

**Consultation Response from KC,
Policy****2023/92129 Pennine Autos, Wakefield Road, Grange Moor, Huddersfield, WF4 4DS****Change of use to Car Dealership and erection of single storey extension to rear of existing building'****Date Responded: 14/12/2023****Responding Officer: Helen Rice/Amanda Potter****Responding Ref:**

This application proposes the change of use of an existing building to car dealership, with proposed rear and side extensions and other alterations including incorporating the existing open area below the canopy into part of the building. The scheme also proposes the construction of an underground parking area, accessed via new circulation space with above ground structures at the entrance. There is an existing hard surfaced forecourt and other external car parking/storage around the side and rear of the building.

The site is located within the Green Belt meaning Green Belt policies in the National Planning Policy Framework (NPPF) and Kirklees Local Plan apply to this proposal. The Local Plan was adopted on 27 February 2019 and the Local Plan Strategy and Policies should be fully considered. The following response relates to specific Local Plan policies which are of particular relevance to the proposal. Other policies that are not mentioned here may also apply.

It is unclear from the submitted supporting information whether the applicant considers this scheme to be inappropriate development (supporting statement paragraph 73). It is the council's position that this proposal represents inappropriate development in the Green Belt when assessed against NPPF paragraph 149 criteria c) 'the extension or alteration of a building' and supporting Local Plan policy LP57, and NPPF paragraph 150 criteria e) 'material changes in the use of land' and b) 'engineering operations', which in this case refer to the associated hardstanding areas and the additional hard surface and structures required to access the underground/basement parking area, all of which will impact on openness. The proposal would result in an extension that is disproportionate and it should be noted that the basement is considered part of the extension in the same way as the above ground building. The extension will also be highly visible from Liley Lane. Having said that this is a site and building in an area of urban fringe and there are other businesses in the immediate vicinity. While harm will be caused to the Green Belt by reason of inappropriateness and by virtue of impact on openness, that impact is not considered to be great.

The NPPF at paragraphs 147 and 148 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any application local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Very Special Circumstances

The applicant has set out very special circumstances required to demonstrate that the proposal outweighs the harm caused to the Green Belt. In paragraph 53 reference is made to NPPF paragraph 147 'inappropriate development in the green belt' and identifies the very special circumstances to be:

- the need for employment land;
- the lack of preferable alternative sites to meet need; and
- the positive social-economic effects of the development.

This response considers the very special circumstances put forward in support of the proposal and assessment of the proposal against Green Belt Policy.

The site within the redline boundary can be described in two parts, the northern part of the site is a grassed area surrounded by green fields. The southern part of the site is currently developed land and consists of single storey buildings used as a car garage and hardstanding area predominantly used for parking and storage.

The need for new employment land

The need for new employment land can be considered in two parts, the general need for employment land within the district and the specific needs of Enkae Prestige Motors.

Regarding the general need for employment land within the district, the Local Plan Inspector was clear that even with the removal of some of the employment allocations (Clayton West and part of Cooper Bridge) which occurred during the Local Plan preparation process, the Objectively Assessed Need (OAN) for 175 hectares of employment land in Kirklees would still be met.

The Inspector concluded that overall supply from identified sources would total 193 hectares, against the requirement of 175 hectares and that an oversupply of 18 hectares provides sufficient flexibility to allow for an element of non-delivery from commitments and allocations or deal with changing circumstances and allows for some market choice. The Inspector goes on to say that as further allocations would be likely to involve the release of Green Belt land, this represents an appropriate balance between meeting employment needs and protecting the Green Belt.

The potential employment supply across the district of 48ha from vacant land within designated PEAs is considered as potential employment supply and contributes to our OAN (SD1, Table 5). These sites are not considered as windfall as they form part of the employment land supply in the Local Plan. The Inspector concluded that the employment strategy and policies are justified, effective and consistent with national policy. The allocation of land as Priority Employment Areas (PEAs) across Kirklees allows for churn and supports the growth aspirations of the small and medium sized businesses established in Kirklees.

Turning to the needs of Enkae Prestige Motors specifically, the applicant states that Enkae Prestige Motors are a well-established business operating from two sites within the district, (Queens Mill Road, Lockwood and Blackmoorfoot Road, Crosland Moor), who specialise in the sale and modification of prestige used cars. Operating from two sites isn't suitable for the business and results in the company having to outsource work to keep up with demand. The business currently employs 17 FTE across both sites and intends to increase this number to 34 including providing opportunities for both apprenticeships and graduate programmes. The applicant states that a new larger building in one location is crucial for the business to expand and grow for them to evolve and continue to operate within Kirklees.

The applicant is looking to combine two sites, as such it is reasonable that they would require a larger building, than they have now at each site individually, as it needs to accommodate two sites and the associated staff. A larger building would also assist their plans to employ more staff. However, to be able to assess the applicants need for new employment land/floorspace, more information is required from the applicant around the business model and expansion plans. The planning statement states that the development of the site at Grange Moor will expand the footprint by 25% and increase the floorspace by 35% (but it is not clear if this includes the sub-terranean level). The planning statement does not clarify if the expansion of the site at Grange Moor will equate to a larger footprint than the current 2 buildings Enkae are operating from and if the new proposed footprint will accommodate the expansion of the business. How large is the combined footprint of the two premises the business is operating from? This information will help assess the need for this amount of new employment floorspace.

The planning statement states that the business currently outsources much of the work and the

redevelopment would make it more efficient and profitable for the business to be able to carry the works out in house. More evidence needs to be provided on how the redevelopment at Grange Moor will accommodate the additional work that is currently outsourced by the company. What are the projections for the business and how will the redeveloped premises at Grange Moor accommodate this?

Lack of preferable alternative sites to meet this need

The company has been looking for alternative premises since 2017 in the Kirklees area and since 2020 they have widened their search to sites outside Kirklees.

The applicant has chosen to relocate the business to the site at Grange Moor due to the lack of opportunity to expand the site at Queens Mill Road, Lockwood or Blackmoorfoot Road, Crosland Moor. Relocation of the business to the Grange Moor site provides the potential to extend the premises and expand the business within the district.

The planning statement highlights in paras 8-12 why the applicant has chosen the Grange Moor site for redevelopment. This is due to the site being located approximately 200 metres to the west of Grange Moor Roundabout, with links to Huddersfield, Wakefield and Barnsley, as well as having passing traffic from Huddersfield looking to join the M1. Its focal point within the district makes it a good place for business with a high degree of passing trade. The site is located within an established mixed-use area and occupies prominent frontage to Wakefield Road. Are there any other locational factors that the applicant wishes to put forward as to why the Green Belt site is the only suitable location compared to other sites?

The applicant has been offered sites in Barnsley and Manchester but would result in losing the existing workforce due to location and would not result in the creation of additional jobs within Kirklees.

The applicant has chosen to relocate to the whole business to the Grange Moor site because in their opinion there are no other suitable sites within the Kirklees to meet their requirements. Appendix 1 of the planning statement identifies 9 windfall sites that have been considered by the applicant and a summary of the reasons as to why they are not suitable is listed below:

- Unsuccessful in the bid process
- Site unavailable
- Poor site access
- Site liable to flooding and insurance was difficult to secure
- Site not big enough
- Secluded site - no scope for passing trade
- Poor site security
- Site has planning for housing - too expensive.

The applicant has not looked at any Local Plan allocations/designations (employment/mixed use allocations or vacant land within PEAs). Local Plan Employment and Mixed-use allocations are listed below (that are not yet fully developed and occupied). The applicant would need to assess all these sites for suitability, deliverability and availability.

- ES3 - Land to the north-east of, 1-3 Greaves Road, Dewsbury
- ES4 - Land South of, Tilcon Coal Yard, Bretton Street, Dewsbury
- ES5 - Land to the north, Crossland Commercials Ltd, Pheasant Drive, Birstall, Batley
- ES6 - Land to the north and west of, The Royds, Whitechapel Road, Cleckheaton
- ES7 - Former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Cleckheaton may have vacant premises to let.

- ES9 - Former Cooper Bridge Waste Water Treatment Works, Leeds Road Mirfield
- ES10 - Former Brook Motors Playing Fields, New Mill Road, Brockholes
- ES12 - Land west of, Honley Business Centre, New Mill Road, Honley
- ES13 - Land north-east of Bottoms Mill, Woodhead Road, Holmfirth
- MXS3 - Land south of Lindley Moor Road, Lindley, Huddersfield
- MXS5 - Lees House Farm, Leeds Road, Dewsbury
- MXS7 - Land east of, 932-1110 Leeds Road, Shaw Cross/Woodkirk, Dewsbury
- MXS12 - Dobroyd Mills, Hepworth Road, Hepworth, Holmfirth

In terms of PEAs, there are 48ha from vacant land within PEA designations that contributes to the council's employment land supply. The Council (LPA) accepts that some of the vacant land within PEAs is only suitable as expansion land for existing businesses and that size constraints may limit the number of potential PEA sites, but the applicant would still need to assess these sites for suitability, deliverability and availability.

The applicant has not set out the requirements of the business and why the site at Grange Moor is suitable, does the applicant own the site? What size of site is required for the business to expand? Why does the business need to be located in the Green Belt, as appose to a site already within our employment land supply.

The positive local socio-economic effects of the development

The LPA consider that any new development within the district, especially development that will secure further investment, business retention and provide and retain jobs would make a positive contribution to the local economy, both in terms of GVA and job creation.

That being said, the socio-economic effects of the site being developed in this location are intrinsically linked to whether there is a lack of preferable sites in Kirklees. Through this lens, the positive socio-economic effects of the development could be considered as a compound multiplier to considerations which may weigh in favour of very special circumstances, dependent on the content of the 'Lack of Preferable Sites Statement' requested above.

Conclusion

Harm to the Green Belt carries substantial weight. In this instance, harm is caused by reason of inappropriateness and through impact on openness. Harm may also be caused through any other harm not covered in this response. Very special circumstances will not be demonstrated unless the harm is outweighed by the benefits of allowing this proposal.