

September 2024



Planning Policy Statement

**Outline Planning Application for the development of 30
residential dwellings on land at Providence Street,
Earlsheaton, Dewsbury, WF12 8HZ**

Local Plan Allocation Site Ref: HS50

On behalf of

Precious Holdings (Wakefield) Limited

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1. Introduction

- 1.1 This Planning Policy Statement has been produced on behalf of Precious Holdings Ltd to support an Outline Planning Application for the development of 30 residential dwellings on land at Providence Street, Earlsheaton, Dewsbury, WF12 8HZ.
- 1.2 The site is allocated to be developed for residential use under Policy LP65, Site Reference: HS50 of the Kirklees Local Plan - Allocations and Designations (adopted in February 2019) and has gone through a rigorous assessment programme by the Council and allocated to be developed to deliver new housing in Dewsbury.
- 1.3 The development would have road access from Providence Street, with approval sought for access to but not within the site, as part of this application and would secure outline permission for 30 new houses. Details of site layout, scale, appearance, landscaping and access within the site are reserved matters for subsequent approval.
- 1.4 This Planning Policy Statement sets out details of the development and sets out why the proposed development accords with the statutory Development Plan, the National Planning Policy Framework and associated practice guidance provided by the National Planning Policy Guidance.

The Application Submission

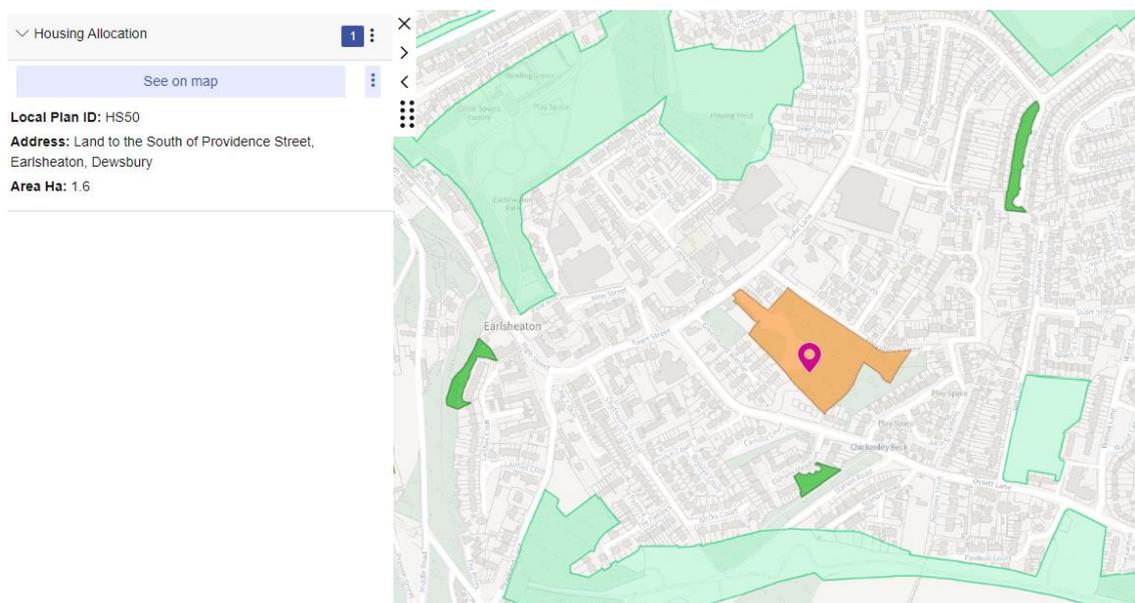
- 1.5 The Application seeks outline planning permission and is supported by a comprehensive package of plans and technical evidence documents as follows:
 - Planning Application Forms and Landowner Certificates
 - Statutory Application Fee
 - Location Plan
 - Indicative Layout Plan
 - Design and Access Statement
 - Planning Policy Statement
 - Statement of Community Involvement
 - Transport Assessment
 - Health Impact Assessment
 - Geoenvironmental Appraisal
 - Arboricultural Report, Method Statement and Tree Constraints Plan
 - Flood Risk Assessment and Drainage Strategy
 - Ecological Impact Assessment
 - Biodiversity Accounting Assessment
 - BNG Calculations
 - Heritage Impact Assessment

2. Site Description and Planning History

Kirklees Local Plan - Allocations and Designations - Site Allocation HS50

- 2.1 The Kirklees Local Plan – Allocations and Designations document was adopted in February 2019. Policy LP65 of the Local Plan allocates sites for new housing as indicated on the Policies Map and associated Appendix 1 of the Plan.
- 2.2 The site is allocated to be developed for residential use under Site Ref: HS50
- 2.3 The allocated site can be seen at Figure 1 below:

Figure 1: Kirklees Local Plan Allocations



Planning History

- 2.4 The site does not have any relevant planning history recorded on Kirklees Council's Planning Public Access website.

3. The Proposed Development

- 3.1 The proposed development seeks Outline Planning Permission for 30No residential dwellings with vehicular access from Providence Street, Earlsheaton, Dewsbury, WF12 8HZ.
- 3.2 Indicative details of the possible site layout can be viewed on the submitted Layout Plan.
- 3.3 Vehicular access to the development will be from Providence Street which runs to the northern boundary of the site. A Transport Assessment is submitted which details the highways impact of the development and the safe access to be created. Access and layout within the site will remain reserved matters for subsequent approval.
- 3.4 A range of house types and sizes whilst not proposed within this application would be proposed at reserved matters stage likely providing 2, 3- and 4-bedroom homes to meet housing need for all members of the community.

4. Planning Policy Review

National Planning Policy

National Planning Policy Framework (NPPF)

- 4.1 The Sixth Edition of the National Planning Policy Framework (NPPF) was published on the 19th December 2023 and supersedes the previous versions of the document. The NPPF is a material consideration in the determination of planning applications and makes clear there should be a presumption in favour of sustainable development where there is no conflict with the Development Plan.
- 4.2 On the 30th July 2024, the new Labour Government commenced consultation on proposed reforms to the National Planning Policy Framework and other changes to the planning system. The consultation runs until the 24th September 2024 and the revised NPPF is expected to be published by December 2024.
- 4.3 The consultation NPPF makes clear that the Government going forward will require Local Planning Authorities to adopt a growth-focused approach including restoring mandatory housing targets equating to building 1.5m homes
- 4.4 The direction of travel in relation to changes to policies within the NPPF carry some weight in the decision-making process. Until the time the revised NPPF is formally adopted, the current December 2023 edition of the NPPF remains as the National Planning Policy Framework.
- 4.5 The Framework sets policies on a wide range of subjects, the following of which are relevant to this proposal:
- Chapter 2: Achieving sustainable development
 - Chapter 4: Decision making
 - Chapter 5: Delivering a sufficient supply of homes
 - Chapter 8: Promoting healthy and safe communities
 - Chapter 9: Promoting sustainable transport
 - Chapter 11: Making effective use of land
 - Chapter 12: Achieving well-designed places
 - Chapter 14: Meeting the challenge of climate change, flooding & coastal change
 - Chapter 15: Conserving and Enhancing the Natural Environment
 - Chapter 16: Conserving and Enhancing the Historic Environment
- 4.6 Paragraph 7 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.
- 4.7 Paragraph 8 confirms that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

- **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;
- **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
- **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.”

- 4.8 Paragraph 11 confirming that Plans and decisions should always apply a presumption in favour of sustainable development, and proposals that accord with an up-to-date development plan should be approved without delay.
- 4.9 Chapter 3 relates to ‘Plan-Making’ with paragraph 20 setting out that strategic policies within the Local Plan should set out an overall strategy for the pattern, scale and design quality of new development and make sufficient provision for development including for housing through allocating sites for development.
- 4.10 Section 4 deals with ‘Decision-making’, paragraph 38 emphasises that local planning authorities should work proactively with Applicants to secure developments that will improve the economic, social and environmental conditions of the area, and that decision takers at every level should seek to approve applications for sustainable development where possible.
- 4.11 Chapter 5 confirms the government’s commitment to ‘Delivering a sufficient supply of homes.’ Paragraph 60 outlines the objective to boost the supply of homes significantly and the importance of a sufficient amount and variety of land coming forward, which meets the needs of groups with specific housing requirements and where permission is granted 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.
- 4.12 Chapter 8 provides guidance on planning for ‘Promoting Healthy and Safe Communities’. Paragraph 96 states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:
- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow

- for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas; and
 - c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
- 4.13 Paragraph 102 considers the need for open space in new developments and advises that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.
- 4.14 Chapter 9 deals with ‘Promoting sustainable transport’ and encourages transport issues to be considered from the earliest stages of development proposals so that potential impacts can be addressed, opportunities to promote alternative modes of transport to the car can be pursued and environmental impacts can be taken into account (paragraph 108). Significant developments should be focused on locations that can be made sustainable by limiting the need to travel and offering a genuine choice of transport mode (paragraph 109).
- 4.15 Paragraph 111 indicates that local parking standards for residential development should have regard to the accessibility, type and use of the development, and to opportunities for travel by public transport.
- 4.16 Paragraph 115 confirms that development should only be prevented or refused on highway grounds if there would be an “unacceptable impact on highway safety”, or the residual cumulative “impacts of development are severe”.
- 4.17 Chapter 11 Paragraph 128 places a strong emphasis on ‘Making effective use of land’ confirming support for development that makes efficient use of land in meeting the needs for homes and other uses. Appropriate densities should be achieved to make efficient use of land, taking in to account the identified need for different types of housing and the availability and capacity of infrastructure and services. This can often best be achieved at the detailed design stage of development.
- 4.18 Chapter 12 provides guidance on good design of new development and ‘Achieving well-designed and beautiful places.’ Paragraph 131 states that 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.
- 4.19 Paragraph 135 states that Planning decisions should ensure that developments will:

- Function well and add to the overall quality of an area for the lifetime of the development;
- Are visually attractive as a result of good architecture, layout and landscaping;
- Are sympathetic to local character and history, including surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change;
- Establish and maintain a strong sense of place;
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks; and
- 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.

4.20 Chapter 14 provides advice on 'Meeting the challenge of climate change, flooding and coastal change'. In this context paragraph 175 advises that major developments should incorporate sustainable drainage systems unless there is clear evidence that suggests that this would be inappropriate.

4.21 Chapter 15 deals with 'Conserving and enhancing the natural environment'. In this context the NPPF confirms that decisions should contribute to and enhance the natural and local environment. Environmental Law due to become mandatory in January 2024 requires biodiversity net gain (BNG) in new developments under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a biodiversity net gain of 10%. This means a development will result in more or better-quality natural habitat than there was before development.

4.22 Paragraph 189 sets out that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks from contamination or land instability.

4.23 Finally, Chapter 16 sets out guidance for development proposals that affect any listed or non-listed heritage assets. Paragraph

The Development Plan

4.24 The Kirklees Local Plan was adopted on 27 February 2019. It comprises the strategy and policies document, allocations and designations document and associated policies map alongside Supplementary Planning Documents. The proposed development site is allocated to be developed for residential use in the adopted Local Plan which is further detailed below.

Kirklees Local Plan Policies

4.25 The following Local Plan Policies are applicable to the development proposals:

- Policy LP1 - Presumption in Favour of Sustainable Development

- Policy LP3 – Location of New Development
- Policy LP7 – Efficient and Effective Use of Land and Buildings
- Policy LP11 – Housing Mix and Affordable Housing
- Policy LP20 – Sustainable Travel
- Policy LP21 – Highways and Access
- Policy LP27 – Flood Risk
- Policy LP28 - Drainage
- Policy LP30 – Biodiversity & Geodiversity
- Policy LP47 – Healthy, active and safe lifestyles
- Policy LP65 – Housing Allocations

- 4.26 Policy LP1 confirms that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.
- 4.27 Policy LP3 confirms developments should reflect the settlement's size and function and the need to provide new homes.
- 4.28 Policy LP7 ensures the efficient use of land in keeping with the character of the area and achieve a net density of at least 35 dwellings per hectare.
- 4.29 Policy LP11 achieves a housing mix suitable for Kirklees and on developments of more than 10 homes a 20% affordable housing provision is secured.
- 4.30 Policy LP20 confirms 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.
- 4.31 Policy LP21 confirms 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.
- 4.32 Policy LP27 reiterates proposals must be supported by an appropriate site specific Flood Risk Assessment in line with national planning policy.
- 4.33 Policy LP28 sets out criteria by which drainage on new developments will be assessed.
- 4.34 Policy LP30 secures biodiversity net gain in new developments.
- 4.35 Policy LP47 creates an environment which supports healthy, active and safe communities and reduces inequality.

4.36 Policy LP65 confirms the sites allocated for housing in the local plan. Site HS50 relates to the application site.

Site HS50	
Local Plan ID	HS50
Site address	Providence Street, Earlsheaton, Dewsbury
Ownership	Private and Council
Gross site area (Ha)	1.60
Net site area (Ha)	0.86 - Area of BAP Priority Habitats removed from developable area
Constraints	<ul style="list-style-type: none"> • The provision of a pedestrian footway is required across the site frontage • Potentially contaminated land • Site lies within a UK BAP priority habitat • Site is close to listed buildings
Allocation	Housing
Indicative capacity	30 dwellings
Reports required	<ul style="list-style-type: none"> • Flood Risk Assessment • Contamination report (Phase 1) • Heritage Impact Assessment • Health Impact Assessment • Transport Statement
Other site specific considerations	N/A

Supplementary Planning Documents

- 4.37 Below is a list of relevant adopted SPDs:
- Affordable Housing and Housing Mix SPD
 - Housebuilders Design Guide SPD
 - Open Space SPD
 - Highway Design Guide SPD

5. Planning Assessment

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 A number of supporting technical assessments have been undertaken to assess the suitability of the site for residential development which are submitted with the Application and detailed at Section 1 of this Statement. These assess impact on ecology, flood risk and drainage, trees, landscape, archaeology and health. Mitigation is recommended where necessary.
- 5.3 This Section of the Planning Policy Statement provides a Planning Assessment of the proposals against national and local planning policies detailed at Chapter 4 and provides a review and assessment of the technical supporting reports which have been independently undertaken.

Principle of Development

- 5.4 The proposed development site responds to its allocation in the adopted Kirklees Local Plan under Policy LP65, Site Ref HS50 and is expected to be developed for housing to assist the Council in meeting its house building targets.
- 5.5 The development of the site accords with the Local Plan aspirations and delivers housing in a sustainable location to assist the Council in meeting and maintaining its five-year housing supply and assessed identified housing need in Kirklees. It is important therefore that the Application is supported by the Council to allow housing delivery to commence on the site in a timely manner.
- 5.6 The site has been allocated following a robust assessment by the Council and has undergone independent examination by the Planning Inspectorate thus clearly represents sustainable development. The principle of housing development on the site is in full accordance with Local Plan Policies LP1, LP3 and LP65 and Paragraphs 69 & 70 of the NPPF.

Highways

- 5.7 A Transport Assessment has been submitted in support of the application. The site is to be accessed from Providence Street. Visibility splays and footways are proposed as detailed in Appendix F – Site Access Plan. The design of Highways Access has been undertaken in accordance with Local Plan Policy LP21.
- 5.8 The Transport Assessment concludes that safe and suitable access to the proposed development can be achieved for all users and that there will be no unacceptable impacts from the development on the transport network or on highway safety. The proposed development will not result in either a material or severe residual

cumulative impact on the safe and efficient operation of the local highway network and therefore the proposals comply with paragraph 111 of the NPPF.

Design

- 5.9 Full details of the layout and appearance of the site are reserved matters for subsequent approval. However, site design analysis, opportunities and constraints are set out within the submitted Design and Access Statement and developed into the Indicative Layout Plan. The indicative layout details how an appropriate scheme could be developed on the site for up to 30 units.

Landscaping and Open Space

- 5.10 Landscaping is also a matter reserved for subsequent approval, however as detailed within the Design and Access Statement a number of Trees within the site are protected by Tree Preservation Orders. As such, the indicative layout has been presented in a form which protects the Trees in line with the Arboricultural Report. A full landscaping plan will be submitted at reserved matters stage.

Density of Development

- 5.11 A density of development of 41 dwellings per hectare detailed within the indicative layout takes into account the site's opportunities and constraints that affect the potential design including the need to provide open space and landscaping and changes to the site topography.
- 5.12 Local Plan Policy LP7 confirms that all new housing developments should use land efficiently and sets a target for a minimum density of 35 dwellings per hectare for new developments. Similarly, NPPF Paragraph 128 places a strong emphasis on 'Making effective use of land' designing layouts to have appropriate densities.
- 5.13 The total developable site area is 0.73hectares. The site allocation estimates that the site can deliver a yield of 30 new houses. The indicative layout provides 30 new houses. The detailed layout and final density of development is to be determined through reserved matters approval.

Housing Mix

- 5.14 Local Plan Policy HS3 requires that new developments provide a varied Housing Mix in terms of size, type, tenure and affordability, The proposed development will likely provide a mix of 2-, 3- and 4-bedroom properties to suit a range of occupiers but this is for approval at reserved matters stage.

Heritage Impact

- 5.15 A Heritage Impact Assessment is submitted with the Application which concludes that the proposed development was found to have an overall neutral level of impact to the identified heritage assets. This impact has been mitigated against in the retention of

the large majority of existing greenery, and the examples of potential housing designs which incorporate elements of local character and detailing to ensure the proposed development is sensitive to its context

- 5.16 This assessment has followed NPPF Paragraph 205 where great weight has been assigned to the conservation of the setting of each identified asset; NPPF Paragraph 208 where the public benefits, including the provision of housing; and finally, NPPF Paragraph 196, particularly point c) whereby new development can positively contribute to local character. As such, the proposals accord with NPPF Paragraph 196, 205 and 206; Local Plan Policy LP35; and all other local and national planning policy relating to the conservation of heritage assets.

Ecology

- 5.17 Local Plan Policy LP30 sets out guidance for supporting and enhancing ecology in new development. An Ecological Impact Assessment and Biodiversity Net Gain (BNG) Calculations are all provided with the Application.
- 5.18 The Biodiversity Metric Baseline confirms 14.86 on site units at present, the site layout and landscaping (at Reserved Matters) would need to deliver 16.35 on site habitat units to achieve a 10% net gain.

Trees

- 5.19 An Arboricultural Report is submitted with the Application which confirms a number of trees on site are subject to Tree Protection Orders. The indicative layout plan details how the site could be developed without unduly affecting the protected tree stock.
- 5.20 The landscaping plans for the site are a matter reserved for future approval.

Flood Risk and Drainage

- 5.21 A Flood Risk Assessment is submitted with the Application which confirms the site lies within Flood Zone 1 of the Environment Agency's Flood Maps for Planning where the site is considered to be at low risk of flooding. The FRA accords with Local Plan Policy LP27 by directing development to low flood risk areas.
- 5.22 A preliminary scheme for the management of surface water from the proposed development is considered where Surface Water can be routed to a sewer in Providence Street and attenuation accommodated on site. Yorkshire Water has advised, by way of a pre-planning sewerage enquiry response that there is existing capacity in the local foul sewerage network to receive and treat domestic foul water from the proposed development and that foul water can discharge without restriction into the 225 mm diameter combined sewer in Providence Street.
- 5.23 Overall, the FRA and drainage assessments details that the development can satisfy the requirements of the NPPF and the Planning Practice Guidance in relation to flood

risk and Local Plan Policy LP27. Detailed Drainage design would be secured by condition.

Ground Conditions

- 5.24 A Geo-Environmental Assessment Report is submitted with the application which assesses the ground conditions for potential contamination alongside any evidence of coal mines or ground instability.

Summary and Conclusions

- 5.25 The principle of developing the site for residential use is in accordance with the site allocation in the adopted Local Plan. A wide range of supporting technical assessments submitted with the application conclude that there are no technical reasons that would prevent the development of the site for residential use and any mitigation measures required are detailed. In accordance with paragraph 11 of the Framework, there are no adverse impacts from the proposed development that would significantly and demonstrably outweigh the benefits of delivering new housing on the site and so the principle of development is acceptable.

Statement of Community Involvement

- 5.26 A public consultation (pre-submission) letter drop was conducted in August 2024, the letter drop to a number of residential properties in the local area sought the comments of local residents in order to guide any alterations to the application prior to submission to Kirklees Council.

- 5.27 Following the delivery of consultation letters, a total of 10 neighbour comments were received either by email or physical letter to ID Planning.

- 5.28 The comments received were:

- Concerns regarding traffic and parking on Providence St, particularly during construction (multiple)
- Request for parking restrictions on Providence St to ensure visibility splays aren't blocked by parked cars (Multiple).
- Entrance should be from Syke Lane.
- Development is far too overcrowded.
- Will trees be maintained?
- Will Construction Hours be restricted? And will Providence St be regularly cleaned during construction?
- Wildlife lives on the land, ensure the development protects them.
- Ensure properties are two storey and not three storey for privacy.
- How much social housing is provided?

- 5.29 In response to the above comments:

- A full detailed transport statement is submitted which confirms Providence Street is appropriate for the quantum of development proposed, would not create a safety issue and can be utilised during construction.
- The number of dwellings proposed is in line with the site allocation and the site constraints, the indicative layout ensures there is no 'overcrowding'. The housing density is appropriate.
- Landscaping maintenance would be secured by condition if appropriate.
- Hours of construction and highway cleaning would be secured through a construction management plan if deemed to be required.
- Biodiversity and wildlife would be protected where necessary through the ecological impact assessment, The site layout as a reserved matter would secure Biodiversity Net Gain.
- The scale and appearance of the individual dwellings is not to be approved at outline stage, however separation distances to existing neighbours can easily be secured on site.
- Affordable Housing provision is to be discussed with the Local Authority during the application process.

5.30 As demonstrated above, there are no comments received through the public consultation period which have not been addressed through this outline application process, cannot be addressed through reserved matters design or mitigated by condition.

6. Conclusions

- 6.1 This Planning Policy Statement has been produced on behalf of Precious Holdings Ltd to support an Outline Planning Application for the development of 30 residential dwellings on land at Providence Street, Earlsheaton, Dewsbury, WF12 8HZ.
- 6.2 The site is allocated to be developed for new housing under Policy LP65 Site Reference HS50 of the adopted Kirklees Local Plan which establishes the principle of development as being acceptable.
- 6.3 Technical assessments have been undertaken which confirm the site is suitable for development and recommends mitigation or further assessments where necessary that can be secured via condition.
- 6.4 The principle of development accords fully with the Development Plan and constitutes sustainable development as defined by the NPPF and thus satisfies Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 6.5 The proposal also supports the new Labour Government's consultation Draft NPPF (2024) and supports the swift and efficient delivery of new housing as part of the pledge to deliver 1.5 million homes nationally to tackle the worsening housing crisis.
- 6.6 We would therefore invite the local Planning Authority to assess this application and to grant outline planning permission including access to the site from Providence ST for the proposed development to enable a prompt delivery of new housing in Kirklees.