Framework and the Playing Pitch Strategy. The renewal or redevelopment of secondary school sites will be encouraged to make provision for community use and where possible secured through the planning process.</p>	<p>The Illustrative Masterplan details 174,178 sq. m. of publically accessible open space comprising a wide range of informal and formal, recreation and sport opportunities.</p> <p>The final design for the publically accessible open space, including both type and amount, will be confirmed at the Reserved Matters stage.</p> <p>The proposals support Policy LP50.</p>
<p><b>Policy LP51: Protection and improvement of local air quality</b></p>	
<ul style="list-style-type: none"> <li>1. Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would have an unacceptable impact on the natural and built environment or to people.</li> <li>2. Proposals that have the potential to increase local air pollution either individually or cumulatively must be accompanied by evidence to show that the impact of the development has been assessed in accordance with the relevant guidance. Development which has the potential to cause levels of local air pollution to increase must incorporate sustainable mitigation measures that reduce the level of this impact. If sustainable measures cannot be introduced the development will not be permitted.</li> <li>3. Where the development introduces new receptors into Air Quality Management Areas or Areas of Concern or near other areas of relatively poor air quality, for example near roads or junctions, the development must incorporate sustainable mitigation measures that protect the new receptors from unacceptable levels of air pollution. Where sustainable mitigation measures cannot be introduced which</li> </ul>	<p>An air quality assessment has been prepared and submitted with the Application in accordance with relevant guidance.</p> <p>Based on the assessment results, the Site is considered suitable for the Proposed Development. A Construction Management Plan will address impacts on air quality at construction stage.</p> <p>A key mitigation measure proposed for the operational phase is that all HDV movements generated from the Proposed Development that travel towards Dewsbury Town Centre will be routed away from the portion of Leeds Road included within Kirklees AQMA 5.</p>

Policy	Application Compliance
<p>prevent receptors from being exposed to unsafe levels of air pollution, development will not be permitted.</p>	
<p><b>Policy LP52: Protection and improvement of environmental quality</b></p>	
<p>Proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.</p> <p>Such developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted.</p> <p>Where possible, all new development should improve the existing environment.</p>	<p>A noise, vibration and odour assessment has been submitted in support of the planning application. It assesses the impact of the scheme on existing and future receptors and proposes mitigation to be addressed through planning conditions.</p>
<p><b>Policy LP53: Contaminated and unstable land</b></p>	
<p>Development on land that is unstable, currently contaminated or suspected of being contaminated due to its previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate contamination assessment and/or land instability risk assessment.</p> <p>For developments identified as being at risk of instability, or where there is evidence of contamination, measures should be incorporated to remediate the land and/or incorporate other measures to ensure that the contamination/instability does not have the potential to cause harm to people or the environment. Such developments which cannot incorporate suitable and sustainable mitigation measures which protect the well-being of residents or protect the environment will not be permitted.</p>	<p>A Phase 1 Geo-Environmental Desk Study and Mining Risk Assessment has been submitted with the planning application. The assessments set out a list of recommended mitigation measures to be addressed through planning conditions and implemented during site construction.</p>
<p><b>Policy LP63: New open space</b></p>	
<p>The council will seek to secure well-designed new and improved open space, sport and recreation facilities in the district to encourage everyone in Kirklees to be as physically active as possible and promote a healthy lifestyle for all.</p> <p>New housing developments will be required to provide or contribute towards new open space or the improvement of existing provision in the area, unless the developer clearly demonstrates that it is not financially viable for the development proposal. New open space should be provided in accordance with the council's local open space standards or national standards where relevant.</p> <p>In determining the required open space provision, the council will have regard to the type of housing proposed and the availability, quality and accessibility of open space provision in the area assessed in accordance with the council's district wide open space standards. The provision of playing pitches will also be considered. This analysis will help determine the need for new on-site or off-site provision, enhancement of existing provision and/or a financial contribution.</p> <p>In areas where existing open space provision is insufficient to meet local needs, provision of new open space on-site would be preferred to meet the needs of the development. Where this is not viable the expansion or improvement of existing open space provision in the area will be sought and the co-location of open space, sport and recreation facilities will be encouraged. Open space provided on-site should be designed to complement existing facilities in the area and to allow for informal children's play through good quality landscape design.</p> <p>In areas where existing provision is sufficient to meet local needs, new open space can be provided on-site for amenity purposes and to achieve a well-designed scheme. New provision should complement existing facilities in the vicinity and enhance the natural landscape and environment.</p>	<p>Please refer to earlier text which addresses the provision of open space on the Site. The proposals fully comply with the open space requirements for the Site set out during pre-application discussions with Kirklees Council. However, these are to be finalised alongside the detailed design of the scheme at Reserved Matters stage.</p>

Policy	Application Compliance
<p>The council will support proposals that provide a sustainable and community led approach to the management and maintenance of public open spaces to encourage local communities to take an active role in looking after public open spaces near where they live.</p>	

**Material Considerations**

**National Planning Policy Framework**

Policy	Application Compliance
<p><b>Chapter 2. Achieving sustainable development</b></p>	
<p><i>Chapter Summary</i></p> <p>This Chapter identifies the purpose of the planning system as contributing to the achievement of sustainable development (the objective of which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>, and sets out how this objective can be achieved through plan-making and decision-taking.</p>	<p>Please refer to earlier text.</p>
<p><i>Paragraph 8</i></p> <p>Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</p> <p>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</p> <p>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and</p> <p>c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>	<p>See above</p>
<p><i>Paragraph 10</i></p> <p>So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).</p>	<p>See above</p>
<p><i>Paragraph 11</i></p> <p>Plans and decisions should apply a presumption in favour of sustainable development.</p> <p>For plan-making this means that:</p> <p>a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;</p>	<p>See above</p>

<sup>4</sup> This is the Brundtland Commission definition of sustainable development, as per Resolution 42/187 of the United Nations General Assembly, 11 December 1987. Accessed at <http://www.un.org/documents/ga/res/42/ares42-187.htm>, 20 September 2018.

Policy	Application Compliance
<p>b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:</p> <p>i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or</p> <p>ii. 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.</p> <p>For decision-taking this means:</p> <p>c) approving development proposals that accord with an up-to-date development plan without delay; or</p> <p>d) 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:</p> <p>i. 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</p> <p>ii. 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.</p>	
<b>Chapter 3. Plan-making</b>	
<p><i>Chapter Summary</i></p> <p>This Chapter sets out that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.</p>	<p>The Proposed Development accords with the allocation of the Site under Policy MXS7</p>
<p><i>Paragraph 34</i></p> <p>Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.</p>	<p>The proposals will provide a level of affordable housing on Site. The amount and tenure split will be subject to discussion and agreement with the LPA during the determination of this Application and will be finalised in a s106 agreement. The level of affordable housing provided will be considered alongside the wider infrastructure costs of the scheme which will influence its viability.</p>
<b>Chapter 4. Decision-taking</b>	
<p><i>Chapter Summary</i></p> <p>This Chapter sets out that 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. Decision-makers at every level should seek to approve applications for sustainable development where possible. Early engagement and pre-application discussion is encouraged. Planning conditions should be kept to a minimum and only imposed where necessary. Planning obligations must only be sought if they meet certain tests.</p>	<p>Please see above</p>
<p><i>Paragraph 39</i></p> <p>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.</p>	<p>A comprehensive programme of pre-application consultation has been undertaken in order to ensure that key stakeholders have had the opportunity to view the emerging proposals, to ask questions, and to provide comments. Please see the Statement of Consultation submitted in support of the Application for further details.</p> <p>The Proposed Development complies with National planning policy.</p>

Policy	Application Compliance
<p><i>Paragraph 41</i></p> <p>The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.</p>	<p>Please see above</p>
<p><i>Paragraph 54</i></p> <p>Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.</p>	<p>The Proposed Development will address its key infrastructure requirements through a combination of on-site infrastructure and off-site financial contributions. The timing and scale of any contributions will be subject to discussion and agreement with the LPA during the determination of this Application and will be finalised in a s106 agreement.</p>
<p><i>Paragraph 56</i></p> <p>Planning obligations must only be sought where they meet all of the following tests:</p> <ul style="list-style-type: none"> <li>a) necessary to make the development acceptable in planning terms;</li> <li>b) directly related to the development; and</li> <li>c) fairly and reasonably related in scale and kind to the development.</li> </ul>	<p>Please see above</p>
<p><b>Chapter 5. Delivering a sufficient supply of homes</b></p>	
<p><i>Chapter Summary</i></p> <p>This Chapter outlines the need to provide high quality homes, to widen opportunities for home ownership, and to create sustainable communities.</p> <p>It identifies that the mix of housing should be based on demographic trends and market trends, and that there is an appropriate mix of size, type and tenure of housing to meet local demands.</p> <p>In addition, where a major residential development is proposed at least 10% of the homes should be affordable.</p>	<p>The Proposed Development will deliver up to 1,354 new homes, making a valuable contribution to KMDC's housing targets over the current plan period. The level of affordable housing will be secured via S106 agreement following discussions with the LPA.</p> <p>Given the above, it is considered that the principle of residential development is accepted by KMDC and that the proposed use is consistent with relevant National planning policies governing the delivery of a sufficient supply of homes.</p>
<p><i>Paragraph 59</i></p> <p>To support the Government's objective of significantly boosting the supply of homes, 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.</p>	<p>Please see above</p>
<p><i>Paragraph 60</i></p> <p>To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.</p>	<p>Please see above</p>
<p><i>Paragraph 61</i></p> <p>Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).</p>	<p>Please see above</p>

Policy	Application Compliance
<p><i>Paragraph 62</i></p> <p>Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:</p> <p>a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and</p> <p>b) the agreed approach contributes to the objective of creating mixed and balanced communities.</p>	Please see above
<p><i>Paragraph 63</i></p> <p>Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.</p>	See above
<p><i>Paragraph 64</i></p> <p>Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:</p> <p>a) provides solely for Build to Rent homes;</p> <p>b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);</p> <p>c) is proposed to be developed by people who wish to build or commission their own homes; or</p> <p>d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.</p>	See above
<p><i>Paragraph 66</i></p> <p>Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.</p>	See above
<p><i>Paragraph 67</i></p> <p>Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:</p> <p>a) specific, deliverable sites for years one to five of the plan period; and</p> <p>b) specific, deliverable sites for years one to five of the plan period; and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.</p>	See above
<p><i>Paragraph 72</i></p> <p>The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities</p>	See above

Policy	Application Compliance
<p>should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:</p> <p>a) consider the opportunities presented by existing or planned investment in infrastructure, the area’s economic potential and the scope for net environmental gains;</p> <p>b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;</p> <p>c) set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;</p> <p>d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations); and</p> <p>e) consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size.</p>	
<p><b>Chapter 6. Building a strong, competitive economy</b></p>	
<p><i>Chapter Summary</i></p> <p>Development should help create conditions in which businesses can invest, expand and adapt.</p>	<p>The Site has been allocated as a strategic employment development, which will accommodate a range of employment uses and building sizes, and deliver significant new employment focus for the north of the district.</p>
<p><b>Chapter 7. Ensuring the vitality of town centres</b></p>	
<p><i>Chapter Summary</i></p> <p>Development should support the role of town centres by taking a positive approach to their growth, management and adaptation.</p> <p>Outlines the requirements of a sequential test.</p>	<p>The Sequential Assessment submitted with the application concludes that there are no sites which can adequately accommodate the proposed Local Centre in its entirety. Therefore, it is clear that the proposed location is the most sequentially preferable site.</p>
<p><i>Paragraph 86</i></p> <p>Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.</p>	<p>Please see above</p>
<p><i>Paragraph 89</i></p> <p>When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m<sup>2</sup> of gross floorspace). This should include assessment of:</p> <p>a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and</p>	<p>The Proposed Development does not require an impact assessment, as set out within Chapter 6 of this Statement.</p>

Policy	Application Compliance
<p>b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).</p>	
<p><i>Paragraph 90</i></p> <p>Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 89, it should be refused.</p>	<p>Please see above</p>
<p><b>Chapter 8. Promoting healthy and safe communities</b></p>	
<p><i>Chapter Summary</i></p> <p>Development should promote social interaction, for example through mixed-use schemes and street layouts that allow for easy pedestrian and cycle connections within and between neighbourhood, and promote active frontages.</p> <p>Development should be safe and accessible, reducing crime and the fear of crime. In addition, proposals should encourage and support health lifestyles, for example through provision of safe and accessible green infrastructure and layouts that encourage walking and cycling. Developments should also protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.</p>	<p>The Parameter Plans show how the site has been developed with consideration for health impact and ensuring a safe and secure site for future residents by:</p> <ul style="list-style-type: none"> <li>• The creation of new pedestrian and cycle links, including connections into the countryside beyond;</li> <li>• The provision of publically accessible open space which wherever possible promotes natural surveillance;</li> <li>• Strategically locating the primary school with early years provision so that it is within easy walking distance if existing and future residents;</li> <li>• The creation of residential communities through the inclusion of landscaping and publically accessible open space, and the provision of a local centre to provide amenities within easy walking distance; and</li> <li>• The provision of new trees, shrubs and habitat planting.</li> </ul> <p>These principles will be developed further at detailed design stage to ensure:</p> <ul style="list-style-type: none"> <li>• Boundary treatments can clearly define and separate the public and private areas;</li> <li>• Rear access footpaths can be avoided; and,</li> <li>• Public spaces and communal parking areas can be sufficiently illuminated to deter anti-social behaviour.</li> </ul>
<p><i>Paragraph 91</i></p> <p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:</p> <p>a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;</p> <p>b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and</p> <p>c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.</p>	<p>Please see above</p>
<p><i>Paragraph 92</i></p> <p>To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</p>	<p>The Proposed Development includes a new Local Centre with flexibility to accommodate a range of potential uses. The location of the Local Centre has been fixed within the centre of the site and within a wider hub of social facilities which include land for a primary school, allotments and sport/recreation provision in the form of a MUGA.</p>

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<ul style="list-style-type: none"> <li>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</li> <li>c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</li> <li>d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and</li> <li>e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.</li> </ul>	
<p><i>Paragraph 94</i></p> <p>It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:</p> <ul style="list-style-type: none"> <li>a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and</li> <li>b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.</li> </ul>	<p>The Proposed Development includes land for a two-form entry primary school with early year's provision. The land for the primary school has been sited within easy walking distance of existing and future residents.</p>
<p><b>Chapter 9. Promoting sustainable transport</b></p>	
<p><i>Chapter Summary</i></p> <p>This Chapter requires proposals to promote walking, cycling and public transport, and states that patterns of movement, streets, parking and other considerations should be integral to the design of schemes. Proposals should also consider the potential impacts of the development on transport networks.</p>	<p>Please refer to earlier comments</p>
<p><b>Chapter 12. Achieving well-designed places</b></p>	
<p><i>Chapter Summary</i></p> <p>This Chapter states that the planning process is fundamental to creating high-quality buildings and places. Good design is key to sustainable development and contributes to creating better places in which to live and work. It outlines that developments should aim to:</p> <ul style="list-style-type: none"> <li>• Add to the overall quality of the area and function well over the lifetime of the development.</li> <li>• Be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.</li> <li>• Be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).</li> <li>• Establish or maintain a strong sense of place, using arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.</li> <li>• Optimise the potential of the site, create and sustain an appropriate mix of uses.</li> <li>• Create safe, inclusive and accessible environments which promote health and well-being.</li> </ul>	<p>The Application is accompanied by a Masterplan Framework and a Design and Access Statement. The Masterplan Framework sets out the design rationale for the allocation as a whole and the design and access statement explains the design approach to the planning Application. The outcome of the design process explained in these documents is reflected in the Parameters Plans. It shows how the proposals for the Heybeck Lane development and Leeds Road development have been prepared as one cohesive whole.</p> <p>The Design and Access Statement explains how the illustrative layout has evolved, having considered the Site's constraints and opportunities, in addition to responding to the pre-application discussions and public consultation that took place prior to submission. The following constraints and opportunities were taken forward within the design proposals:</p> <ul style="list-style-type: none"> <li>• The extensive network of Public Rights of Way which dissect the Site provide an opportunity to provide pedestrian activity into the Site.</li> <li>• Community facilities such as the new primary school/ local centre should be located to serve the existing, surrounding community as well as new residents.</li> <li>• The existing hedgerows and tree belts which cross the Site should be retained where possible within green corridors to enhance wayfinding, preserve biodiversity and add character to the design.</li> <li>• The ancient woodland, Dogloitch Wood and Dum Wood, should be preserved and a development buffer applied to the proposals to protect them for future generations.</li> <li>• Long range views both into and out of the Site which should be addressed, within the orientation of development parcels and through design mitigation measures.</li> <li>• Heybeck provides a natural landscaped amenity space which should form a green spine through the Site.</li> <li>• Existing vehicular access to the Site is limited to gated tracks from Leeds Road and Chidswell Lane.</li> </ul>

Policy	Application Compliance
	<p>The Parameters Plans draw on the guidance set out within the recently adopted National Design Guide. The proposed land parcels adopt a coherent pattern of development that responds to the Site’s topography and aspect. Design mitigation measures are embedded within the design and reflected in the Parameter Plans to ensure the preservation of green infrastructure assets including an appropriate buffer zone that integrates the Site with areas of replanted ancient woodland. Pedestrian and vehicular movement routes are distinctive and easy to negotiate through strong lines of sight and use of open aspect.</p> <p>Details submitted as part of subsequent Reserved Matters submissions will demonstrate how the proposals use high quality design and construction methods with carefully selected materials to create a well-designed residential community.</p>
<p><i>Paragraph 124</i></p> <p>The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.</p>	<p>Please see above</p>
<p><i>Paragraph 127</i></p> <p>Planning policies and decisions should ensure that developments:</p> <ul style="list-style-type: none"> <li>a) 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;</li> <li>b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;</li> <li>c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);</li> <li>d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;</li> <li>e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and</li> <li>f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users: and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.</li> </ul>	<p>Please see above</p>
<p><b>Chapter 14. Meeting the challenge of climate change, flooding and coastal change</b></p>	
<p><i>Chapter Summary</i></p> <p>This Chapter sets out how the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.</p>	<p>The approach to flood risk management and sustainable drainage and surface water management is set out below.</p>
<p><i>Paragraph 163</i></p> <p>When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk</p>	<p>A Site-Specific Flood Risk Assessment and Drainage Strategy (FRADS) has been prepared by Delta Simons and is submitted with the Application. It has informed the outline drainage strategy for the Site which is articulated through the Illustrative Masterplan and set out on the Blue Infrastructure Parameter Plan. The Site lies within Flood Zone 1 and the assessments demonstrate that the Proposed Development will not increase flood risk</p>

Policy	Application Compliance
<p>assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</li> <li>b) the development is appropriately flood resistant and resilient;</li> <li>c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</li> <li>d) any residual risk can be safely managed; and</li> <li>e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.</li> </ul>	<p>elsewhere. The long term management of the blue infrastructure proposed will be agreed in dialogue with the Council and relevant stakeholders following submission of the Application.</p>
<p><i>Paragraph 165</i></p> <p>Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:</p> <ul style="list-style-type: none"> <li>a) take account of advice from the lead local flood authority;</li> <li>b) have appropriate proposed minimum operational standards;</li> <li>c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and</li> <li>d) where possible, provide multifunctional benefits.</li> </ul>	<p>Please see above</p>
<p><b>Chapter 15. Conserving and enhancing the natural environment</b></p>	
<p><i>Chapter Summary</i></p> <p>This Chapter sets out how planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</li> <li>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</li> <li>c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</li> <li>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</li> <li>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</li> <li>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.</li> </ul>	<p>Please refer to earlier comments</p>

Policy	Application Compliance
<p><i>Paragraph 171</i></p> <p>Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.</p>	<p>Please see above</p>
<p><i>Paragraph 174</i></p> <p>To protect and enhance biodiversity and geodiversity, plans should:</p> <p>a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and</p> <p>b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.</p>	<p>Please see above</p>
<p><i>Paragraph 175</i></p> <p>When determining planning applications, local planning authorities should apply the following principles:</p> <p>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p> <p>b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;</p> <p>c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>58</sup> and a suitable compensation strategy exists; and</p> <p>d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.</p>	<p>Please see above</p>
<p><i>Paragraph 178</i></p> <p>Planning policies and decisions should ensure that:</p> <p>a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);</p> <p>b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and</p> <p>c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.</p>	<p>Please refer to earlier comments</p>

Policy	Application Compliance
<p><i>Paragraph 180</i></p> <p>Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:</p> <p>a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;</p> <p>b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and</p> <p>c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>	Please refer to earlier comments
<p><i>Paragraph 181</i></p> <p>Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.</p>	Please refer to earlier comments
<b>Chapter 16: Conserving and enhancing the historic environment</b>	
<p><i>Chapter Summary</i></p> <p>This Chapter states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. When determining a planning application the local planning authority should take account of the desirability of sustaining and enhance the significance of heritage assets and consider if a new development makes a positive contribution to the local character and distinctiveness.</p>	Please refer to earlier comments
<b>Chapter 17: Facilitating the sustainable use of minerals</b>	
<p><i>Chapter Summary</i></p> <p>This Chapter states that planning policies should safeguard mineral resources by defining Mineral Safeguarding Areas and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided.</p>	Please refer to earlier comments

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## Real Estate

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