
Pollard Way Gomersal Planning Statement

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1.0 Introduction

- 1.1 This Planning Statement has been prepared in a support of a full planning application for one dwelling ('the Proposed Development') on land off Pollard Way, Gomersal, Cleckheaton ('the Application Site').
- 1.2 The proposal will help restore an unused and overgrown site, which has remained redundant for many years.
- 1.3 This Planning Statement provides a background to the Proposed Development, covering the Application Site and its surroundings, the policy context and the technical assessments which have considered the potential effects of the Proposed Development upon the Application Site and its surroundings.
- 1.4 The Planning Statement has been prepared to assist Kirklees Council (the Local Planning Authority) in its determination of the application and should be read in conjunction with the suite of supporting material.

2.0 Application Site and Surroundings

- 2.1 The Application Site covers an area of approximately 0.6 acre and is located off Pollard Way in Gomersal, Cleckheaton. The Site is undeveloped, comprised largely of scrubland and some self-set trees, with a surrounding boundary line of mature trees.
 - 2.2 The Site is immediately bound by woodland (protected by a group TPO) to the north and east, with Red House (Grade II*) beyond that to the north, Oxford road the east, Pollard Hall (Grade II*) bounds the site to the south and Pollard Way to the west with a residential estate beyond.
 - 2.3 Residential development along Pollard Way is predominantly comprised of 60s/ 70s detached and semi-detached housing. These are two-storey in height and are constructed from sandstone bricks. Residential Development to the north of the Application Site, within the Conservation Area, is varied in its architectural style and form, from subsequent development over several generations.
 - 2.4 Pedestrian access to the Application Site is currently taken from Pollard Way, on the western boundary. There is no existing vehicular access into the site.
 - 2.5 The Application Site lies within Flood Zone 1 and is not subject to any statutory ecological designations. The Application Site is within the Gomersal Conservation Area and is bound by two Grade II* listed buildings.
 - 2.6 The site lies within the Gomersal development boundary, a district within the Batley and Spen sub-area. Gomersal is highlighted as an area within a strong housing market and strong local employment opportunities.
 - 2.7 The Application Site is easily accessible by public transport with the closest bus stop located close to the site on Spen Lane Pollard Avenue.
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3.0 Proposed Development

- 3.1 The application seeks full planning permission for one residential dwelling on land off Pollard Way, Gomersal.
- 3.2 The Site Plan (Ref. Stone_03_Gomersal) has been provided to show the layout of the Proposed Development within the Application Site.
- 3.3 The layout and design have been developed in response to the surrounding historic context. A thorough assessment of the site and its benefits has allowed a design which will maximise the sites opportunities and characteristics.
- 3.4 The Site Elevations Plan (Ref. 20/138/A) has also been provided in support of the Application to illustrate the proposed scale and massing.
- 3.5 The scale and massing of the development will respect the prevailing dimension of the surrounding built form and is appropriate within the site setting, not seeking to over develop the plot, through an excessive quantum of buildings.
- 3.6 The proposed building height will be 2 storeys, in keeping with surrounding context. The building form has been designed to embed within the surrounding landscape, taking inspiration and guidance, from the Yeoman style of older houses present within the wider Gomersal Conservation area, whilst respecting the adjacent estate to the west, Red House to the north and Pollard Hall south east.
- 3.7 It is considered the supporting drawings demonstrates a high-quality design and one which accords with the prevailing development plan policies LP24 & LP35, which requires a high standard of design for all new development and for proposals to create a sense of place, through drawing on the local context and being complementary to the locality and surrounding aesthetic.

Access

- 3.8 A primary vehicular access point is proposed from Pollard Way, at the existing pedestrian access to the Application Site. Limited vegetation clearance will be required to achieve a safe visibility splay on to the road.

Trees

- 3.9 A Tree Survey and Arboricultural Report (Ref. 16181a/ChC) has been carried out by JCA. The Arboricultural Report considers the implications that the proposed development will have on the existing TPO's and provides potential solutions to any implications on trees where possible.
 - 3.10 The report confirms that, apart from the removal of one dangerous tree, the Proposed Development will retain and maintain all boundary trees around the site to the north and east, protected by the Group TPO order.
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- 3.11 If additional trees are required for removal, i.e., to facilitate the construction of the access road and bellmouth, then a separate 'Notification of proposed works to trees in a conservation area' will be submitted and agreed with Kirklees Council, prior to the works taking place.

Ecology

- 3.12 A Preliminary Ecological Appraisal (Ref. 201064) has been produced by Whitcher Wildlife Ltd Ecological Consultants. This report assesses the ecological sensitivity of the subject site and establishes whether there are any ecological issues or requirements that may impact the Proposed Development.
- 3.13 The report confirms that the site is currently of high ecological value, due to the woodland present, however the site contains no statutory designations and is not believed to contain any protected species, though this will be confirmed following further surveys, prior to the commencement of works.
- 3.14 Several recommendations are made, within the report, to be carried out prior to the removal of trees and the commencement of works. The Proposed Development will be undertaken in compliance with the submitted report.

Heritage

- 3.15 A Heritage Statement has been carried out by The Urban Glow Design & Heritage Ltd. The Heritage Statement explains the heritage context of the site and assesses the impact upon the historic environment of the Proposed Development.
- 3.16 The report confirms that the Proposed Development will have only a limited, short term, impact on the setting during construction and shortly after the construction period. Once the landscaping has been supplemented and the natural stone has weathered, there will be little change in the local context. The wooded boundaries will still be maintained, and the only perceivable difference will be the possible glimpses of a subtle, stone building that appears wholly contextual and responsive to the local vernacular.
- 3.17 In this regard the report concludes that there will be no harm to the character and appearance of the Gomersal Conservation Area or the Grade II* Listed Buildings nearby. The proposed building can integrate successfully into this site without causing harm to the significance of the local environment. Through active tree management and contextual design harm can be avoided and as such the proposal meets local and national planning policy guidance as well as the statutory tests contained within the Planning (Listed Buildings and Conservation Area) Act. Thus, it is felt that the impact of the proposal upon the Gomersal Conservation Area will be minimal and harm will be avoided.
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4.0 Planning Policy Context

Introduction

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 required that planning applications be determined in accordance with the Development Plan unless other material consideration indicate otherwise.
- 4.2 The National Planning Policy Framework ('the Framework') and Planning Practice Guidance are material considerations in the determination of this planning application.

Adopted Development Plan

- 4.3 The Development Plan for Kirklees Council consists of the following documentation:
- Kirklees Local Plan – Strategy and Policies (2019); and
 - Kirklees Local Plan – Allocations and Designations (2019).
- 4.4 Kirklees Councils Local Plan covers the period 2013 - 2031 and was adopted by the Council in February 2019. The Local Plan sets out the vision and spatial strategy for the district during the plan period.
- 4.5 The Site Allocations and Designations Plan Policy Document was adopted by Kirklees Council alongside the Local Plan in February 2019. The documents identify sites for development that will deliver the aims, vision and objectives of the Local Plan.
- 4.6 Table 1 identifies the key policies from the Local Plan that the development will be assessed against.

Table 1- Relevant Local Plan Policies

Policy	Description
Local Plan – Strategy and Policies	
Policy LP1	Presumption in favour of sustainable development
Policy LP2	Place Shaping
Policy LP3	Location of new development
Policy LP11	Housing Mix
Policy LP24	Design
Policy LP30	Biodiversity

Policy	Description
Policy LP33	Trees
Policy LP35	Historic Environment

Material Considerations

National Planning Policy Framework

- 4.7 The National Planning Policy Framework ('the Framework') sets out the Government's definition of sustainable development and identifies how planning policies for England are expected to be applied. The Framework is a significant material consideration.
- 4.8 The Framework is purposefully positive, opportunity focused and pro-growth in seeking to facilitate development which will contribute to meeting the wider Government objectives.
- 4.9 Paragraph 7 of the Framework explains that 'the purpose of the planning system is to contribute to the achievement of sustainable development' which can be summarised as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'
- 4.10 Paragraph 8 of the Framework states that '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):
- a) 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;*
 - b) 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*
 - c) 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'.*
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- 4.11 The NPPF does not affect the statutory status of the Local Plan as the starting point for decision making. Developments which accord with an 'up-to-date' Local Plan should be approved 'without delay.' Where there are no relevant Local Plan policies, local authorities should grant permission unless:
- (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
 - (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.
- 4.12 Section 5 of the NPPF sets out the Government's objective of significantly boosting the supply of homes. 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.
- 4.13 Section 15 of the NPPF sets out the Government's policies for conserving and enhancing the natural environment. The aim is to ensure that natural habitats are protected and enhanced, so as to contribute to wider patterns of sustainable development.
- 4.14 Section 16 of the NPPF identifies the issues of conserving and enhancing the historic environment and recognises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance.

Further Considerations

Planning Practice Guidance

- 4.15 The Planning Practice Guidance (PPG) is a web-based resource which brings together planning guidance on various topics into one place. It was launched in March 2014 and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning. It is important to note that the guidance is guidance and does not provide additional policy. Notwithstanding this, it does provide a useful resource on interpreting policy.
- 4.16 Paragraph: 009 (Reference ID: 21b-009-20140306) states that it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.
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5.0 Compliance with Planning Policy

Principle of Development

- 5.1 **Policy LP1** (Presumption in Favour of Sustainable Development) states that 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. Planning applications that accord with policies in the Local Plan will be approved without delay unless material consideration indicate otherwise.
- 5.2 The following policy analysis demonstrates how the Proposed Development complies with the relevant Local Plan policies and is should be considered sustainable development.
- 5.3 **Policy LP2** (Place Shaping) states that all development proposals should seek protect and enhance the qualities which contribute to the character of a place.
- 5.4 The Application Site is currently undeveloped, inaccessible and provides no sense of place or benefit to the overall character of the area.
- 5.5 The Proposed Development will add to the character of the area by providing a well-designed house, in style and in keeping with the local aesthetic, wholly surrounded by development and not detracting or impacting upon the Conservation area and adjacent listed buildings.
- 5.6 **Policy LP3** (Location of new development) states that development should reflect:
- the settlement's size and function; and
 - spatial priorities for urban renaissance and regeneration.
- 5.7 The Proposed Development is helping to revitalise an overgrown undeveloped site, with no public benefit. Its redevelopment will help to meet the spatial priorities for urban renaissance within the District.
- 5.8 The Application Site is also sufficient in size to meet the design, scale and massing requirements for a residential dwelling within the Gomersal Conservation Area.
- 5.9 **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 needs.
- 5.10 This Application is for only one dwelling and has been designed to a high standard and specification, in keeping with the local character and aesthetic. The plot is large for 1 dwelling, but the root protection zone from the group TPO restricts development to a limited footprint within the site. Further development and/or additional housing may also be considered over development, within what is as sensitive built environment. Therefore, one large dwelling represents the most suitable, sustainable and viable development option.
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Design and Layout

- 5.11 **Policy LP24** (Design) states that good design should be at the core of all proposals by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.
- 5.12 The submitted package of drawings demonstrate the strong emphasis on a design which is in keeping with the local form, scale and layout of the immediate surrounding development, complementing yet no detracting from the overall character and aesthetic of the locality.

Environmental Assets

- 5.13 **Policy LP30** (Biodiversity) states that the Council will seek to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife sites.
- 5.14 The Application site is undesignated but lies within the Kirklees Wildlife Habitat Network and is considered of high ecological value along the eastern boundary, where the large mature trees and hedgerows abound Oxford Road.
- 5.15 The Proposed Development will not require the removal of any of the biodiversity rich - large mature trees or the priority hedgerows within the site. The only vegetation that will be removed, to facilitate the proposed development are the self-seed poplars and scrub vegetation that are present within the site, outside the TPO zone.
- 5.16 Prior to the commencement of works and throughout construction the principal contractor will comply with the recommendations within the submitted Ecological Appraisal.
- 5.17 **Policy LP33** (Trees) states that the Council will not grant planning permission for developments which directly or indirectly threaten trees or woodland of significant amenity.
- 5.18 A Tree Survey and Arboricultural Report has been submitted in support of the Application. This demonstrates that the group TPO on the northern and eastern boundary of the site will not be impacted as a result of the proposed development. Only a few self-seed trees within the site and on the eastern perimeter will need to be removed to facilitate the access road and dwelling, this will be confirmed following further site survey, prior to the commencement of works. Please see the submitted report for further details.
- 5.19 **Policy LP35** (Historic Environment) states that proposals should retain those elements of the historic environment which contributes 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 the development.
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- 5.20 The Heritage Statement submitted in support of this Application demonstrates that the Proposed Development will cause no harm on the character and/or appearance of the Gomersal Conservation Area or the adjacent Grade II* Listed Buildings. The submitted drawings and Heritage Statement demonstrate that propose design and built form can integrate successfully into the surrounding context, providing appropriate development in keeping with the local character.

6.0 Conclusions

- 6.1 This Planning Statement has been prepared in support of full planning application for one dwelling ('the Proposed Development') on 0.6 acres of land off Pollard Way, Gomersal ('the Application Site').
 - 6.2 The application is supported by a package of drawings and reports which details how the Proposed Development could be achieved on the Application Site in consideration of Kirklees Council's relevant policies alongside national legislation, guidance and standards.
 - 6.3 Sections 38 (6) of the Planning and Compulsory Purchase Act 2004 states that decisions on planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.
 - 6.4 The Proposed Development comprises policy compliant development which is in conformity with the Development Plan for Kirklees and this has been demonstrated through the policy analysis which supports the proposals.
 - 6.5 The technical assessments and reports which support the application demonstrate the potential impacts of the Proposed Development on the Application Site and the surrounding area. These reports identify that the Proposed Development would not give rise to any significant adverse impacts.
 - 6.6 In consideration of Paragraph 8 of the Framework, the Proposed Development is sustainable development across all three dimensions and should be approved without delay.
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