

May 2023

PLANNING
STATEMENT

ERECTION OF 61 AGE RESTRICTED
APARTMENTS, 2 GUEST ROOMS, EXTERNAL
RESIDENTS LOUNGE, MANAGERS OFFICE,
RESIDENTS AND VISITOR PARKING, NEW
BRIDGE ACCESS, RIVERSIDE WALKWAY AND
RELATED ENGINEERING WORK TO FORMER
MILL DAM
AT PRICKLEDEN MILLS, WOODHEAD ROAD,
HOLMFIRTH.

Ref: 2659

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SECTION 1: INTRODUCTION

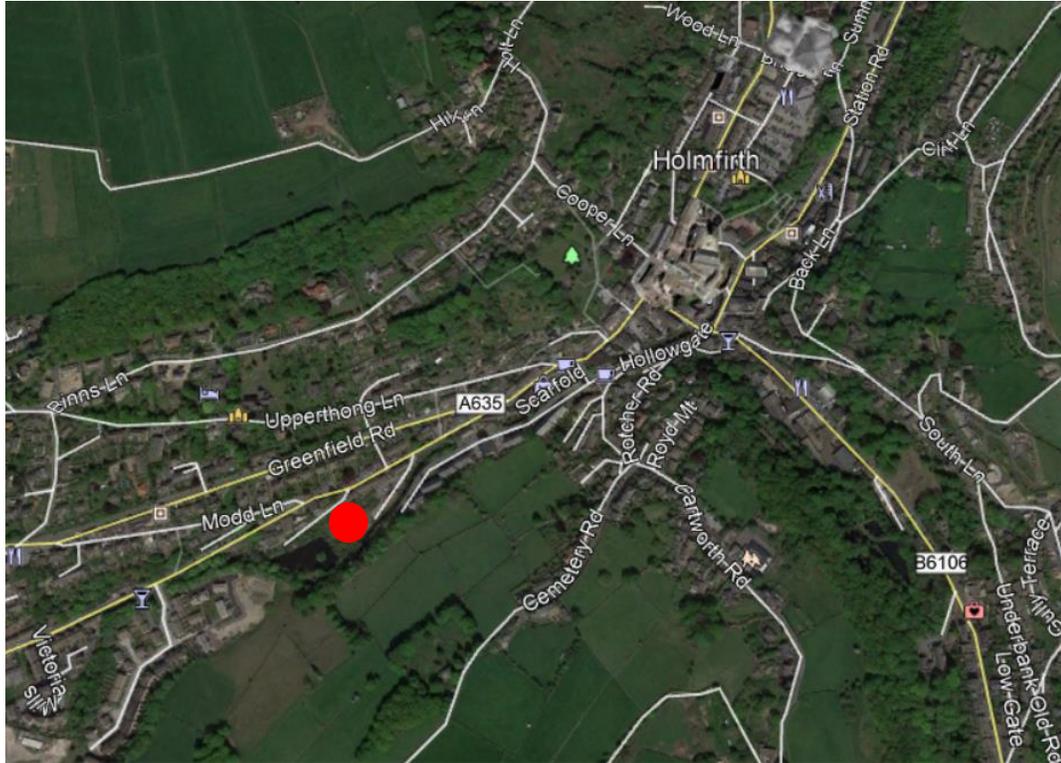
- 1.1 This Planning and Policy Statement has been prepared to support a planning application for the redevelopment of the site formerly occupied by Prickleden Mill, off Woodhead Road, Holmfirth.
- 1.2 This application comprises a revised scheme to the planning application that was approved in December 2013 (Ref: 2012/90738), with a later variation approved in January 2018 (Ref: 2018/90031).
- 1.3 Following the approval of the 2012 planning application the demolition of the redundant buildings was carried out, which comprises implementing the planning permission, as such that planning approval is live in perpetuity.
- 1.4 This statement addresses the planning policy implications for the site, including a heritage assessment as the proposed development lies within Holmfirth Conservation Area.
- 1.5 A new planning application for this site was submitted in May 2021 for 61 age restricted apartments (Ref: 2021/92003). The application was refused, but this application responds to those reasons for refusal.

SECTION 2: LOCATION AND SITE DESCRIPTION

- 2.1 The application site is located straddling the River Holme, approximately 450 metres to the west of Holmfirth town centre. Present access to the site is made via one of two narrow, part un-made non-classified lanes.
- 2.2 The site is currently vacant having previously been occupied by buildings associated formerly with the textile industry, which in recent years prior to its demolition was used for a variety of light industrial and storage purposes. The site has an industrial past, which supported light engineering following the decline of the textile industry. The decline in the useful life of the site has been accelerated due to the compact nature, varying topography and the awkward narrow access making servicing by modern commercial vehicles impractical.
- 2.3 The principle of clearing the industrial buildings and redeveloping the site for age restricted apartments has been established with an extant planning permission for the site.
- 2.4 The site subsequently remains unused and incapable of supporting modern industry. It is therefore a prime brownfield site and is waiting for an appropriate opportunity to unlock the potential contained for the benefit of all parties.

- 2.5 The application site covers an area of approximately 1.11 hectares of brownfield land that is unallocated in the Kirklees Local Plan.

Photo 1: Location of Application Site



Conservation Area

- 2.6 The setting of the Prickleden Mills section of the Conservation Area is very much secluded from other central parts of Holmfirth due to the valley bottom location. A “hidden valley” set below main road level and screened by ribbon development bounding Woodhead Road. The site is currently entered via discreet “gateways” off Woodhead Road from the north. The cleared mill site currently has a negative impact on this setting.

SECTION 3: THE PROPOSED DEVELOPMENT

- 3.1 The proposed development comprises the erection of 61 age-restricted (over 55) apartments, ancillary accommodation and associated external works. An on-site concierge will be available on site for 8 hours a day for 5 days a week. However, all units will be fitted with an emergency button that triggers a response unit that is available in emergency situations 24 hours a day.

- 3.2 As set out above the site benefits from planning permission granted in 2013, with a variation to the proposals approved in 2018. The schedule below sets out the main changes to the proposals from the last approved scheme. However, planning permission was refused in 2022 (Ref: 2021/92003). One of the reasons for refusal relates to planning obligations, which are dealt with elsewhere in this statement. A second reason related to information concerning flood risk and drainage, which is addressed through information supporting this planning application. The third technical issue relates to parking and the inadequate provision of off-street parking, which has been addressed with the provision of additional spaces with this application.
- 3.3 The other two reasons for refusal related to design in relation to the height and massing of the proposed development, both in terms of the overbearing nature of the proposal and the impact on the views in that part of the valley and the impact on the character of the Conservation Area, as well as the loss of privacy, outlook and natural light for neighbouring properties.
- 3.4 In response to these reasons for refusal the proposed development has been amended by:
- Reducing floor to ceiling heights within the buildings, which brings down the overall ridge heights for all the buildings. The accompanying heritage statement includes site sections with the previously approved scheme overlaid on top of the current proposals. This shows the bulk and massing of the proposed scheme is in line with the previously approved scheme.
 - The height of blocks C and D have been reduced so as to mitigate against the loss of privacy, outlook and natural light to neighbouring properties. The site sections show how the scale and massing of the building has been reduced in the proximity of the buildings at 25 & 27 Woodhead Road. In this location the ridge of the building, whilst slightly higher than the previously approved scheme, is set further to the south. Block C and D have been rotated anti-clockwise around a point on the south-eastern corner of the building. This moves the western end of the building to the south, away from the buildings at 25 and 27 Woodhead Road.
 - The proposed scheme has re-introduced the step in the ridge lines between block A-B and C-D, whereby the ridge lines reflect the slope of the valley by stepping down from west to east. This reduces the overbearing nature of the buildings.

- 3.5 The proposed development includes a waste storage facility in the basement in each building, meaning residents don't have to go outside in poor weather. The basement also provides a means of access between each of the buildings without having to go outside, which improves social intercourse amongst residents.
- 3.6 The proposed development includes a gym and sauna in the building, and the mill pond will be available for rowing, canoeing and paddle boarding, with equipment stored in the void adjacent to the residents' lounge. These facilities help residents live healthy and active lifestyles.
- 3.7 The proposed development creates a more efficient building than the previously approved scheme, with less space used for corridors, lifts and stairs, which reduces the service charges that the resident will have to pay.
- 3.8 A full set of drawings accompany this planning application along with a Design and Access Statement that sets out the design considerations for the proposed development.
- 3.9 A schedule of the proposed accommodation is shown below:

Table 1: Schedule for the proposed accommodation

Apartment No.	BLOCK A-B	Apartment No.	BLOCK C-D	Apartment No.	BLOCK E
	Ground Floor		Ground Floor		Ground Floor
1 (2BED)	97.4sqm	28 (2BED)	91.9sqm	50 (2BED)	96.1sqm
2 (2BED)	94.2sqm	29 (2BED)	93.6sqm	51 (2BED)	85.1sqm
3 (2BED)	76.5sqm	30 (2BED)	104.6sqm	52 (2BED)	100.2sqm
4 (2BED)	92.4sqm	31 (2BED)	90.8sqm		First Floor
5 (2BED)	97.3sqm		First Floor	53 (2BED)	96.1sqm
	First Floor	32 (2BED)	94.4sqm	54 (2BED)	85.1sqm
6 (2BED)	97.4sqm	33 (2BED)	94.2sqm	55 (2BED)	100.0sqm
7 (2BED)	94.2sqm	34 (2BED)	93.0sqm		Second Floor
8 (2BED)	76.5sqm	35 (2BED)	90.5sqm	56 (2BED)	96.1sqm
9 (2BED)	92.4sqm	36 (2BED)	98.2sqm	57 (2BED)	85.1sqm
10 (2BED)	97.3sqm		Second Floor	58 (2BED)	100.2sqm
	Second Floor	37 (2BED)	94.6sqm		Third Floor
11 (2BED)	97.4sqm	38 (2BED)	94.2sqm	59 (2BED)	96.1sqm
12 (2BED)	94.2sqm	39 (2BED)	96.8sqm	60 (2BED)	85.1sqm
13 (2BED)	81.6sqm	40 (2BED)	90.5sqm	61 (2BED)	100.2sqm
14 (2BED)	92.4sqm	41 (2BED)	98.2sqm		
15 (2BED)	97.3sqm		Third Floor		
	Third Floor	42 (2BED)	94.6sqm		
16 (2BED)	97.4sqm	43 (2BED)	94.2sqm		
17 (2BED)	94.2sqm	44 (2BED)	96.8sqm		
18 (2BED)	81.6sqm	45 (2BED)	90.5sqm		
19 (2BED)	92.4sqm	46 (2BED)	98.2sqm		
20 (2BED)	97.3sqm		Fourth Floor		
	Fourth Floor	47 (3BED)	96.8sqm		
21 (2BED)	97.4sqm	48 (2BED)	90.5sqm		
22 (2BED)	94.2sqm	49 (2BED)	98.2sqm		
23 (2BED)	81.6sqm				
24 (2BED)	92.4sqm				
25 (2BED)	97.3sqm				
	Fifth Floor				
26 (2BED)	103sqm				
27 (3BED)	109sqm				

Appearance

- 3.10 The proposed design and character of the development is more akin to the vernacular of Holmfirth and the wider Holme Valley. The proposed development is to be finished in natural stone with blue slate roofs.
- 3.11 Throughout the blocks there are design accents which pay homage to the site's former industrial mill past. These include a modern interpretation of taking in doors with accent lifting beams over.
- 3.12 The patterns of fenestration are uniform and reflect that of mill buildings in the area. The proposed tower design to block E has been created to reflect the features on mills within the Holme Valley, which were generally understated however featured subtle detailing. This tower has been given particular attention as it will be visible from Woodhead Road.
- 3.13 All blocks have been shown with a continuous steel profile ribbon around them, which will form a subtle shadow line design feature. The proposed entrances to blocks AB and CD have been treated with an oversized column which will act as a focal feature to create a recognizable entrance for residents and their guests. The proposed design theme runs throughout all the blocks and the residents lounge, creating a cohesive and consistent design approach to the development.

SECTION 4: PLANNING POLICY CONTEXT

- 4.1 The statutory development plan comprises the Kirklees Local Plan that was adopted by Kirklees Council on 27th February 2019.
- 4.2 The statutory development plan is the starting point in the consideration of planning applications for the development of use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004)

National Planning Policy Framework (NPPF)

- 4.3 The revised NPPF was published in 2021 and sets out the Government's proposed economic, environmental and planning policies for England.
- 4.4 The NPPF carries forward the Government's commitment to support sustainable economic growth and states that significant weight should be placed on the need to support economic recovery through the planning system and this includes building houses.

- 4.5 More specifically the NPPF identifies a presumption in favour of sustainable development, which as set out in paragraph 11, for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 4.6 The NPPF constitutes guidance for local planning authorities and is a material consideration in determining planning applications.
- 4.7 The following Chapters of the NPPF are relevant to this planning application:
- Chapter 2 – Achieving Sustainable Development
 - Chapter 4 – Decision Making
 - Chapter 5 – Delivering a sufficient supply of homes
 - Chapter 12 – Achieving well-designed places
 - Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
 - Chapter 16 – Conserving and enhancing the historic environment

Kirklees Local Plan

- 4.8 The site is unallocated in the Local Plan. The following policies have been identified as being relevant to this application:
- LP1 – ‘Presumption in favour of sustainable development’ highlights that when considering development proposals the council will take a positive approach in favour of sustainable development as contained in the NPPF. The policy goes on to encourage a pro-active relationship between the council and the applicant.
 - LP3 – ‘Location of new development’ explains that development should reflect the Spatial Development Strategy, Policy LP1 (above) and LP2 Place Shaping. It sets out that development should reflect the settlement’s size and function and other characteristics.
 - LP4 – ‘Providing Infrastructure’ explains that the Council will work with partners to bring forward the necessary infrastructure in order to deliver the local plan's spatial strategy. It sets out that essential infrastructure that is required to make development acceptable in planning terms must be operational no later than the appropriate phase of development for which it is needed, this will be expected to be shown through phasing plans.
 - LP7 – ‘Efficient and effective use of land and buildings’ encourages the efficient use of previously developed land in sustainable locations, as well

gives priority to derelict land that is not of high environmental value. It sets out that developments should achieve a net density of at least 35 dwellings per hectare.

- LP11 – ‘Housing Mix and affordability’ explains that all proposals should contribute to creating mixed and balanced communities taking regard for the latest housing need evidence. As such all-housing proposals must provide a mix of housing suitable for different household types which reflect the changes in household composition in Kirklees.
- LP20 – ‘Sustainable Travel’ sets out 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. It explains that proposals for new developments shall be designed to encourage sustainable modes of travel and will be required to facilitate the needs of the following user hierarchy:
 - a) Pedestrians
 - b) Cyclists
 - c) Public transport
 - d) Private vehicles
- LP21 – ‘Highways and access’ explains that proposals should accommodate sustainable modes of transport and be accessed effectively and safely by all users. It sets out that 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.
- 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, as well as meeting the needs of cyclists for cycle parking and accommodating the needs of disabled people for the parking of vehicles.
- LP24 – ‘Design’ sets out that 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
 - 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.
- LP27 – ‘Flood Risk’ explains that proposals for development will need to demonstrate that development has been directed to areas at the lowest probability of flooding.
 - LP28 – ‘Drainage’ explains that the presumption is that Sustainable Drainage systems (SuDS) will be used to assist in achieving the following on each... The policy goes on to state that development will only be permitted where it can be demonstrated that the water supply and wastewater infrastructure required is available or can be coordinated to meet the demand generated by the new development.
 - LP35 ‘Historic Environment’ sets out that development proposals affecting a designated heritage asset should preserve or enhance the significance of the asset.

- LP63 – ‘New Open Space’ outlines that 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.

SECTION 5: PLANNING POLICY ASSESSMENT

- 5.1 This section considers the proposed development against planning policy requirements.

Principle of Development

- 5.2 The principle of the proposed development has been established with the granting of planning permission for this site that was approved in December 2013 (Ref: 2012/90738), with a later variation approved in January 2018 (Ref: 2018/90031).
- 5.3 The proposed development reflects the layout, scale and massing of the previously approved scheme, with the major difference being an increase in number of units and a change to the mix of units.
- 5.4 The proposed changes mean the units are more attractive to the local market as two and three bedroom units are more versatile in terms of the people who may choose to live there, as they still have the opportunity to allow family and friends to visit and stay if required.
- 5.5 The proposed development will be environmentally sustainable from the outset and the scheme will be constructed to Building Regulation standards ensuring a highly energy efficient scheme.

Building a strong competitive economy

- 5.6 The NPPF indicates that “*significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*” (paragraph 81). The proposed development will bring direct and indirect benefits to the local economy through construction employment and tax revenue and support local community facilities. As such it is wholly consistent with the NPPF guidance in promoting sustainable economic growth.
- 5.7 The development will provide economic sustainability benefits to the area through increased use of local shops, services and facilities and will provide a domino effect through provision of local jobs in the area. The increase of residents within an area will have an impact on existing services and businesses within the local area and wider area including increased demand for local services and increased expenditure within the local area.

This will assist in building confidence for existing businesses within the area and attract new firms to move into the area, maintaining and enhancing the vitality of the local rural area, in accordance with paragraph 79 of the Framework.

- 5.8 As set out by the Council in their assessment of the previous application on this site *“The impact of the proposed development upon local economic activity is a relevant consideration. Given the proximity of the site to Holmfirth Town Centre, residents of the proposed development are likely to spend locally. Although this impact is unquantified, it can reasonably be asserted that this aspect of the proposed development accords with the aims of Local Plan and Holme Valley Neighbourhood Development Plan policies which encourage and support the growth, attraction, viability, enhancement and development of existing centres”*
- 5.9 The application proposals will generate a range of direct employment opportunities including construction jobs, jobs associated with the ongoing maintenance of the site and indirect jobs such as estate agents and solicitors. The proposals will therefore contribute to the local economy.

Promoting Sustainable Transport

- 5.10 The NPPF indicates that all development which will generate significant amounts of movement should take into consideration opportunities for promoting sustainable transport modes, make provision for safe and suitable site access and consider improvements to the transport network. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety or the residual cumulative impacts on the road network would be severe (paragraph 111).
- 5.11 The site is easily accessible by public transport with bus stops located on the A6024 which is less than 100m walk from the site.
- 5.12 The centre of Holmfirth centre, which is less than 500 m walk from the site, provides a good range of shops and services.
- 5.13 The site layout that accompanies this planning application shows that there is ample space for off-street parking that complies with Kirklees parking standards.
- 5.14 A Transport Statement accompanies this planning application that concludes that the predicted increase in traffic will not have a material, significant nor severe impact on any of the local junctions. The proposed development, based upon current data, would suggest that this slightly larger scheme would generate similar trips to the previously approved development of 46 apartments. The development is considered acceptable,

and there are no highway safety, capacity or efficiency reasons why planning consent for the proposed development should not be granted.

- 5.15 As set out above, the site is within easy walking distance of Holmfirth Town Centre, and each flat will be allocated its own secure bicycle store in the basement of the building. Whilst the sustainable location of the site means residents will be able to walk or cycle to access local amenities, it should also be recognised that the age restricted nature of the proposed development means that a high percentage of the people living in the accommodation will be retired and therefore the daily trip generation from the development will be relatively low, particularly at peak times.

Delivering a wide choice of high quality homes

- 5.16 Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. The proposed development meets a specific gap in the market for age restricted living and as concluded with the previously approved scheme on the site the age restricted accommodation contributes towards providing a mix of housing type in the area in accordance with the NPPF and Local Plan Policy LP11.

Achieving well-designed places

- 5.17 The scheme submitted as part of the planning submission demonstrates how development could successfully be accommodated on the site.
- 5.18 The scheme has been designed to incorporate the existing mill pond as valuable amenity space for the residents living within the development. A resident's lounge has been designed with immediate views over the lake, and the reduction in ground level parking creates a softer greener environment than the previously approved scheme. Residents will be able to use the lake for rowing, canoeing and paddle boarding.
- 5.19 The scheme demonstrates that the development complies with the NPPF Policies, and Policy LP 24 of the emerging Local Plan.
- 5.20 The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps makes development acceptable to communities (paragraph 126). Paragraph 130 indicates that developments should, amongst other things:
- Function well and add to the overall quality of the area.
 - Be visually attractive as a result of good architecture and appropriate landscaping.

- Be sympathetic to local character and history, including the surrounding built environment and landscape setting.
 - Establish a strong sense of place;
 - Optimise the potential of the site to accommodate and sustain an appropriate mix of development (including green and other public space) and support local facilities and transport networks;
 - 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.
- 5.21 The development will seek to provide a high-quality residential development with a clear character reflecting the site's location and inspired by its setting and attributes.
- 5.22 It is considered that the proposals respond positively to the site's landscape context and relationship to the existing urban form.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

- 5.23 The Framework notes that the planning system should support the transition to a low carbon future in a changing climate, taking 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. (paragraph 152). It indicates that authorities should apply a sequential, risk based approach to the location of development so as to avoid, where possible, flood risk to people and property (paragraph 161).
- 5.24 A detailed flood risk assessment accompanies this planning application showing how the site contributes toward mitigating against flood from the adjacent river.
- 5.25 A detailed scheme for the drainage of the site accompanies this planning application.

Conserving and enhancing the natural environment

- 5.26 Paragraph 174 of the NPPF explains that development should minimise impacts on and provide net gain for bio-diversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 5.27 A Preliminary Ecological Appraisal Accompanies this planning application. The appraisal identifies habitats that have the potential to support protected and/or notable species, and outlines important measures to protect species during site clearance, and recommendations to improve the biodiversity status of the site post development.
- 5.28 A Landscape Plan also accompanies this planning application. The Council concluded with their assessment of the previous planning application for this site (Ref: 2021/92003) *“The submitted Landscape and Ecological Management Plan would ensure that the development would bring about enhancements and the submitted Biodiversity Impact Assessment for Net Gain would ensure the development would achieve a minimum 10% net gain in habitats and hedgerows. This ensures the development complies with Local Plan policy LP30”*.

Conserving and enhancing the historic environment

- 5.29 The site falls within the Holmfirth Conservation Area. Paragraph 189 of the NPPF sets out that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 5.30 Paragraph 194 then sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including any development affecting the setting of a heritage asset).
- 5.31 Paragraph 199 explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).
- 5.32 Holmfirth has a distinctive character derived from the close-knit development of houses up the hillsides which enclose the town centre giving it a strong sense of place, open landscape and tree covered areas provide an effective contrast and attractive backcloth to the buildings.
- 5.33 The form of the development in Holmfirth is essentially linear, and the character of the area is mainly residential, therefore the scale of buildings is small. What industry and commerce there is is centred in the valley bottom, in the form of mills and the town centre shopping areas.
- 5.34 Holmfirth provides a good example of how a small Pennine town and its associated industry and commerce developed through the 19th Century. The area around Lower Mills adjacent to Woodhead Road is especially attractive and an area worthy of conservation area status.

- 5.35 The buildings date from before 1850 including stone-built cottages and Lower Mills itself (formerly on this site and adjacent) - a number of cottages are Grade II listed buildings.
- 5.36 The landscaped setting including the extensive tree cover, river, mill dam and open fields to the south enhance this area. The development site is in a poor condition, with the former mill being demolished and cleared several years ago. The decline of the site will have a detrimental effect on the character of the conservation area, and it is therefore important that the site is developed to ensure the character of this part of the conservation area is maintained.
- 5.37 The development site fails to preserve or enhance the character and significance of the conservation area. It is considered appropriate that the site is developed before it becomes a negative feature of the conservation area. The previous loss of the buildings from the site has created harm to the character of the area, but this was balanced against the public benefits the previously approved scheme would bring.
- 5.38 Development of this site and the repair of the mill dam will have public benefit as the area will be improved. Development within conservation areas should be of high quality, respect the character of the area, and improve the setting. Paragraph 206 of the NPPF states that a Local Planning Authority should look for opportunities for new development within conservation areas to enhance or better reveal their significance. In this case the use of natural materials, the use of the topography of the site, the mass and scale proposed, do not conflict with the character of the conservation area.
- 5.39 The replacement buildings have been designed to reflect the historical use of the site i.e., industrial woolen mill buildings and have taken advantage of the topography in the valley bottom.
- 5.40 There are a number of varying heights; smaller buildings have been located to the northwest where the land starts to rise up from the valley bottom. This gives a varied roofscape reflective of the previous use. The mill dam has been retained and interconnected with the new residential properties and will form a key feature of historical reference within the Conservation Area.
- 5.41 It is therefore our conclusion that the design of the proposals is in keeping with and will positively enhance the Conservation Area.

Benefits of the proposed scheme over and above the 'fallback position'

5.42 It has been accepted by the Council that implementation of previous permission (Ref: 2012/90738) has commenced therefore that permission could still be lawfully implemented, and this represents a fallback position which carries significant weight as a material consideration relevant to the current application.

5.43 The benefits of the proposed scheme above the 'fall back' position should also be material in the assessment of this planning application. The benefits should weigh in favour of this application and should be balanced against factors that may be considered less attractive/beneficial to the fall-back position.

5.44 The benefits/enhancements comprise:

Climate Change

Flood Mitigation

5.45 The previously approved scheme has no mitigation against flood risk and does nothing to compensate for the loss of the floodzone and will increase the risk of flooding in the area.

5.46 The proposed scheme provides flood mitigation measures, including the use of the mill pond, which reduces flood risk in the area.

Electric Car Charging Points

5.47 The previously approved scheme has no electric vehicle charging points. The proposed scheme will have one charging point per apartment which will run off the solar panels on the roof.

Solar Panels

5.48 The previously approved scheme has no solar panels, the proposed scheme has solar panels on all south facing roofs.

Air Source Heat Pumps

5.49 The previously approved scheme has no air source heat pumps, the proposed scheme has air source heat pumps to work alongside the solar panels to heat all the apartments. The building should be able to operate off grid.

Cycle storage

- 5.50 The previously approved scheme provided 10 storage units for use by the residents, whereas the proposed scheme provides 61 storage units, with one for each unit. The units are large enough for bicycle storage and will be secure.

Infill material brought onto site.

- 5.51 The previously approved scheme would require 3,400m³ of material to be brought onto the site. This would mean 170no journeys by a 20 tonne truck on the highway to bring material onto site, causing disturbance and disruption to the highway network and local residents, as well as being unsustainable.
- 5.53 The proposed scheme will not require any infill material to be brought onto the site.

Residential Amenity

Apartments (number and size)

- 5.54 The previously approved scheme provided 46 apartments, with an average unit size of 74.3m³, with 10no one bed apartments and 36no two-bedroom apartments. The proposed development comprises 61 apartments with an average unit size of 93.7m³ with 59no two-bedroom apartments and 2no three-bedroom apartments.

Residents Lounge

- 5.55 The scheme that was approved in 2013 included a residents' lounge, which was omitted from the variation approved in 2018. This has been re-introduced to allow the residents to have a place for group sessions and to create a sense of community among residents. The resident's lounge is aimed to act as a village hall for residents.

Basement/Storage units

- 5.56 The basement provides secure parking as well as individual storage units for each apartment as well as the caretaker. The basement zone is a logical design which reduces the need for fill to be brought onto site to make up the levels. This will reduce the impact on the neighbours and road network during the construction phase.
- 5.57 The underground car park means that residents can move between all five buildings without having to go outside, with the used of walking aids or

mobility scooters. This makes it easier for residents to socialise when the weather is poor, further reducing any risk of isolation.

- 5.58 Each building will have its own refuse disposal area, meaning each resident can access the waste disposal area without having to go outside.

Gym and Residents Service Kiosk

- 5.59 The ground floor to block CD has been mostly given over to a communal gym area and sauna, and the residents services kiosk.

Parking/Amenity Space/Private Gardens

- 5.60 The previously approved scheme included 47 car parking spaces, all at ground level. The result was that the area between the apartment blocks was nearly all used for car parking, creating poor visual amenity for both residents and anyone overlooking the site.

- 5.61 The proposed scheme comprises 31 car parking spaces at ground level, with 47 sub-terranean car parking spaces within the basement. The proposed basement car park allows the central area between block AB and CD to be landscaped to provide further amenity space for residents.

- 5.62 Most lower floor apartments have their own garden areas. This creates a more diverse offering for prospective residents.

- 5.63 Each of the 61 apartments has its own amenity space, with either a balcony or a private garden area.

Public Benefits

Riverside Walk

- 5.64 The bridge to the southwest of the application site remains as that which was previously approved. The path then follows the approved route along the northern bank, adjacent to the Mill Pond. The path then crosses the river on a new proposed bridge which will take the path to the south bank, keeping members of public away from the development, which remains private to the residents. The route then continues through the car park (on the south bank) to join the previously approved route.

Ecology

- 5.65 The previously approved scheme provided no mitigation against the impact of the proposed development on the biodiversity of the site. The proposed development provides a comprehensive scheme to mitigate against the

impacts of the proposed development, as well as producing a significant net gain for biodiversity on the site, this includes dropping the level of the mill pond which increase wildlife habitats.

Planning Obligations

Affordable Housing

- 5.66 Local plan policy LP11 sets out that with 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.
- 5.67 As explained above, the implementation of previous permission ref: 2012/90738 has commenced and therefore that permission can still be lawfully implemented. This represents a 'fallback position' which carries significant weight as a material consideration relevant to the current application.
- 5.68 When this previous planning application was presented to planning committee, it was explained that the applicant would provide affordable housing in accordance with UDP Policy H10. The affordable housing provision would be secured through a S.106 agreement. However subsequent to the planning committee meeting, the applicant provided a viability appraisal that demonstrated that the development could not support the provision of affordable housing. With this in mind it should be noted that the fallback scheme will be cheaper to deliver than the proposed development.
- 5.69 The construction of the proposed scheme will be similar to the fallback scheme, but it is well-documented that construction costs have increased significantly in the last two years, which will further impact on the viability of the scheme. Furthermore, the proposed development provides additional benefits, including two footbridges, flood mitigation measures utilizing the mill pond and the ecological benefits that brings, subterranean car parking which will soften the appearance of the scheme, all of which will add a considerable cost to the scheme. In light of this it is likely that the scheme will not be able to viably support affordable housing provision.
- 5.70 It is the applicant's intention to supply an updated viability appraisal to determine whether the development can viably provide affordable housing in accordance with Policy LP11. However until the proposed scheme has been agreed with the Council, along with the mitigation measures for issues such as flood risk, impact on biodiversity etc. have been accepted by the Council the applicant can't provide an accurate viability appraisal for the

Council's consideration. The applicant's position on the provision of affordable housing is therefore subject to these matters, which will be addressed during the course of determination of the application.

Public Open Space Provision

- 5.71 Local Plan Policy LP63 sets out that 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.
- 5.72 When the previously approved planning application (Ref: 2012/90738) was presented to the planning committee, officers explained that *“even though the development is not intended for families, an off-site public open space contribution was requested in relation to a local play area in Victoria Park because of the possibility of youngsters visiting relatives at the site.”*
- 5.73 However, the committee report then explained that *“In this instance, it is considered unreasonable to request such an off-site contribution bearing in mind the layout of the apartments and that the scheme is already proposed to incorporate the riverside walk plus the mill pond maintenance (details of which are to be secured via condition). The proposal incorporates some landscaped areas within the site, which subject to full details, including plant species and maintenance of the areas, being submitted via condition”*.
- 5.74 The current application will provide the same benefits as the previously approved scheme but will now have two footbridges, with an improved riverside walkway, in which case the principle accepted with the previously approved scheme should be applied to this application. The residents will be able to make use of the mill pond with rowing boats, canoes and paddle boards, which also contribute towards the open space and recreation. The extent of POS provided on-site as part of the development is therefore substantially in excess of the previously approved scheme and more than sufficient to meet the needs of the development proposed in accordance with Policy LP63.

Heads of Terms

- 5.75 It is expected that a S.106 agreement will be required to secure:
- The delivery of the riverside walkway and proposed footbridges within the site.
 - The maintenance arrangements for the drainage and flood mitigation measures within the site
 - Maintenance arrangements for the hard and soft landscaping within the site.

SECTION 6: CONCLUSION

- 6.1 The 2021 National Planning Policy Framework identifies a clear presumption in favour of sustainable development and requires that Local Planning Authorities should, where relevant grant planning permissions unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.2 This statement sets out how the proposed development is wholly consistent with the presumption in favour of sustainable development set out in the National Planning Policy Framework and it positively addresses each of the Core Planning Principles. This statement explained how this application has responded to the reasons for refusal of the previous planning application for this site, and also clearly outlines the benefits of the proposed development over and above the fall back, which are material to determining this planning application.
- 6.3 Technical reports accompanying the application are comprehensive in their coverage and where necessary provide appropriate and deliverable mitigation measures. The proposed development will not give rise to any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal.
- 6.4 The proposals are supported by the Government's commitment to ensuring the planning system does everything it can to support growth. The proposals provide a housing offer fit for the 21st century in the right place and will contribute to the Government's desire for economic competitiveness, which subsequently facilitates a mobile workforce and dynamic economy.