



**Supporting Planning Statement**  
**Clough House**  
**Leeds Road**  
**Birstall**

## Introduction

This statement has been prepared by AKPlanning to identify and assess planning policies relating to the demolition of Clough House, Birstall and residential development of the site. It will firstly describe the site, then identify relevant planning policies and finally assess the proposals against these policies.

Various matters will be considered, and reference may be made to the following submitted documents.

1. Heritage Assessment (AKPlanning)
2. Transport Statement (Paragon)
3. Design and Access Statement (MWA)
4. Biodiversity (Brooks Ecological)
5. Contamination Phase 1 (Eastwood and Partners)
6. Drainage (Haigh Huddleston)

None of the above documents preclude development of the site.

All of the assessments are based on an outline planning application for 30 dwellings with siting and access applied for.

### Site Location and Description

Clough House is a single dwelling with office buildings to the rear. The applicants lived at the address for many years and ran their haulage business from the offices. The property is vacant and prior to any works being carried out it has been the subject of vandalism and thefts.

The site is surrounded on all sides by modern buildings. The site is shown on the aerial view below.



## Relevant Planning Policy

The National Planning Policy Framework (NPPF) provides overarching policies relevant to all planning applications. The main thrust of the NPPF is to achieve sustainable development, it states: -

### 2. Achieving sustainable development

*7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development 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>.*

*8. 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):*

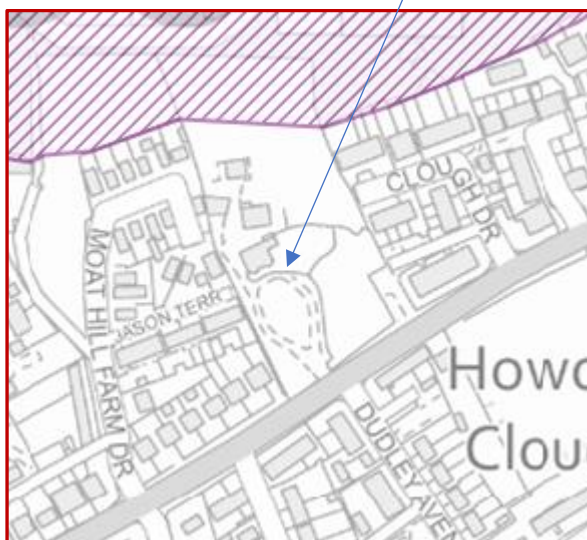
*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*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*

*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.*

These principles have been applied to the creation of the Kirklees Local Plan (KLP) which was adopted in February 2019. Given that this is an up-to-date Local Plan we will refer to the specific policies it contains rather than the more general policies in the NPPF.

The KLP does not allocate the site for any particular purpose, the extract from the site allocations map below shows this.



We will therefore consider policies relevant to applications for new housing.

### **Policy LP11**

#### *Housing Mix and Affordable Housing*

*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. 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.*

*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. 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.*

*The affordable housing provision should:*

- 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;*
- 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*
- c. be indistinguishable from market housing in terms of achieving the same high quality of design.*

*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.*

The Local Plan position on windfall sites should also be noted, it states: -

**8.27** *The level of windfall delivery will be monitored annually to determine whether the windfall allowance used within the Local Plan remains appropriate. If the annual housing target is met, but the number of completions on windfall is consistently lower than anticipated then this will eventually result in a shortfall of housing allocations. This will require a partial review of housing allocations. A windfall rate higher than expected will mean that the council will maintain a significant supply of deliverable housing sites and support choice and competition in the market for land.*

Policy LP35 part 2 of the KLP covers heritage matters. It is considered in detail within the submitted heritage statement.

Policies on highway safety LP20, 21 and 22, are dealt with in the transport statement. Policies on ecology, LP30 and 33, are dealt with in the ecological assessment.

Other matters such as drainage and site contamination are dealt with in the respective reports.



As all of these technical matters are dealt with in separate reports it is not intended to repeat the comments and conclusions in detail here. References may be made to them in our later considerations.

Design is the final relevant planning policy and the KLP contains the following policy:

-

### **Policy LP24**

#### **Design**

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

*a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;*

*b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;*

*c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;*

*d. high levels of sustainability, to a degree proportionate to the proposal, through:*

*i. The re-use and adaptation of existing buildings, where practicable;*

*ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;*

*iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;*

*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;*

*v. providing charging points to encourage the use of electric and low emission vehicles;*

*vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;*

*vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate;*

*viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.*

*e. the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;*

*f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;*

*g. any new open space is accessible, safe, overlooked and strategically located within the site and well integrated into wider green infrastructure networks;*

*h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;*

*i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and*

*j. the provision of public art where appropriate.*

The design and access statement covers many aspects of this policy.



## The Proposals

The application is in outline and is for the demolition of all existing buildings and the erection of 30 new dwellings. Only access and siting is applied for, this is to allow for the consideration of the number of dwellings.

The proposed layout is reproduced below for reference.



## Consideration of Policy

The site is unallocated and as such falls to be considered against the policies on housing and design in the KLP. If it is found to be acceptable against these policies then planning permission can be granted.

As the site already has buildings on it it is considered as previously developed land. The NPPF, within its sustainable advice, encourages the development of brownfield sites before greenfield sites.

An approval on this site will make a contribution against the windfall allowance within the KLP. It is important that this allowance is achieved. If it is not then the Council will fail in their policy aim to provide a 5 year housing land supply.

Within this section we will consider the two main policies that we have identified, LP11 and LP24.

Policy LP11, housing mix. The local area is characterized by relatively modern dwellings in a mix of housing types. We have sought to maintain this mix. It is proposed to erect 2, 3 and 4 bed houses. Detached, semi detached and a row of three dwellings are shown. Whilst this is an outline application and final housing types etc. can change the layout proposed does show what can be achieved.

Policy LP11 affordable housing. The site is brownfield and a 20% proportion of dwellings is required to be affordable. These should be spread throughout the site and should be a varied tenure. The applicants accept the principle of this policy and will seek to negotiate appropriate affordable housing at detailed stage.

The viability of the site is important. The removal of the existing buildings allows for a layout of 30 dwellings to be designed. If the existing buildings are retained they will require private space around them and car parking. There is no doubt that the number of dwellings will be reduced and subsequently viability will have to be re-considered. It is very likely that retaining the on site buildings will lead to affordable housing levels being significantly reduced.

Policy LP24 on design. The design and access statement prepared by MWA deals with this policy in detail. It covers sustainability, orientation, safety, accessibility and landscape. Policy LP24 makes reference to other matters. There are no important trees on the site and no public art proposed. Ecological benefits are covered in a separate report.

As previously stated we have given great consideration to the retention of the existing buildings and in particular Clough House. The heritage statement has concluded that the house has no significant architectural merit or historical interest. When this is weighed against the benefits of providing more housing and affordable housing we have concluded that, on balance, the existing buildings should be demolished.

Many of the design issues cannot be fully resolved until the reserved matters stage of this application. We have, within this statement, the design and access statement and all the other supporting statements covered all the necessary policy points to allow for the approval of the access and the principle of 30 dwellings.

## **Conclusions**

This brownfield site is unallocated on the KLP. The proposals comply with the relevant housing and design policies. We have carefully considered retention of the existing house but have concluded that the provision of more housing and affordable units is on balance the preferable option. All other technical matters are covered in the appropriate reports. It is therefore our conclusion that planning permission should be granted.

*AKPlanning  
147 Lane Top  
Linthwaite  
Huddersfield HD7 5SG*

*Contact: Andrew Keeling  
E-mail: [andrew@akplanning.co.uk](mailto:andrew@akplanning.co.uk)  
Mobile: 07500965645*

