

Planning, Design and Access Statement

Change of use of a former
pub to 3 residential units,
the provision of a single
dwelling on the former car
park to the east of the pub

The White Hart, 6,
Penistone Road, New
Mill, Holmfirth, HD9
7JR

August 2024

Document Control Sheet

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1 INTRODUCTION

- 1.1** Planning & Design Practice is a town planning and architectural consultancy with chartered town planners and an architect-led architectural design team. The practice operates across the country and has an excellent record of success.
- 1.2** Full planning permission is sought for the change of use of a former pub to three residential units and the erection of a dwelling.
- 1.3** This report has been structured to provide an introduction to the site and discuss its planning history. Details of the proposed development and the rationale for it; and an examination of the key planning issues to be considered. This report should be read in conjunction with the following documents;
- Site Location Plan
 - Site Plan - Existing and Proposed
 - Elevations – Existing and Proposed
 - Bungalow – Proposed Elevation

2 SITE DESCRIPTION AND PLANNING HISTORY

- 2.1 The White Hart is a vacant public house within the settlement of New Mill, approximately 5 miles (8km) south of Huddersfield. The site fronts onto Huddersfield Road.
- 2.2 The site currently consists of a two-storey stone-built building with a stone slate roof, with three gable ends projecting onto Huddersfield Road. To the rear, there is a car park which previously served the pub. Access to this car park is approximately 7.5 metres wide and is located to the north of the site, adjacent to no. 3 Huddersfield Road.
- 2.3 The site is located in flood zone 1, so is not considered to be at risk of flooding.
- 2.4 The pub has been closed for approximately 4 years, following the termination of the tenancy by the previous tenant due to problems with viability. More details of this have been included as Appendix A.
- 2.5 The site is located in the centre of New Mill. Residential development currently exists to the north, east and west of the site. Less than 200 metres from the site is a bus stop, providing regular bus services to and from the site. This stop has regular buses to Huddersfield town centre, as well as Holme, Parkhead and Thongsbridge.
- 2.6 New Mill is classed as a “Local Centre” in the Kirklees Local Plan (2019). There is a supermarket, cafes, two pharmacies, a primary school, church, and a car garage. Therefore, New Mill is considered to be a sustainable location, with plenty of local amenities and public transport options in close proximity to the site.

Relevant Planning History

- 88/05086 - Erection of illuminated and non-illuminated signs – *Granted 6th January 1989.*
- 2020/62/90400/W - Change of use and alterations to convert existing public house with living accommodation into 3 residential units – *Refused 29th October 2021*

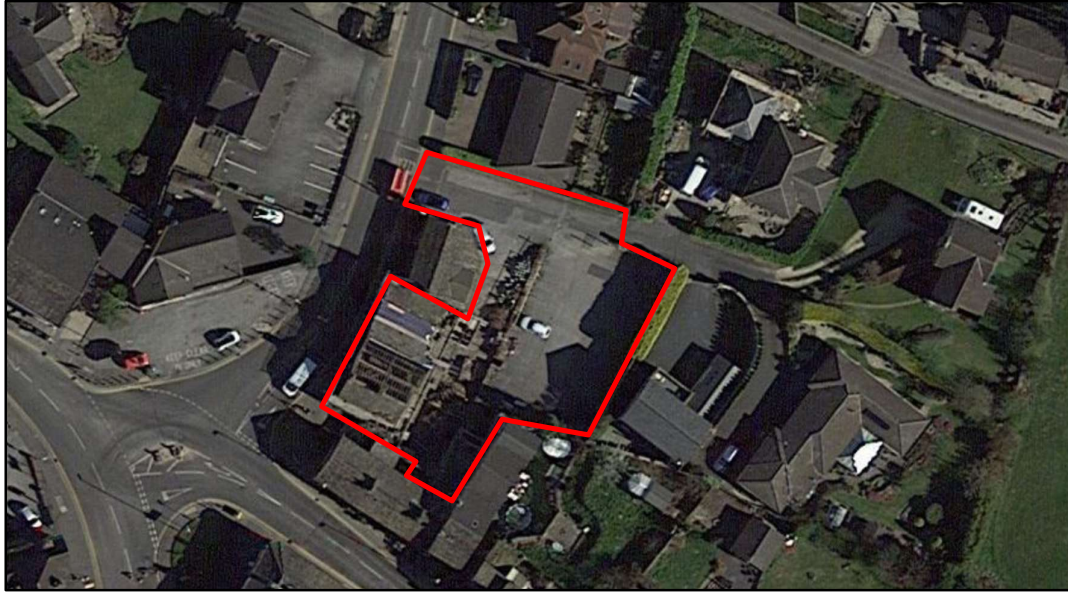


Figure 1 – Site location, edged in red



Figure 2 - Photograph of site from Huddersfield Road



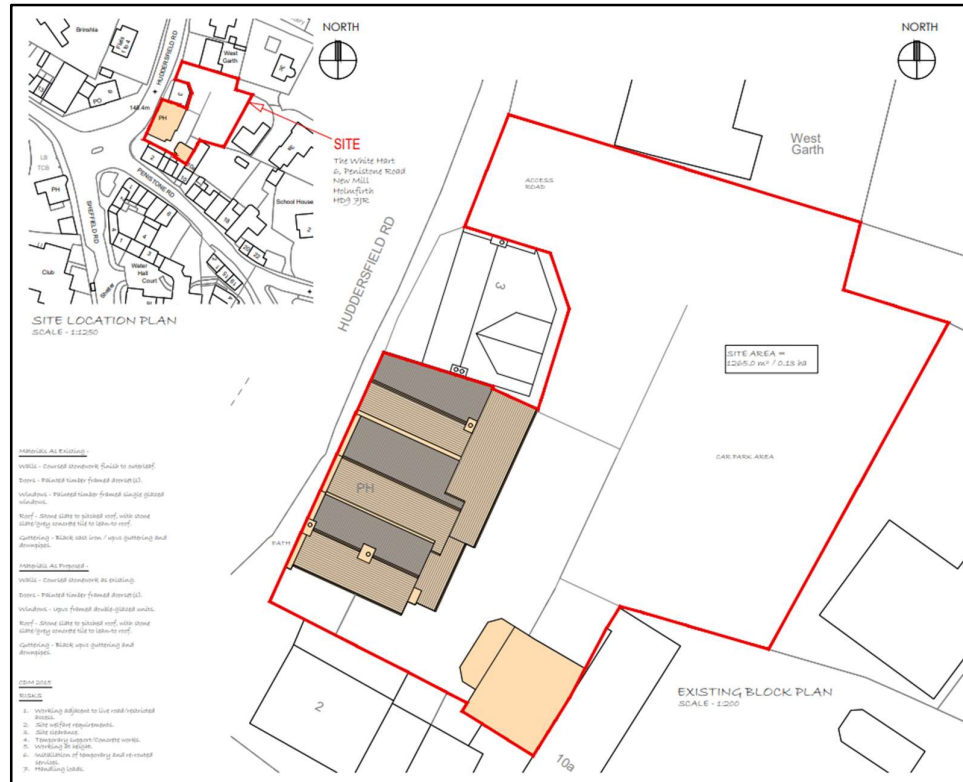
Figure 3 - Photograph of site from the car park



Figure 4 - Photograph of access road from Huddersfield Road

3 THE PROPOSED DEVELOPMENT

- 3.1** The proposal is for the change of use of a pub to 3 residential units as well as the erection of a single dwelling on the former car park to the east of the pub. The change of use will see two 2 bedroom dwellings proposed, as well as a single 3 bedroom dwelling. Additionally, a 3 bedroom bungalow is also proposed.
- 3.2** Minor alterations are proposed as part of the change of use. The front elevation will see an additional doorway proposed, to provide access to one of the new dwellings. Above the existing entrance, a window will be reinstated, which will provide natural light to a bedroom. The south elevation will also see a new entrance way into the dwelling. On the east elevation, it is proposed to replace one of the window openings for a new rear doorway, to provide access to the garden spaces. This is the only alteration proposed on the rear elevation. Each of the dwellings will benefit from private garden space to the rear, as well as a shared bin area. Plot 3 will also benefit from a private summer house.
- 3.3** A 3 bedroom bungalow is proposed in the eastern portion of the car park. The external material will be a coursed stonework finish, which is a near match the pub exterior. The bungalow will have an ensuite with each bedroom, as well as an open plan kitchen dining room. There will also be sliding patio doors that will open up to the rear patio and garden. A boundary hedge will be planted around the garden, to ensure a high level of privacy for future occupants.
- 3.4** 6 parking spaces will be provided adjacent to the bungalow, separate by fencing, with 2 further spaces for the bungalow proposed in the north eastern corner of the site.
- 3.5** Each dwelling exceeds the respective minimum space standards requirement. The positioning of each window and door has been carefully considered in order to maintain a high degree of privacy for both prospective residents and existing neighbours. The separation distance between the rear garden of the bungalow and the rear bedroom windows is 10.5m, up to the retaining wall. The garden of the bungalow is 1.5m higher from the rear ground level of the pub. A 1.8m high timber fence is also proposed to be erected to the garden area.



4 PLANNING POLICY CONTEXT

- 4.1** The purpose of this section is to set out the relevant planning policy background which is pertinent to the site and proposed development, as well as identify any key studies or reports which will assist in the determination of this application.
- 4.2** Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.3** In this case, the development plan consists of the Kirklees Local Plan (2019) and the Holme Valley Neighbourhood Development Plan (2021). Other material considerations include the National Planning Policy Framework (2023), the National Design Guide (2021), and the associated Planning Practice Guidance ('the Guidance').

Kirklees Local Plan (2019)

4.4 Policy LP1

When considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the proposal or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*

b. specific policies in that Framework indicate that development should be restricted.

4.5 Policy LP2

All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below:

4.6 Policy LP3

Development proposals will be required to reflect the Spatial Development Strategy, Policy LP1 Presumption in Favour of Sustainable Development and Policy LP2 Place Shaping. This means:

1) Development should reflect:

- a. the settlement's size and function; and*
- b. place shaping strengths, opportunities and challenges for growth; and*
- c. spatial priorities for urban renaissance and regeneration; and*
- d. the need to provide for new homes and jobs;*

2) Development will be permitted where it supports the delivery of housing and employment growth in a sustainable way, taking account of the following criteria:

- a. delivering the housing and job requirements set out in the Local Plan;*
- b. the need to maintain a supply of specific deliverable sites, in accordance with national policy and enabling the delivery of allocations set out in the Local Plan or in Neighbourhood Plans;*

- c. ensuring that opportunities for development on brownfield (previously developed) sites are realised early in the plan, subject to maintaining a five year supply of housing land and to delivering the overall housing and jobs requirements;*
- d. ensuring delivery of housing and jobs in smaller settlements to meet local housing and employment needs;*
- e. ensuring that proposals have regard to connecting links to existing green and blue infrastructure networks;*
- f. co-ordinating housing and employment land delivery with the provision of new infrastructure.*
- g. providing access to a range of transport choices and access to local services.*

4.7 Policy LP7

To ensure the best use of land and buildings, proposals:

- a. should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value;*
- b. should encourage the reuse or adaptation of vacant or underused properties;*
- c. should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value;*
- d. will allow for access to adjoining undeveloped land so it may subsequently be developed.*

Housing density should ensure efficient use of land, in keeping with the character of the area and the design of the scheme:

- a. developments should achieve a net density of at least 35 dwellings per hectare, where appropriate;*

b. higher densities will be sought in principal town centres and in areas close to public transport interchanges

c. lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs;

d. more detailed density requirements may be set out in area actions plans, neighbourhood plans, supplementary planning documents and development briefs, where appropriate.

4.8 Policy LP11

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.

4.9 Policy LP13

Within Kirklees, main town centre uses shall be located within defined centres (principal town centres, town centres, district centres, and local centres), as shown on the Policies and Town Centre Maps, and as detailed in the shopping centre hierarchy and then in accordance with the sequential test. Main town centre uses which are appropriate in scale, help to retain an existing centre's market share, and enhance the experience of those visiting the centre and the businesses which operate in that centre will be supported. The

scale and types of services expected within each centre are set out in Delivery of Services Table as shown below . Proposals that have a significant adverse impact on the vitality and viability of a centre, or compromise the role and function of a centre will not be supported. Centres shall provide a mix of uses to serve the local community, businesses and visitors to the district. The uses shall complement each another whilst retaining a strong retail core. Centres in Kirklees shall aim to provide a range of uses to support the daytime and evening economy. The creation of new Local Centres in areas of significant residential growth or where there are deficiencies in the existing network of centres will be supported, where it can be demonstrated that existing centres cannot be expanded to deliver local services, and subject to the sequential test and impact assessment as set out in B and C below. All proposals shall be inclusive for all users, and be attractive to pedestrians, cyclists, and public transport users. They shall also conserve and enhance the local character, heritage, green spaces and the public realm where appropriate....

4.10 Policy LP20

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. The council will support development proposals that can be served by alternative modes of transport such as public transport, cycling and walking and in the case of new residential development is located close to local facilities or incorporates opportunities for day to day activities on site and will accept that variations in opportunity for this will vary between larger and smaller settlements in the area. The council will support demand management measures which discourage single occupancy car travel within new development and encourage the use of low emission vehicles to improve areas with low levels of air quality. Proposals should include measures to encourage the use of sustainable travel options, including public transport, the promotion of personal journey planning, walking, cycling, car sharing, electronic communication and home working. Travel plans will normally be required for all major planning applications in accordance with current guidance and should set targets and monitoring arrangements to ensure sustainable travel patterns are maintained. Travel plans should include agreed and defined outcomes related to a package of specified measures to be implemented including an approach to lower carbon emissions where applicable. The requirement of a travel plan will also be considered on case by case basis where the proposed development falls below the major application category where it has the potential to generate significant transport movements and/or has insufficient off-street

parking within the vicinity of a stressed part of the highway network. Proposals for new development shall be designed to encourage sustainable modes of travel and demonstrate how links have been utilised to encourage connectivity. Proposals will be required to facilitate the needs of the following user hierarchy:

- a. pedestrians*
- b. cyclists*
- c. public transport*
- d. private vehicles:*

4.11 Policy LP21

Proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe. 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.

All proposals shall:

- a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network;*
- b. where needed, provide new infrastructure or improvements on or off site to ensure safe access from the highway network for pedestrians, cyclists, public transport users and private vehicles;*
- c. be accompanied by a supporting Transport Assessment or Transport Statement where the development would generate significant trip generation, providing detail as to the impact on highway safety, air quality, noise and light restrictions;*

- d. take into account changes in site levels and topography to ensure the development can be accessed easily and safely by all sections of the community and by different modes of transport;*
- e. take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely;*
- f. take into account access for emergency, service and refuse collection vehicles;*
- g. provide on-site safe, secure and convenient cycle parking/storage facilities to encourage sustainable travel modes.*

4.12 Policy LP22

The provision of parking will be based on the following principles:

- a. in town, district and local centres, car parks close to the main shopping area will be for short-stay use and peripheral car parks for long stay use;*
- b. long stay parking in town centres will be reduced progressively in conjunction with improvements to sustainable transport opportunities, where appropriate;*
- c. provision of private non-residential parking in town centres will not be permitted unless it can be demonstrated that it is required for operational reasons. Where such provision is permitted appropriate arrangements will need to be put in place to provide management arrangements consistent with public parking in the centre;*
- d. provision of residential parking schemes within town centres for private vehicles/motorcycles/and cycles will be permitted; where appropriate and where schemes can be shown to enhance residential developments in the town centre;*
- e. 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 the development;*

f. new developments will incorporate flexibly designed minimum parking spaces for private cars, considering a range of solutions, to provide the most efficient arrangement of safe, secure, convenient and visually unobtrusive car parking within the site including a mix of on and off street parking in accordance with current guidance;

g. provision will be made to meet the needs of cyclists for cycling parking in new developments;

h. provision will be made to accommodate the needs of disabled people for the parking of vehicles.

All proposals shall provide full details of the design and levels of proposed parking provision. They should demonstrate how the design and amount of parking proposed is the most efficient use of land within the development as part of encouraging sustainable travel.

4.13 Policy LP24

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.

4.14 Policy LP30

The council will seek to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife and geological sites, Habitats and Species of Principal Importance and the Kirklees Wildlife Habitat Network.

Development proposals will be required to:-

i result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement;

ii minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist;

iii safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its functional role within the network can be fully maintained or compensated for in the long term;

iv establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and

v incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone.

4.15 Policy LP48

Community facilities should be provided in accessible locations where they can minimise the need to travel or they can be made accessible by walking, cycling and public transport. This will normally be in town, district or local centres.

Proposals will be supported for development that protects, retains or enhances provision, quality or accessibility of existing community, education, leisure and cultural facilities that meets the needs of all members of the community.

Where community facilities are provided as an integral part of a development, they should wherever possible be within adaptable mixed-use buildings.

Proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:

- a. there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or*
- b. its current use is no longer viable; or*
- c. there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or*
- d. an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and*
- e. any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation.*

Holme Valley Neighbourhood Development Plan (2021 – 2031)

4.16 The following policies are considered to be relevant to the proposals;

- Policy 1 – Protecting and Enhancing the Landscape Character of the Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 6 – Building Homes for the Future
- Policy 8 – Facilitating Development in Holmfirth Town Centre and Honley District Centre and Brockholes and New Mill Local Centres
- Policy 9 – Protecting and Enhancing Local Community Facilities
- Policy 11 – Improving Transport, Accessibility and Local Infrastructure
- Policy 12 – Promoting Sustainability
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

National Planning Policy Framework (2023)

4.17 Paragraph 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 well-designed, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

4.18 Paragraph 11

Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

4.19 Paragraph 60

To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.

4.20 Paragraph 70

Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- d) *support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes;*

4.21 Paragraph 115

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.22 Paragraph 123

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and

ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

4.23 Paragraph 124

Planning policies and decisions should:

- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure);*

4.24 Paragraph 128

Planning policies and decisions should support development that makes efficient use of land, taking into account:

- b) local market conditions and viability;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed and beautiful, attractive and healthy places.*

4.25 Paragraph 131

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

4.26 Paragraph 135

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

5 KEY PLANNING ISSUES

- 5.1 This application seeks to convert a redundant pub to three dwellings and erect a new dwelling to the rear.
- 5.2 Policies LP1 and LP3 of the Kirklees Local Plan seek to ensure proposals reflect sustainable development. Part c) of LP3 refers to the importance of utilising brownfield land as and when it becomes available and delivering overall housing requirements, in line with 5 year housing land supply targets.
- 5.3 The Council published their most recent Housing Delivery Test Action Plan in May 2024. This report confirm that the Council do not have a 5 year supply of housing, with only 3.96 being able to be demonstrated. When the previous application was refused (2020/62/90400/W) the Council could demonstrate 5.88 years of housing land supply. In light of this shortfall, the report also explains how planning applications will need to be considered favourably subject to other material considerations. These considerations will be discussed further throughout this section.

Principle of Development

- 5.4 The proposals seek to re-use an existing building for the creation of three new dwellings, as well as erecting a new dwelling to the rear.
- 5.5 Policy LP7 discusses how the Council seek to ensure the best use of land within Kirklees. This includes encouraging the efficient use of previously developed land and reusing vacant or underused buildings. The proposed dwellings will all utilise the existing building, proposing minimal external alterations. The existing window and door openings are all to be retained, with the addition of three new doorways.
- 5.6 The proposed dwellings will make use of an underused and vacant building, in line with Policy LP7. This principle is also detailed in Paragraphs 124 and 128 of the NPPF. Paragraph 124d) is of particular importance. This states;

d) ***“promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.”***

- 5.7** The Applicant has written a letter (Appendix A) which explains the recent history of the White Hart and why they had no choice other than to close the pub. In recent years the pub has not been profitable, multiple tenants have taken on the responsibility of running the pub and all have had to make the difficult decision and step away, citing loss of revenue, savings and the inability to make the business turn a profit.
- 5.8** This application will reuse an under-utilised building that has lay vacant for a number of years, despite the Applicant's best efforts to try and keep the White Hart open. As the Council are unable to demonstrate a 5 years supply of housing there is a critical need to promote new housing as and when it becomes available. Paragraph 70 of the NPPF acknowledges how small and medium sized sites can make an important contribution to meeting housing requirements of areas. Paragraph 70d) specifically references the importance of "*windfall sites*", stating that "**great weight**" should be afforded to the benefits of using suitable sites within existing settlements for homes.
- 5.9** The previous application (2020/62/90400/W) was refused for two reasons. One reason related to the loss of a community facility, as detailed in Policy LP48. The second reason referred to the loss of a main town centre use within New Mill, contrary to Policy LP13.
- 5.10** Policy LP48 states that applications which involves the loss of community facilities will only be permitted under certain circumstances. Point b) states that its current use is no longer viable which, as described previously and in Appendix A, is the case for the White Hart. Policy LP48 also states that in addition to any of the points listed from a) – d), point e) must also be satisfied. This relates to assets listed on the Community Asset Register, which the White Hart is not. The details included within Appendix A are considered to be sufficient in demonstrating the unviability of the White Hart in this location. The Wooldale Arms is less than a mile away from the site, approximately a 20 minute walk.
- 5.11** Notwithstanding this, in line with point c) of Policy LP48, it is appropriate to demonstrate that adequate alternative provision is accessible within the locality. A publication from the House of Commons Library in 2021¹ looked into pub statistics. Paragraph 3.2 of this report

¹ <https://researchbriefings.files.parliament.uk/documents/CBP-8591/CBP-8591.pdf>

states that there are 68 pubs and bars per 100,000 people in Yorkshire and the Humber, which is more than the national average, which is 58 per 100,000 people.

- 5.12** Within the area shown in Figure 7 there is one venue that offers “adequate alternative provision”, as stated in Policy LP47, which is the New Mill Club. The Officer’s report for the previous application affords limited weight to this as it is a private club and not a public house. However, given its role within society and the large overlap between pubs, bars and clubs it should be considered as an “adequate alternative” as Policy LP47 states. The exclusivity that the Officer refers to currently consists of an annual £15 membership fee, which is not a significant barrier barring the local community access. For consistency, the New Mill Club has not been included in the search.

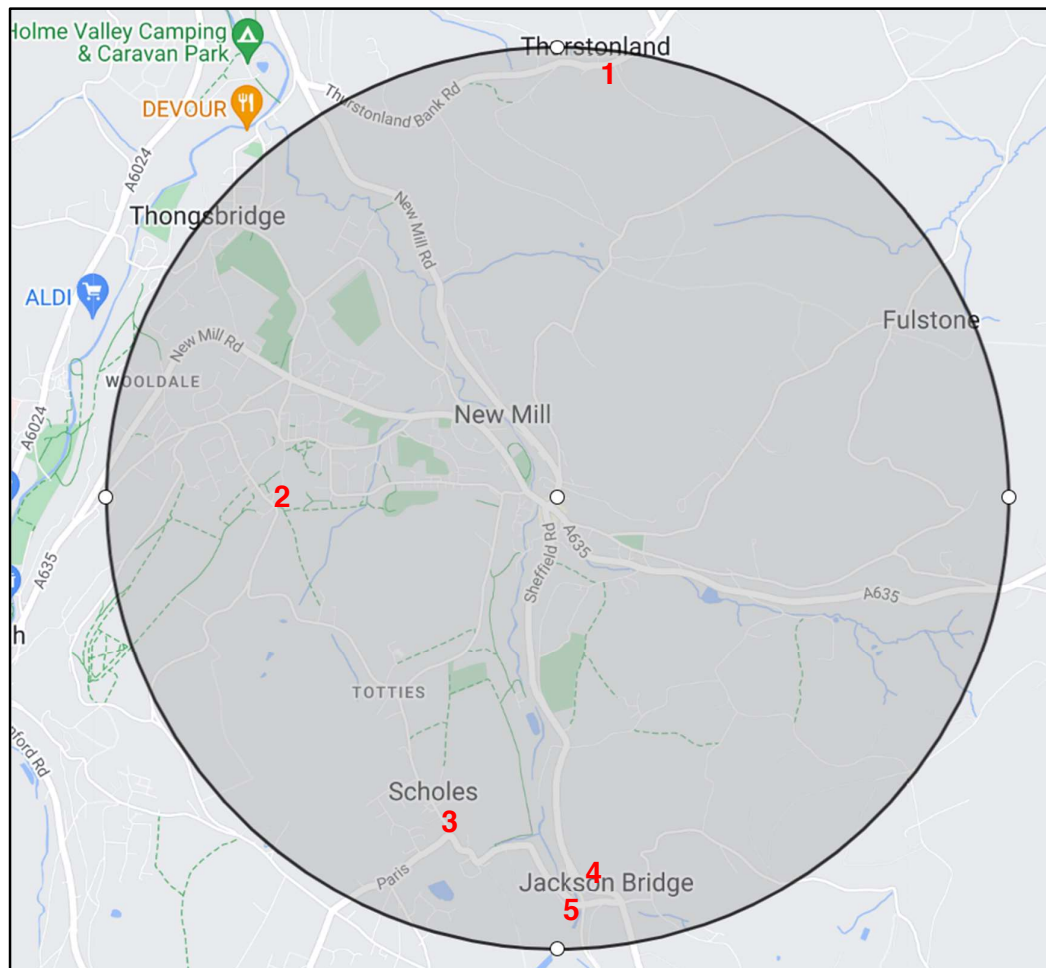


Figure 7 – Map Showing 1 mile radius of New Mill and the pubs and bars in that vicinity

- 5.13** Notwithstanding this, the search can be expanded to neighbouring settlements in close proximity to the site. Pubs within a 1 mile radius of the site are considered to be “accessible alternatives”. This search area can be seen in Figure 7.
- 5.14** As Figure 8 shows, there are 5 pubs and bars within a 1 mile vicinity of the site. As shown on the map, these are;
1. **The Rose and Crown** | 3 The Village, Thurstonland, Huddersfield HD4 6XU
 2. **The Wooldale Arms** | 53 Wooldale Rd, Holmfirth HD9 1QG
 3. **Boot and Shoe Inn** | St George's Rd, Scholes, Holmfirth HD9 1UQ
 4. **The Red Lion Inn** | Jackson Bridge, Holmfirth HD9 7HB
 5. **The White Horse** | Scholes Rd, Jackson Bridge, Holmfirth HD9 1LY
- 5.15** Appendix B includes the population data for this area. The data has been taken from the Office for National Statistics Census Data, splitting the areas into Output Areas. Only Output Areas where at least 50% of the area is within the 1 mile search area have been included.
- 5.16** The total population of these Output Areas is 7010. As stated previously the average pub density in Yorkshire and the Humber is 68 per 100,000 people (this higher value is used rather than the national average of 58), which can be simplified to 0.68 per 1000. The approximate population of the area is 7010, if this is divided by 1000 a value of 7.01 remains. Therefore, if we multiply 0.68 by 7.01, to get the average pub density for the sample population, the value is 4.767. As there are 5 pubs (not including the New Mill Club) there is considered to be adequate provision of alternative facilities in the vicinity of the site.
- 5.17** This provision of adequate alternatives links to the second reason for refusal, which relates to the loss of a main town centre use. Policy LP13 defines New Mill as a “Local Centre”. The role of a Local Centre is to “*provide for top-up shopping and local services particularly food and drink*”. It has already been demonstrated that there is suitable provision for alternative pubs in the local area. Policy LP13, as well as Policy 8 of the Holm Valley Neighbourhood Development Plan, states that the role of Local Centre's is to provide a “*top up*” on these services. Contrary to what the Officer deduced in their report, this would not remove the only drinking establishment in New Mill. As mentioned previously, there is still a drinking establishment within New Mill, the New Mill Club.

- 5.18** New Mill's role to provide a “*top up*” in services is reinforced when consideration is given to the site's close proximity to Holmfirth, which is designated as a Town Centre. Town Centres are described as being “*the local focus for basic financial services, food and drink, entertainment, leisure and tourist facilities*”. Having such a large centre in close proximity to New Mill means that it can successfully fulfil its role as a Local Centre, solely providing a top up in local facilities rather than having to provide them singlehandedly. The available provision of services in New Mill compliments the existing provision in Holmfirth, rather than detracting from it.
- 5.19** As the White Hart has now ceased trading for over 4 years, the assumption can be made that local residents will likely have already made alternative arrangements if they wish to visit a pub.
- 5.20** Paragraph 90f) of the NPPF states that policy should recognise how residential development can help ensure the vitality of centres and residential development should be encouraged where appropriate. New housing development will boost the number of people within the local community, who will subsequently support local businesses. Sustainable population growth is key to sustainable economic growth, both of which are key principles that are fundamental to the NPPF, as discussed in Paragraph 8 of the Framework.

Impact on the Character and Appearance of the Area

- 5.21** Paragraph 123 states that planning decisions should promote an effective use of land in meeting the need for homes. Paragraph 124 emphasises how “*substantial*” weight should be given to using brownfield land within settlements for homes, including the use of under-utilised buildings.
- 5.22** The White Hart is bookended by residential development (no.3 Huddersfield Road), as well as being surrounded by further residential development to the north and east in the centre of New Mill.
- 5.23** The change of use of the pub to residential development will utilise the existing building, with little alterations proposed to the existing envelope of the building. These alterations are limited to two new doorways, a new window and replacing an existing window to a door. These alterations to the building's fenestration are considered to have a negligible

impact on the character and appearance of the area. The use of uPVC double glazing is considered to be acceptable, given the site's location outside the conservation area.

- 5.24** The new bungalow to the rear of the pub has been designed with the contextual surroundings considered. As Figure 1 shows, there are several back land dwellings located to the rear of the pub. A dwelling here would not appear incongruous when viewed within the surrounding context, which consists of detached dwellings located sporadically around the eastern side of the car park. The erection of a dwelling in the car park would therefore represent infill development.
- 5.25** The design of the bungalow has been informed by this local character and principles detailed in the Housebuilders Design Guide SPD. Coursed stonework is proposed, which is similar to that of the pub, in line with Principle 13. The bungalow will be one-and-a-half storeys, similar to that of other nearby bungalows, such as West Garth and West Holme.
- 5.26** Paragraph 131 provides clear guidance relating to design, specifically the importance of creating *“high quality, beautiful and sustainable buildings and places”*. The proposed bungalow will reinforce the existing character of the surrounding area and will provide a new dwelling in a sustainable location. The proposed design is therefore in accordance with Policy LP24 of the Local Plan.

Highways and Transport

- 5.27** The site is less than 200 metres from a bus stop, providing regular bus services to and from the site. The Greenhill Bank Road is served by the 310, 314 and 316 Holme Valley services providing regular buses to Huddersfield town centre, as well as Holme, Parkhead and Thongsbridge. The 350 service from this stop provides an hourly service to Penistone. The X1 Holmfirth Explorer provides a regular link to Wakefield. The site clearly benefits from a series of public transport options, in accordance with policies LP20 and LP21 of the Local Plan and Paragraph 116 of the NPPF.
- 5.28** The proposed block plan shows 8 parking spaces, 2 for each dwelling. The Highway Design Guide Supplementary Planning Document (SPD) provides guidance on the acceptable number of parking spaces. It is recommended that 2-3 bedroom dwellings provide at least 2 off-street parking spaces.

- 5.29** The access is an existing one which served the White Hart. It is considered that its use to serve four dwellings would not result in detrimental harm to highway safety. This opinion was shared by the Officer determining the previous application also.

Amenity

- 5.30** The privacy of prospective residents has been at the forefront of the proposed development. The separation distance between the rear garden of the bungalow and the rear bedroom windows is 10.5m, up to the retaining wall. The garden of the bungalow is 1.5m higher from the rear ground level of the pub. A 1.8m high timber fence is also proposed to be erected to the garden area. By utilising this difference in levels, as well as the timber fencing, residents using the rear garden of the bungalow will be ensured. There is to be no overlooking from habitable rooms.
- 5.31** The shared bin area is located to the rears of the dwellings and the bungalow. This space is considered to be suitably sized to accommodate the necessary bin numbers. The bungalow's bin store is located in the north-east corner of the site.

Ecology

- 5.32** The site as existing consists of an existing building and an impermeable tarmacked surface. The proposed bungalow includes private garden space, which will provide a net gain in the biodiversity value of the site.
- 5.33** The site is considered to be exempt from the compulsory biodiversity net gain by virtue of the de minimis exemption. This is because the development does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of on-site habitat, or 5 metres of linear habitats such as hedgerows, as detailed in the Environment Act 2021.

Other Material Considerations

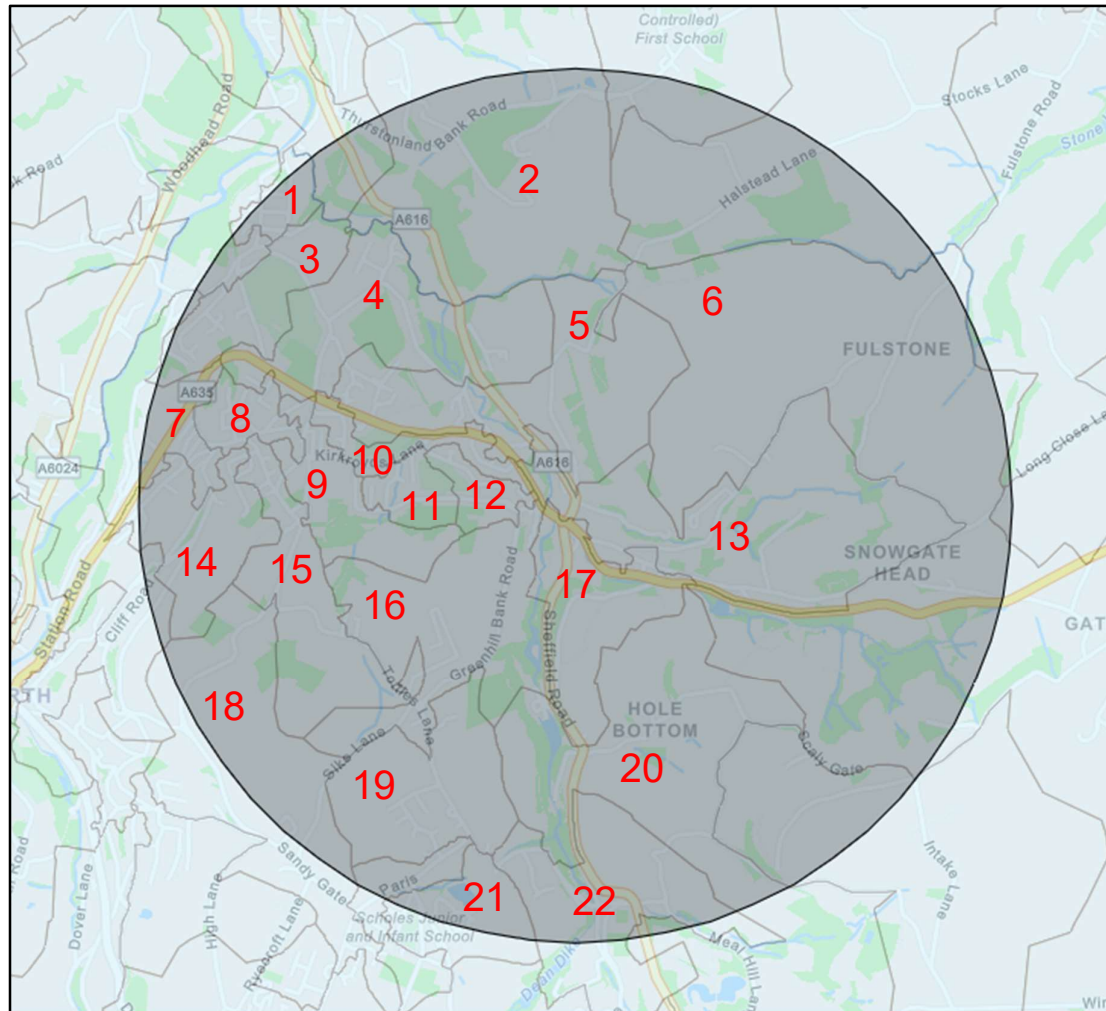
- 5.34** As mentioned previously, policies LP1 and LP3 seek to ensure proposals reflect sustainable development. Part c) of LP3 refers to the importance of utilising brownfield land as and when it becomes available and delivering overall housing requirements, in line with 5 year housing land supply targets. The Council do not have a 5 year supply of housing, with only 3.96 able to be demonstrated.

- 5.35** When the previous application was refused (2020/62/90400/W) the Council could demonstrate 5.88 years of housing land supply. In light of this shortfall, the report also explains how planning applications will need to be considered favourably subject to other material considerations.
- 5.36** This means that where a five year supply of housing land cannot be delivered, and the local plan is over 5 years old (adopted in February 2019, the Framework indicates that the presumption in favour of sustainable development should be exercised 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.
- 5.37** The creation of 4 dwellings within the heart of a defined Local Centre, with plentiful public transport options and local amenities present should be afforded considerable weight. This is in addition to the Paragraph 70d), which states that “**great weight**” should be given to using suitable sites within existing settlements for homes. This sentiment is also pushed in Paragraph 123 and 124, where “**substantial weight**” should be given to using brownfield land in settlements for homes.
- 5.38** These policies demonstrate how there is a clear precedent to boost the supply of housing in sustainable locations, where other material considerations allow. The previous application was refused on the basis that it would result in the loss of a community asset. It has since been demonstrated how there is suitable alternative provision in the locality. It has also been shown how the owner of the building has attempted to keep the White Hart open despite their best efforts, in accordance with Policy LP48. The Council’s inability to demonstrate a 5 year housing land supply is a significant consideration, which considerable weight should be afforded to.

6 CONCLUSIONS

- 6.1** Full planning permission is sought for the change of use of a pub to 3 dwellings and the erection of a bungalow at the White Hart, New Mill. The proposals seek to provide 4 new dwellings on brownfield lane in the centre of New Mill.
- 6.2** The Council do not have a 5 year supply of housing, with only 3.96 able to be demonstrated. In light of this shortfall, and because the local plan is over 5 years old, the Framework indicates that the presumption in favour of sustainable development should be exercised 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.
- 6.3** The proposals have considered the existing character of the area. The change of use of the pub will only require minor external alterations. The existing window and door openings are all to be retained, with the addition of three new doorways. The bungalow will be constructed from coursed stonework.
- 6.4** The site is located in a sustainable location, served by numerous bus routes and amenities, including a supermarket, cafes, and a primary school. This is in accordance with Policies LP1 and LP3 of the Kirklees Local Plan and Paragraph 11d of the Framework.

7 APPENDIX B – CENSUS 2021 OUTPUT AREAS AND POPULATIONS



Output Area – Population

1. E00056339 – 340
2. E00056280 – 110
3. E00056341 – 310
4. E00056342 – 480
5. E00056348 – 460
6. E00056357 – 300
7. E00056347 – 370
8. E00056349 – 260
9. E00056351 – 260
10. E00056322 – 340
11. E00056354 – 300
12. E00056352 – 230
13. E00056353 – 350
14. E00056355 – 290
15. E00056356 – 260
16. E00056363 – 380
17. E00056358 – 330
18. E00056375 – 320
19. E00056370 – 320
20. E00056362 – 370
21. E00056327 – 340
22. E00056325 – 290

Source: <https://explore-local-statistics.beta.ons.gov.uk/areas/E00056358>



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