

Consultation Response from: Planning Policy Group		
Address: Land adjacent 67 Chapelgate Scholes Holmfirth		
Proposal: 2022/92406 Erection of 10 affordable dwellings and associated works including resident play zone.		
Date Responded: 30/11/2022	Responding Officer: Steven Wright	Responding Ref:
The Local Plan was adopted on 27th February 2019. The Holme Valley Neighbourhood Development Plan (HVNDP) was made in December 2021 and forms part of the Development Plan for Kirklees. The following response relates to specific policies which are particularly relevant to the proposal. The Development Plan should be considered as a whole, so other policies not mentioned here may also apply. The site lies within the Green Belt as designated on the Kirklees Local Plan. NPPF paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless the building falls within one of the exceptions listed in the paragraph, the relevant one in this case being criterion f) which allows for limited affordable housing for local community needs under policies set out in the development plan, including policies for rural exception sites. Local Plan policy LP11 'Housing' states that exceptionally planning permission may be granted for affordable homes on land that would not normally be permitted for housing development, where there is otherwise little prospect of meeting robustly evidenced 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. In terms of green belt policy, the proposal must demonstrate compliance with all relevant parts of Local Plan policy LP11. If it does not comply with LP11 the principle of the development would be considered contrary to green belt policy and the proposal would constitute inappropriate development in the green belt. <u>Housing need</u> The Kirklees Local Plan evidence included a Strategic Housing Market Assessment (SHMA) (2016), this concluded that there was an affordable housing need across the district. The gross annual affordable imbalance was 2,511 households per year for the district and in the Kirklees Rural West sub area 329 households per year. The net imbalance when taking account of annual affordable supply is 1049 households per year and 182 in the Kirklees Rural West sub area. This figure includes all affordable housing need, not just rented affordable accommodation. As a benchmarking exercise the applicant has undertaken an apportionment by dividing the number of households in Scholes (963) by the number in the Kirklees West sub area (31,129) households equalling 3.1%. For comparison purposes, this percentage was compared to the SHMA gross annual imbalance which indicatively shows an annual affordable housing imbalance of 10 households for the Scholes area. The applicant has provided detailed supporting evidence for this planning application in the form of a Scholes Housing Needs Survey 2021 (September 2021). The study area is that of the built up area of Scholes (including Hepworth) and the HD9 1 postcode sector. The applicant's housing needs survey concluded that: • need exists for 33 <u>affordable rented</u> dwellings over the next 5-years after taking supply from existing housing and potential new development into account (Local Plan allocated site HS182) and the proposed development; • the need arises from both existing and newly forming households; • all size and types of dwellings are needed, with an emphasis on 1 or 2-bedroom		

dwelling.

In this specific case through consideration of the local plan evidence and the applicants evidence it is considered that the proposal for 10 affordable rented homes on this site would meet an identified need for affordable rented accommodation in accordance with Local Plan policy LP11.

Green belt assessment

The principle of housing development conveyed by NPPF paragraph 149 criteria f) can reasonably be assumed to extend to necessary associated development such as car parking, street lighting, bin storage and private amenity space. However, it is necessary to consider whether other parts of this overall scheme can be assumed to fall within the principle conveyed by paragraph 149 criteria f). If they do not they would constitute inappropriate development. Inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances. This harm carries substantial weight and would need to be balanced against the benefits of allowing the proposal. The whole design and layout of the scheme should be sensitive to its green belt setting and should meet design standards no less than would be expected for any other form of development within the green belt.

The other buildings proposed on this scheme include:

- Shared tool sheds – this is indicated on the landscaping layout as in the same location as the bike sheds but there is no specific information about location, size or design;
- Covered scooter store. This is indicated on the landscaping drawing to be adjacent to plot 6 in block B but there is no specific information on size or design.
- Canopy - Within the communal area is a proposed structure consisting of a tensile canopy 4.0m by 4.0m square stretched across uprights over 3m in height. As this is clearly intended to be a permanent structure it has been included within this list of proposed buildings.

If the principle of housing is accepted there are elements of this proposal, such as a bin store, which are expected to be provided on site to enable the effective operation and delivery of a high-quality affordable housing scheme. For the non-essential aspects of this scheme, their inclusion needs to be justified and impacts on openness considered. Consideration should be given to all aspects of the proposal to ensure that the design is in keeping with the green belt location of this site.

NPPF paragraph 150 states that other forms of development are also not inappropriate in the green belt, including 150b) engineering operations and 150e) material changes in the use of land (such as changes of use for outdoor sport or recreation), provided that openness is preserved and there is no conflict with the purposes of including land in the green belt.

Included as part of this application are areas within the site marked 'play zones' and 'community meeting area'. This is a material change in use of land and therefore should be considered against NPPF paragraph 150 criteria e). In accordance with the Open Space Supplementary Planning Document (SPD), adopted 29th June 2021, housing developments of 10 or fewer dwellings are not required to provide new open space provision in respect of Local Plan policy LP63 (New Open Space). However, the SPD does encourage the provision of amenity space, with natural habitats, to ensure a well-designed scheme for the benefit of new residents. Any new open space provision needs to be weighed in the balance of the proposal.

As well as the communal areas there is private amenity space proposed between the blocks and the highway and to both sides of block A. While the provision of 10 individual gardens would have further impact on openness through the fragmentation of the site, gardens of this design are in keeping with the area and private amenity space is to be expected. As set out in Policy 1 of the Holme Valley

Neighbourhood Plan, boundary treatments should be sensitive to the relevant Landscape Character Area, in this case Landscape Character Area LCA8 (Settled Slopes of the Holme Valley).

To facilitate the level ground required for the row of car parking spaces at the western edge of the site, an engineering operation to create a vertical retaining wall is proposed to allow for the significant difference in levels between the site and the field and property no. 67 Chapelgate to the west. There does not appear to be any indication as to the method of construction or landscaping treatment of this retaining structure, or of the other proposed retaining walls. The rest of the scheme has been designed with a series of retaining walls so that the blocks of houses are built on level platforms; for example between Dean Bridge Lane and Block A and between Block A and the raised car parking (section CC Proposed Site Sections). Another significant retaining wall is proposed at the south-east of the site between the site and the fields off Dean Bridge Lane.

Retaining walls can have a significant impact both on the openness of the green belt and the purposes of including land within it, by creating permanent structures to the detriment of openness and which can act as visual barriers, and by the creation of an artificial landform which encroaches on the character of the countryside. It is acknowledged that this site was a quarry where the topography has already been altered, but revegetation and the passage of time has given the site a more natural appearance which would be significantly altered by the proposal as designed. Local Plan policy LP32 requires that proposals should be designed to take account of and seek to enhance the landscape character of the area and the setting of settlements and buildings within the landscape. LP24 states that the form, scale, layout and details of all development respects and enhances the character of the landscape. Careful consideration therefore needs to be given to the design and landscaping treatment of any retaining structure, which ought to be sloped and landscaped banks, not solid retaining walls.

The site lies within Landscape Character Area 8 'Settled Slopes of the Holme Valley' as designated on the Holme Valley Neighbourhood Development Plan. An assessment of the scheme is required against the provisions of the neighbourhood plan, particularly policies 1 and 2 which require demonstration of how the proposal has been informed by the key characteristics of the Landscape Character Area, and against policy 5 as this site may be regarded as a gateway site on the edge of the village of Scholes. Regard must also be given to all other relevant policies of the HVNDP.

This scheme must be considered as a whole. The current proposed layout including the communal areas and structures, particularly the communal canopy structure, the vertical retaining walls (including to the west that would form the backdrop to the site), appear to create an overly urbanised character to this proposed development. The development should focus on the essential elements to deliver a high-quality affordable housing proposal whilst limiting the impact on the green belt through minimising the non-essential components of the scheme.