



PLANNING STATEMENT

**ERECTION OF 9 DETACHED DWELLINGS
WITH ASSOCIATED PARKING**

AT

**360-366 LEES HALL ROAD,
DEWSBURY,
WF12 9EW**

OCTOBER 2016

Introduction

This Planning Statement has been prepared to support a planning application for the erection of 9 detached dwellings with associated parking at 360-366 Lees Hall Road, Dewsbury.

The site is currently unused / vacant and can be directly accessed from Lees Hall Road. Part of the site (to the north) lies within a flood zone.

The site is bounded by existing residential buildings to the east and west of the site, with Lees Hall Road to the south and open space to the north, eventually leading to the Calder and Hebble Navigation.

The site is contained by a series of trees and bushes, as well as fencing/hedges on the parts of the site adjoining other existing dwellings gardens and buildings.

In the current development plan, the site is unallocated. The LPA has indicated that the site is allocated as allotments, although there is no notation to this effect on the UDP policy maps.

Summary of proposed development

The proposed scheme contains 9 detached dwellings with each dwelling having access to three private parking bays on the proposed site. The houses will be accessed by a private cul-de-sac road leading from Lees Hall Road.

Planning history

A planning application was submitted for residential development previously (2007/93644) but this application was withdrawn.

Planning policy

The current **local development plan** is the Kirklees Unitary Development Plan (UDP), which sets out a series of local planning policies, the most relevant to the proposed application being -

Policy D2: *“Planning permission for the development (including change of use) of land and building without notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that proposals do not prejudice:*

- i. The implementation of proposals in the plan.*
- ii. The avoidance of over development*
- iii. The conservation of energy*
- iv. Highway safety*
- v. Residential amenity*
- vi. Visual amenity*
- vii. The character of surroundings*
- viii. Wildlife interests and*
- ix. The efficient operation of existing and planned infrastructure”*

Policy BE12: *“New dwellings should be designed to provide privacy and open space for their occupants, and physical separation from adjacent property and land. The minimum acceptable distances will normally be:*

- i. 21.0M between a habitable room window of a dwelling and a habitable room window of a facing dwelling;*
- ii. 12.0M between a habitable room window of a dwelling and a blank wall or a wall containing the window of a non habitable room;*
- iii. 10.5M between a habitable room window of a dwelling and the boundary of and adjacent undeveloped land; and*
- iv. 1.5M between any wall of a new dwelling and the boundary of any adjacent land (other than a highway).*

Distances less than these will be acceptable if it can be shown that, by reason of permanent screening, changes in level, or innovative design,

no detriment would be caused to existing buildings or future occupiers of the dwellings or any adjacent premises or potential development land which may be accepted.”

Policy T10: “New development will not normally be permitted if it will create or materially add to highway safety or environmental problems or, in the case of development which will attract or generate a significant number of journeys, if it cannot be served adequately by the existing highway network and by public transport. Proposals will be expected to incorporate appropriate highway infrastructure designed to meet relevant safety standards and to complement the appearance of the development.”

Policy T19: “The provision of off-street parking will be required in new developments in accordance with the standards set out in appendix 2”.

Policy R9: “Proposals involving development on allotments, or land last used as allotments, will not be permitted unless replacement allotments of equivalent community benefit are approved or it can be demonstrate that there is no unsatisfied local demand for allotments. All proposals should make provision for the safeguarding of visual and residential amenity and established wildlife.”

In terms of **national planning policy**, the National Planning Policy Framework (NPPF) states that one of the overarching and central themes to the NPPF is the government’s commitment to encouraging and achieving sustainable development and strong economic growth, and the crucial role and expectation that the planning system does everything it can to support this. The government expects that the planning system should operate to encourage, and not act as an impediment, to sustainable growth.

In order to deliver against these core planning requirements, the NPPF calls for Local Planning Authorities (LPAs) to draw up Local Plans which set out a clear economic vision and strategy for their area and which positively and proactively encourage sustainable growth.

Paragraphs 6 and 7 of the NPPF confirm that the purpose of the planning system is to contribute towards the achievement of sustainable development, and that sustainable development comprises three specific roles, namely economic, social and environmental. These roles should not be undertaken in isolation because they are mutually dependent, and the NPPF calls for economic, social and environmental gains to be sought jointly and simultaneously through the planning system.

Paragraph 14 of the NPPF confirms that the sustainable development should be seen as a “golden thread” running through both plan making and decision taking. In order to achieve this, the same paragraph requires that LPAs approve proposals that accord with the development plan without delay, and that where the development plan is ‘absent, silent, or relevant policies are “out of date” then permission should also be granted unless any adverse impacts of doing so “would significantly and demonstrably outweigh the benefits”. The NPPF stresses that it is highly desirable that LPAs have an up-to-date Local Plan in place.

One of the “core planning principles” highlighted in paragraph 17 of the NPPF is that every effort should be made to “objectively identify and then meet the housing, business and other development needs of an area” in order to respond positively to wider opportunities for growth, and to promote mixed use developments.

In calling for LPAs to “boost significantly their supply of housing”, paragraph 47 of the NPPF requires Local Plans to deliver the full and objectively assessed needs for both market and affordable housing, including key sites which are critical to the delivery of the housing strategy over the plan period. In order to significantly boost housing supply, the NPPF requires local authorities to identify and annually update a supply of deliverable sites sufficient to provide five years-worth of housing against their housing requirements, with an additional buffer either 5% or 20% - the latter where local authorities have demonstrated a record of persistent under-delivery of housing.

Critically, paragraph 49 of the NPPF notes that relevant Local Plan policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a 5 year supply of deliverable housing sites. Where this is the case, there is a strong presumption in favour of sustainable residential development where those proposals would help address the under supply of housing, unless other material considerations dictate otherwise.

It is held that the local authority is currently unable to demonstrate a 5 year supply of housing land and so there is a presumption in favour of development on this site.

Development Appraisal

With regard to policy R9 of the UDP, no evidence of the site ever having been used for allotments has been found by the applicant. The applicant has only recently purchased the site but the previous owner, who purchased the site in 2010, similarly has no evidence of the site ever having been used for allotments prior to this date. Similarly, historical aerial maps (dating back to 2002) do not show any allotments or other such activity on the site. As the site is privately owned, it is unlikely that it has ever been used for this purpose and it is held that the use of the land for allotments is unlikely in the future as it is in private hands. Therefore, it is contended that any possible future use of the site for allotments is significantly outweighed by the presumption in favour of residential development on this site as set out within the NPPF.

Policy D2 sets out the matters to be considered when unallocated land comes forward for development. It is contended that the proposed scheme does not constitute over-development of site and it makes an efficient and effective use of the land. There is no adverse impact on highway safety, as the proposed access has good sight lines onto Lees

Hall Road (which is 30mph) and the internal access road adequately serves the proposed dwellings. An appropriate number of car parking spaces has been provided to serve the development.

The residential amenity of both existing and proposed dwellings is not compromised and the proposed scheme meets the requirements of policy BE12 in terms of space about buildings. The site lies within a flood zone but the proposed scheme has taken account of this fact. The visual amenity and the character of the surrounding area is enhanced by the removal of a disused and degraded site and its replacement by a well-designed, high quality residential development using materials appropriate to its surroundings. Finally, no wildlife interests will be compromised, as the site is currently unused and degraded - there is very little flora on site and no fauna.

The site is located in a sustainable location in a predominantly residential area with good public transport links to Ravensthorpe, Thornhill, and Dewsbury and the services and facilities found within those centres.

Conclusion

It is therefore concluded that the proposed scheme represents an appropriate residential development of this site that enables the provision of much-needed sustainable housing in the area. The proposed development is held to meet the requirements of local planning policy and the presumption in favour of sustainable development as set out in national planning policy weighs heavily in its favour.