

ROGER LEE PLANNING LTD

Residential and Commercial Planning : Planning Applications, Appeals and Enforcement

PLANNING POLICY STATEMENT

LAND AT FORMER COMBS HOSTEL HALL LANE, THORNHILL, DESWBURY

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1. INTRODUCTION

- 1.1 This statement is submitted in support of a planning application for the residential development of 34 dwellings.
- 1.2 The purpose of this statement is to provide an evaluation of the site and the planning history, together with a review of local and national planning policies, before presenting a case in support of the application.

2. THE SITE AND PLANNING HISTORY

- 2.1 The site is located on the north side of Hall Lane in Thornhill, to the south east of Dewsbury. It comprises a former school site which was mostly recently used as a hostel. An access road forms the northern boundary of the site with terraced housing to the west. The ground slopes down in an easterly direction.
- 2.2 The original buildings were located on the eastern third of the site but have now been demolished. The central area of the site comprises a hard surfaced area with a grassed landscaped area between it and the former buildings. The western area comprises overgrown grass.
- 2.3 The site amounts to an area of just over 1.1 hectares.
- 2.4 Outline planning permission for demolition of the buildings and residential development of the land was granted in January 2016. A subsequent reserved matters application for 34 dwellings was approved in November 2021 but has now lapsed

3. THE PLANNING APPLICATION

- 3.1 The planning application is effectively a resubmission of the 2019 reserved matters application with a mix of updated and new reports to reflect the fact the building has subsequently been demolished and also current requirements of new housing applications.

4. PLANNING POLICY FRAMEWORK

Local Planning Policy

- 4.1 The combined effect of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 is that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 The statutory development plan consists of the Kirklees Local Plan which was adopted on 27 February 2019. The site is a housing allocation in the Local Plan.
- 4.3 Policy LP1 advises of a positive approach when considering development proposals that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 4.4 Policy LP7 advises that housing density should ensure the efficient use of land, in keeping with the character of the area and developments should achieve a net density of at least 35 dwellings per hectare, where appropriate.

- 4.5 Policy LP11 says that all proposals for housing will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need. It goes onto say that 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. 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.
- 4.6 Policy LP21 advises that proposals should 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.
- 4.7 Policy LP24 advises that good design should be at the core of all proposals in the district and should be considered at the outset of the development process. The policy goes onto indicate that development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive, and safe design, where applicable.
- 4.8 Policy LP28 advises of a presumption that Sustainable Drainage Systems (SuDS) will be used to assist in achieving the following on each site:
- *typical greenfield run-off rates should not be exceeded;*

- *no negative impact on local water quality and improvements in water quality where practicable; and*
- *consider whether proposed open spaces and green infrastructure within sites can contribute to the sustainable drainage of the site.*

4.9 Policy LP30 advises that the Council will seek to protect and enhance the biodiversity and geodiversity of Kirklees. The policy goes on to indicate that development proposals are required to result in no significant loss or harm to biodiversity through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement. The policy indicates that proposals are required to minimise impact on biodiversity and provide net biodiversity gains through good design.

4.10 The Allocations and Designations part of the Local Plan advises of an indicative capacity of 38 units. It lists the constraints of the site as:

- *Provision of a pedestrian footway across the site frontage*
- *Potential improvements to local highway links*
- *Proximity to listed buildings*
- *Proximity to an archaeological site.*

National Policy

4.11 National planning policy advice is contained within the latest version of the National Planning Policy Framework (NPPF) which was issued in December 2024.

4.12 Paragraph 7 advises that the purpose of the planning system is to contribute to the achievement of sustainable development, with the objective of sustainable development being to meet the needs of the present without compromising the ability of future generations to meet their own needs.

4.13 Paragraph 8 refers to the three dimensions to sustainable development - economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *an environmental role– contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

- 4.14 The Government has made clear its expectation, through the Framework, that the planning system should positively embrace well-conceived development to deliver the economic growth necessary and the housing we need to create inclusive and mixed communities. With regard to decision-taking, Paragraph 11 confirms this means approving development proposals that accord with the development plan 'without delay'.
- 4.15 Paragraph 61 confirms that it is the Government's objective to significantly boost the supply of homes and in doing so ensure that a sufficient amount and variety of land can come forward where it is needed.
- 4.16 Paragraph 116 says that 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.
- 4.17 Paragraph 124 requires planning policies and decisions to 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.
- 4.18 Paragraph 131 advises that good design is a key aspect of sustainable development, creating better places in which to live and work and helping to make development acceptable to communities.

5. CASE IN SUPPORT OF THE APPLICATION

- 5.1 The case in support of the development is informed by the policies referenced in Section 4 above.
- 5.2 The principle of development is established by the allocation of the land as a housing site in the Local Plan, and also by previous approval granted. The proposal would therefore be consistent with Policy LP1 in terms of assisting in meeting the housing needs of the district and by the very definition of proposing a residential use of the site.
- 5.3 The proposal to construct 34 residential units on an area of the allocation which amounts to 1.1 hectares would represent an effective and efficient use of the land, complying with Policy LP7 of the Local Plan and paragraph 124 of the Framework. The applicant will enter into a S106 legal agreement with regard to the mechanism for ensuring that the affordable housing units remain affordable for both initial and subsequent occupiers.
- 5.4 For a proposal for 34 houses, under the council's adopted affordable housing policy this would require the provision of 7 affordable units. However, in previous discussions between the LPA and the applicant and taking account of Vacant Building Credit, it was agreed that a 60% discount should be applied to the usual affordable housing requirement. This means a total of 3 affordable units should be provided in the development. That remains the proposal at this time with the application now being submitted.

5.5 Therefore the following is proposed:

- a) Three affordable units will be provided.
- b) The location of the affordable units is identified with a purple edge on the submitted plan – drawing number 20-095-110A.
- c) The affordable housing units will be constructed and completed and will be made available on occupation of 50% of the open market dwellings.
- d) The applicant will enter into a S106 legal agreement with regard to the mechanism for ensuring that the affordable housing units remain affordable for both initial and subsequent occupiers.

5.6 Policy LP11 requires a mix of housing types and sizes on sites of 10 or more dwellings. The application proposes a variety of house types with detached, semi-detached and terraced plots, with a mix of 3, 4, and 5 bedrooms. On that basis the application meets the requirement of Policy LP11.

5.7 All of the plots will be to adaptable and accessible homes.

5.8 The design of the houses (policy LP24 and paragraph 131 of the Framework) is compatible with the general character and appearance of existing housing in the local area. There is a range of building materials in the surrounding area, and the proposals for the use of brick, stone and render would also be in accordance with the character of the area and would satisfy Policy LP24 and paragraph 131 of the Framework

5.9 Turning to access and parking, there will be a single point of entrance and exit to the development and a minimum of two parking spaces per dwelling, with

additional visitor parking. A feasibility report is submitted with the application which addresses highway safety issues. The application is considered to accord with paragraph 116 of the Framework and Policy LP21 of the Local Plan.

- 5.10 Drainage and ecology reports are submitted to address Policies LP28 and LP30.
- 5.11 Having regard to paragraphs 7 and 8 of the Framework and Policy LP1 of the Local Plan, the proposed development would meet the requirements of sustainable development and would serve to boost the local economy. There would be associated economic benefits in terms of direct and indirect jobs during the development period, spending within the construction industry supply chain and spending by future residents in local shops, as well as benefits from council tax payments. There would be environmental benefits relating to the sustainable location, the proximity of local services and the resulting options for travel other than the private motor vehicle. There would be social benefits from the provision of new housing, including affordable housing.
- 5.12 The application has not been subject to any pre-application discussions either with the LPA or within the local community given that there has previously been a planning permission for the development as proposed, it has only recently lapsed and the policy situation with the scheme remains unaltered.

6. CONCLUSION

- 6.1 The application proposals are considered to comply with the relevant areas of policy advice in both the NPPF and the Local Plan.

6.2 It is therefore requested that the application is supported and that planning permission is granted.