PB Planning

Land East of Woodward Court, Mirfield

PLANNING STATEMENT

Bellway Homes

December 2025

Strategy > Partnership > Delivery

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1.0 INTRODUCTION

1.1 This Planning Statement accompanies a full planning application for the following proposed development at Land East of Woodward Court, Mirfield: -

"Erection of 75 dwellings, open space, landscaping and associated infrastructure"

1.2 This statement has been prepared in support of the planning application and it provides details of the proposed development and an assessment of its compliance with relevant planning policy. The application is accompanied by a separate Design and Access Statement, which provides further details in respect of design and access issues relating to the proposed development.

1.3 The application package is accompanied by the appropriate planning application fee and comprises electronic copies of the following documents: -

- Completed planning application forms and Ownership Certificates
- Site Location Plan
- Planning Layout
- Design & Access Statement
- Landscape Masterplan
- House Type & Garage Plans
- Boundary Treatment Plans
- Materials Plans
- Street-Scene Plans
- Site Section Plans
- Planning Statement
- Statement of Community Involvement
- Transport Assessment
- Travel Plan
- Levels Appraisal
- Highways Adoptions Plan
- Flood Risk Assessment
- Drainage Assessment
- Ecological Impact Appraisal
- Construction Environmental Management Plan
- Biodiversity Metric
- Arboricultural Impact Assessment
- Tree Survey
- Heritage Statement
- Further Heritage Assessment Letter
- Archaeological Evaluation
- Archaeological Geophysical Survey Report
- Archaeological Trial Trenching Report
- Geo-Environmental Appraisal
- Sustainability Statement

1.4 This statement concludes that the proposed development is in accordance with relevant planning policies at national and local levels. The proposed scheme seeks to provide a high quality housing development which meets local housing needs, which is sited in a sustainable location, and which includes the provision of areas of internal landscaping and new publicly

accessible greenspace. Importantly, this application has fully considered the previous concerns raised by the Council and local residents in respect of highways matters associated with the previous application at the site. Planning permission should therefore be granted in respect of this planning application without delay.

2.0 SITE DESCRIPTION AND SURROUNDINGS

THE APPLICATION SITE

2.1 The application site is 4.73ha in size and comprises a private field. The site is bound to the north by Crossley Fields Junior & Infant School, to the west and south by existing residential properties, and to the east by open fields.

2.2 Existing Public Rights of Way (PROW) run along the site's northern, eastern, and southern boundaries. The site has sporadic sections of landscaping on its boundaries. A line of trees and hedgerow runs east to west through the site's northern parcel.

2.3 The site is located entirely within Flood Risk Zone 1.

SUSTAINABILITY & ACCESSIBILITY

2.4 The site is sustainably located in respect of access to existing services and facilities. The following services and facilities are located within walking and cycling distance of the site: -

- Crossley Fields Junior & Infant School (adjacent to the site's northern boundary)
- Mirfield Evangelical Church
- Gilder Hall Field
- Mirfield Parish Church Cricket Club
- Greenside Road One Stop Convenience Store
- Castle Hall Academy
- Stepping Stones Day Nursery
- Old Bank Chemist
- Green Side Recreation Ground
- St Andrew's Methodist Church
- Old Bank Academy
- Mirfield Grammar School

2.5 With regards to public transport, bus stops are also located within walking distance of the site on Greenside Road, Flash Lane, and Dunbottle Lane. Mirfield Train Station is also located within 1.5km of the site.

2.6 The site is therefore located in a highly sustainable location for residential development.

PLANNING POLICY CONTEXT

2.7 The statutory development plan for the Kirklees local authority area comprises the Kirklees Local Plan adopted in February 2019.

2.8 The application site is located within Mirfield, which is identified in the Local Plan as a sustainable location for new housing development. The Local Plan's Spatial Development Strategy identifies that approximately 400 new homes are proposed to be located within Mirfield over the course of the Local Plan period.

2.9 The Policies Map confirms that the site is identified as Safeguarded Land within the adopted Kirklees Local Plan.

2.10 Policy LP6 of the Local Plan states that areas identified as safeguarded land will be protected from development other than that which is necessary in relation to the operation of existing uses, change of use to alternative open land uses, or temporary uses. It outlines that all development proposals must not prejudice the possibility of their long term development. The policy finally states that the status of safeguarded land sites will only change through a review of the Local Plan.

2.11 However, as the Council cannot currently demonstrate a 5-year land supply of deliverable housing sites, and as the housing delivery test results over the last 3-years has fallen below the 75% threshold, Policy LP6 can be considered out of date and the presumption in favour of sustainable development outlined in Paragraph 11 (d) of the NPPF and Policy LP1 of the Local Plan are therefore engaged.

2.12 This matter is discussed in further detail in Section 5 of this statement.

PLANNING HISTORY

2.13 There is one planning application of direct relevance to this scheme which relates to a previous submission made by Bellway Homes for the development of 61 dwellings with associated access, drainage, open space, and landscape at the application site.

2.14 The application (Ref. 2017/93935) was refused by the Council on the 9th October 2018 and the following two reasons for refusal were given: -

1. ***The site is designated as Provision Open Land in the Kirklees Unitary Development Plan, the proposed development conflicts with Unitary Development Plan Policy D5. The site is designated as Safeguarded in the Kirklees Publication Draft Local Plan which commands very significant weight as a material planning consideration in the determination of this application. The proposal conflicts with Policy PLP6 of the Kirklees Publication Draft Local Plan as permanent forms of development, such as that proposed in this application,***

which prejudice the long term development options of the land, should only be considered through a change to the allocation through a review of the local plan. The benefits associated with the provision of housing in this case are significantly and demonstrably outweighed by the harm arising from the conflict with the current Provisional Open Land Designation and the emerging Safeguarded designation, contrary to paragraph 139(d) of the National Planning Policy Framework.

2. ***The proposed development would lead to additional traffic impacts on an already constrained local highway network which, by virtue of the existing network of narrow roads, the close proximity of the proposal to the existing school (Crossley Fields Junior and Infant School), and the substandard visibility at the junction of Woodward Court and Wellhouse Lane, would result in an unsafe development which would fail to acceptably mitigate the degree of conflict between all users. The proposed development would lead to an unacceptable highway safety impact, contrary to paragraph 109 of the National Planning Policy Framework, Policy T10 of the Kirklees Unitary Development Plan and Policy PLP21 of Kirklees Publication Draft Local Plan.***

2.15 Prior to the submission of the planning application a formal pre-application enquiry was submitted to the Council with the intention being to focus the discussion on these two matters.

PRE-APPLICATION CONSULTATION

2.16 A formal pre-application enquiry was submitted to the Council on the 21st July 2025 (Ref. 2025/20746). As alluded to above, within the submission the applicant identified the desire to focus the pre-application discussions on the Council's two reasons for refusing the previous planning application.

2.17 With regards to the first reason for refusal, the applicant again outlined their position that as the Council cannot currently demonstrate a 5-year land supply of deliverable housing sites, and as the housing delivery test results over the last 3-years has fallen below the 75% threshold, Policy LP6 can be considered out of date and the presumption in favour of sustainable development outlined in Paragraph 11 (d) of the NPPF and Policy LP1 of the Local Plan are therefore engaged.

2.18 With regards to the test outlined in Paragraph 11(d) of the NPPF, the applicant also outlined that as there were no other environmental or technical issues raised in respect of the previous scheme, if the applicant could remove the concerns associated with highways matters identified within the second reason for refusing the previous application, it is their view that the application should be supported by the Council.

2.19 Accordingly, whilst the pre-application discussions covered the full range of planning matters associated with the development of the site, there was an inevitable focus on highways matters.

2.20 To this end the Council's Highways Officers made clear that unless there was a material change in circumstances, such as the provision of additional highways infrastructure and/or mitigation,

then they would not be able to support the application as their position is required to be consistent with the Council's planning committee's previous reason for refusal, despite the fact that they did not object to the previous application on highways grounds.

2.21 At the same time, the applicant had also commenced pre-application consultation with local stakeholders. This included holding meetings with Ward Members, holding a consultation event on the 2nd October 2025, and the distribution of a consultation leaflet to local residents.

2.22 As outlined in the submitted Statement of Community Involvement (SCI), invites to the consultation event were sent to Ward Members, Mirfield Town Council, Save Mirfield, and to 2,843 properties in the Local Area (by virtue of the consultation leaflet). A letter was also sent to 386 properties located the closest to the site. The consultation event was attended by 75 people and 21 feedback forms were received.

2.23 Whilst full details of the comments provided and the applicant's response to them are presented in the submitted SCI, it was clear that highways matters were of the biggest concern. Indeed, at the public consultation event a number of local residents suggested that the scheme should include a second vehicular access point to help ease local traffic.

2.24 Accordingly, following the event this suggestion was explored and considered in great detail by the applicant, and it has resulted in the scheme being amended to create a second exit for vehicles out of the site onto Hepworth Lane. This second vehicular exit will minimise traffic around the Woodward Court and Wellhouse Lane junction and the Wellhouse Lane/Flash Lane junction for those travelling from the site to destinations to the east and south of the site.

2.25 As a result of this amendment, the submitted Transport Assessment identifies that the development proposals would deliver an overall reduction in traffic flows on the southern section of Wellhouse Lane during the morning peak hour and that there would be no change during the evening peak hour i.e. providing either a betterment or at least a 'nil detriment' impact on this part of the road network.

2.26 Furthermore, the submitted Transport Assessment also establishes that traffic flows on Wellhouse Lane have reduced by some 12% to 14% during the intervening 8-9 year period between the submission of the 2017 planning application and this planning application.

2.27 The reduction in existing traffic flows and the amendment to the proposals to deliver additional highways infrastructure are considered to be the exact type of material change in circumstances to overcome the Council's previous second reason for refusal.

2.28 The applicants have undertaken comprehensive consultation discussions with a variety of officers of the Council and local stakeholders. These discussions have led to positive

amendments being made to the development proposals to alleviate a number of issues that were raised.

2.29 The applicant will continue to work with the Council and local stakeholders over the course of the determination of the application to ensure that any further matters can be resolved where necessary.

3.0 PROPOSED DEVELOPMENT

3.1 This section of the statement provides a summary of the Proposed Development that forms the subject of this planning application.

SUMMARY OF THE DEVELOPMENT PROPOSALS

3.2 The submitted Proposed Site Layout, Landscape Masterplan, and Design & Access Statement identify the following key parameters of the development: -

- The development will deliver 75 new homes at a gross density of 28dph. The density of the development is influenced by the amount of on-site greenspace being provided and the above ground surface water attenuation basin within the development.

- The number of homes being proposed is entirely in-keeping with the site's individual characteristics and the character of the wider area. It has also been formulated taking into account the recommendations of the technical and environmental reports submitted alongside the planning application.

- The development will deliver a size, layout, and configuration of homes capable of meeting a broad range of housing needs. The proposed housing mix includes: -
  - 9 x 2 Bedroom Homes
  - 33 x 3 Bedroom Homes
  - 25 x 4 Bedroom Homes
  - 8 x 5 Bedroom Homes

- The scheme will deliver 20% (15) affordable homes on site. The final tenure split of the homes will be discussed with the Council through the application process. The proposed mix of the affordable homes includes: -
  - 9 x 2 Bedroom Homes
  - 6 x 3 Bedroom Homes

- All of the proposed homes will meet the overall internal size requirements of the Nationally Described Space Standards.

- 22% of the proposed homes will meet the M4(2) accessible housing standards.

- All of the proposed homes will have acceptable private garden amenity areas and be provided with well-designed storage solutions for bins, recycling, and bicycles.

- In order to respond to the feedback received at the pre-application stage the development proposals now include the delivery of one point of access (Woodward Court) and two points of egress (Woodward Court and Hepworth Lane).

- The submitted Transport Assessment establishes that a safe and suitable access to the site can be achieved for all people and that the residual cumulative impacts of development are not severe. Indeed, the development will deliver either a betterment or at least a 'nil detriment' impact on this part of the local highway network.

- A large area of greenspace is provided within the north-eastern corner of the site. This area will deliver amenity greenspace and landscape planting. A linear area of greenspace will also be delivered along the full length of the site's eastern boundary to provide an attractive setting to the retained PROW. A surface water attenuation basin

is located in the southern parcel of the site, which will be planted to ensure that it visually integrates with the wider greenspace.

- Existing trees and hedgerows located within the site and on the site's boundary will be retained and enhanced where possible. A small section of existing landscaping in the northern parcel of the development will be removed to deliver vehicular, pedestrian, and cycle connections throughout the scheme.

- The development will deliver a significant **36.34%** biodiversity net gain in habitat units through the provision of the on-site landscape and biodiversity proposals. It will also deliver a **73.4%** net gain in hedgerow units (which takes the removal of small section of existing landscaping referred to above into account).

- The development has been designed in consideration of the detailed design policy requirements of the Council to include as follows: -

    - The development will deliver well-designed streets and spaces.

    - Variations of house types will be used across the scheme and include the provision of corner turning plots, particularly adjacent to open space areas and other key vistas throughout the site.

    - A variety of car parking types will be used to ensure that parked cars will not be prominently located within the street-scene. Particularly within the more public viewpoints within the scheme. Areas of landscaping will be provided to screen views onto front of plot parking areas where required.

    - Materials, boundary treatments, and plot landscaping features within the site will be used to create character.

    - The scale of buildings will reflect the site's topography to ensure that the residential amenity of existing and proposed residents is protected.

    - Green spaces/verges will be provided within the development to deliver landscaped streets.

    - All homes will meet standard separation distances, including where located adjacent to existing residential properties.

- The proposed layout, landscaping, and siting of greenspace within the development have been designed to mitigate the potential impact of the development on the setting of Balderstone Hall. The submitted heritage reports confirm that the degree of harm which the proposals could have on the heritage asset is less than substantial and at the lowest end of the scale (as a maximum). Accordingly, in light of the guidance presented in Paragraph 215 of the NPPF, it is clear that the public benefits associated with the development would far outweigh any harm. This would mirror the position reached by the Council on the previous application at the site.

- Surface water disposal will be via gravity to an infiltration basin in the southern portion of the site. The infiltration basin has been sized using the lowest recorded infiltration rate on site of 3.87 x 10-5m/s. The basin has been sized for the 1 in 100 year plus 45% climate change rainfall event. An approximate basin volume of 1,260 m will be required, subject to detailed design. The proposed infiltration basin will provide water quality treatment and attenuation as well as adding biodiversity and amenity value to the site.

- All of the homes to be delivered within the development will meet the sustainable housing standards set out by Building Regulations. Including the provision of an electric vehicle charging point for every home. Bellway Homes are proposing to pursue a non-gas heating strategy at the development in advance of the Future Homes Standard. Low carbon heat pumps will provide the space and hot water heating for every home.

Accordingly, the development's forecasted emission rate is expected to represent a **65.55%** saving over Part L of Building Regulations which require a minimum a saving of 31% in CO2 emissions.

3.3 The Proposed Site Layout, Landscape Masterplan and Design & Access Statement which accompany the application establish that the proposed quantum of development detailed above can be accommodated at the site whilst ensuring that a high-quality living environment can be delivered for new residents, and whilst also meeting with all relevant planning policy requirements. Further evidence of which is outlined within each of the Technical and Environmental reports submitted alongside the planning application.

PLANNING OBLIGATIONS

3.4 A Section 106 Agreement will be submitted to the Council in due course to provide details of the trigger points for the delivery of the agreed planning obligations associated with the development of the site.

3.5 The current proposed Heads of Terms for the Section 106 Agreement are as follows: -

- Provision of 20% (15) affordable housing: -
  - Tenure Split – To be Agreed.
  - Delivery of 9 x Affordable Homes by 40 Market Homes
  - Delivery of 6 x Affordable Homes by 60 Market Homes

- Education Contribution: Amount to be confirmed (TBC): -
  - Payment of 50% by Occupation of 40% of Dwellings
  - Payment of 100% by Occupation of 80% of Dwellings

- Sustainable Travel Contribution: Amount TBC: -
  - Payment of 50% by Occupation of 40% of Dwellings
  - Payment of 100% by Occupation of 80% of Dwellings

- Off-Site Open Space Contribution: Amount TBC: -
  - Payment of 50% by Occupation of 40% of Dwellings
  - Payment of 100% by Occupation of 80% of Dwellings

- Management & Maintenance of Open Space & Biodiversity Area in Perpetuity

DELIVERY TIMESCALES

3.6 It is the applicant's desire to work with the Council to ensure that the application can be approved at the earliest appropriate time.

3.7 Other than the delivery of the initial site infrastructure there are no other major infrastructure works that need to take place prior to the commencement of delivery of new homes on the site.

Accordingly, the development could commence within 6-months of the approval of the planning application.

3.8 Due to the site's size, there will be one development/selling outlet delivering new homes at the site. It is therefore anticipated that the development will deliver a yield of at least 40-50 homes per annum.

3.9 The table below provides the site's cumulative dwelling delivery projection per annum.

Year	Development Activity & No of Homes Cumulative
2025/2026	Submission of Planning Application
2026/2027	Determination of Planning Application & Initial Infrastructure Works
2027/2028	30
2028/2029	75

3.10 The proposed areas of open space and landscaping will be delivered commensurate with the new homes at the site.

3.11 The development of the site in the timescales proposed by Bellway Homes provides the opportunity to deliver new homes within in the next 3-years, alongside making a significant contribution to the Council's ongoing 5-year housing land supply and Housing Delivery Test requirements.

DELIVERABILITY ASSESSMENT

3.12 In accordance with the definition provided within Annex 2 of the National Planning Policy Framework, we believe that the site can be considered as a ***Deliverable*** residential development site on account of: -

Suitability

The site is located in a suitable location for residential development now. As identified above, a sustainable development can be delivered at the site with pedestrian and cycle access to existing services, facilities, and public transport. A suitable access can be provided from existing highways and there are no technical constraints which would preclude the development of the site for residential use.

Availability

The site is available for residential development now as there are no legal or ownership constraints as Bellway Homes own the site and by virtue of this submission to the Council are expressing an intention to develop the site for residential use.

Achievability

A viable housing development can be delivered on the site within the next 5 years. Bellway Homes are seeking to develop the site for residential use. Prior to the progression of the application they have undertaken a thorough financial viability assessment. The site is considered to be achievable for residential development now and there is a realistic prospect that the site can deliver new homes within the next 5 years.

SUMMARY

3.13 The application proposals will create a sustainable, high quality, and accessible residential development which will deliver a number of economic, social, and environmental benefits to Mirfield and the wider Kirklees area, and in doing so it will meet the Government's objectives of sustainable development.

3.14 Importantly, in order to respond to the feedback received at the pre-application stage in respect of highways matters, the development proposals now include the delivery of one point of access (Woodward Court) and two points of egress (Woodward Court and Hepworth Lane). The submitted Transport Assessment therefore establishes that a safe and suitable access to the site can be achieved for all people and that the residual cumulative impacts of development are not severe. Indeed, the development will deliver either a betterment or at least a 'nil detriment' impact on this part of the network.

4.0 MEETING IDENTIFIED MARKET & AFFORDABLE HOUSING NEEDS

4.1 Paragraph 61 of the NPPF identifies "***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"***.

4.2 The development proposals will contribute to supporting a strong, vibrant, and healthy community by providing a supply of housing that is required to meet the current and future needs of the Kirklees area.

4.3 The development will deliver high quality market and affordable homes for first time buyers, couples of all ages, and local families in Mirfield, a sustainable location where new homes are to be distributed within the Kirklees Local Plan to ensure sustainable housing growth in the Kirklees area.

HOUSING MIX

4.4 With regards to housing mix, Policy LP11 of the Kirklees Local Plan states that 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.

4.5 Further guidance to support the implementation of Policy LP11 is also provided within the Council's Affordable Housing and Housing Mix SPD (March 2023). The SPD further outlines that in achieving a mix of housing types on a site, applicants should have regard to Local Plan Policy LP7 (Efficient and Effective Use of Land and Buildings)

4.6 The development proposals seek to deliver 75 homes of the following housing mix: -

- 9 x 2 Bedroom Homes
- 33 x 3 Bedroom Homes
- 25 x 4 Bedroom Homes
- 8 x 5 Bedroom Homes

4.7 The proposals therefore offer a mix of housing which will ensure that the housing needs of all members of the community can be met.

4.8 The Council's SPD identifies an indicative housing mix target for each sub-area of Kirklees. The table below compares the development proposals against the SPD's indicative requirements for the Dewsbury & Mirfield Sub-Area.

Number of Bedrooms	SPD %	Scheme %
1 Bedroom & 2 Bedroom	30% - 60%	12%
3 Bedroom	25% - 45%	44%
4 + Bedroom	10% - 30%	44%

4.9 However, it must also be remembered that the evidence presented in the Council's latest housing needs evidence which are reflected in the SPD's indicative requirements represent a snapshot in time and is not settlement or site specific. As such, developers need flexibility to ensure that housing demand can be met so that schemes remain viable.

4.10 Furthermore, with specific reference to Policy LP7 of the Local Plan, the applicant has also sought to ensure the effective and efficient use of the site though incorporating house styles, types, and sizes which better reflect the character of the wider area.

4.11 When reviewing the proposals a more qualitative assessment of the proposed housing mix/offer needs to be undertaken. In this respect, the development proposals seek to deliver 12 variations of house types, which will ensure that the development can deliver the market and affordable housing needs of first time buyers, couples of all ages and families.

4.12 The assessment of the scheme should also consider the range of different types, styles and sizes of homes which are being proposed. The house type schedule included on the submitted Planning Layout identifies that the proposed house types include terraced, semi-detached, and detached styes of housing.

4.13 With specific regards to size, each of the proposed homes will incrementally increase in size from the smallest 2-bedroom home to the largest 4-bedroom home included in the mix. The scheme therefore provides a varied mix of housing for all needs and demands. Including smaller 3-bedroom, larger 3-bedroom, and smaller 4-bedroom properties.

4.14 Finally, the overall bedroom size of each home outlined within the schedule on a submitted Planning Layout will never be truly commensurate with how people/families choose to live within them, as personal preference and personal circumstance will always dictate the size and type of home that someone chooses to purchase. For example, a purchaser who requires/needs a 2-bedroom or 3-bedroom home 'on paper' will likely prefer to purchase a property with one

additional room/bedroom in anticipation of the future needs of a growing family or in order to use the additional room as an office, playroom, or music/hobby room. There is also now an even greater demand for increased space/area within homes to enable working from home. These considerations present a further qualitative argument to justify the housing mix which is being proposed by this development.

4.15 The table below outlines the housing needs and demands which the proposed housing mix could meet: -

Size of Home	Housing Needs Met
2- Bedroom House	• Single Person • Couples of All Ages • Small Families
3-Bedroom House	• Couples of All Ages • Small Families • Growing Families
4-Bedroom House	• Small Families • Growing Families • Larger Families

4.16 Accordingly, it is clear that the development will deliver an appropriate housing mix to meet a range of housing needs, and in doing so it will accord with the requirements of Policy LP7 and Policy LP11 of the adopted Local Plan.

INTERNAL SPACE & SIZE STANDARDS

4.17 The Council's Affordable Housing and Housing Mix SPD requires all new housing developments to have regard to the Nationally Described Space Standards. The SPD recognises that these standards are not currently adopted as policy in the Kirklees Local Plan. Accordingly, when determining applications the Council usually seeks to ensure that the overall size of the proposed homes meet with the standards.

4.18 All of the proposed homes within the development will meet with the overall size requirements of the Nationally Described Space Standards.

4.19 Furthermore, whilst there is no adopted policy requirement to do so, the development proposals will also deliver 22 x homes (29%) to meet the building regulation M4 (2) – 'Category 2 – accessible and adaptable dwellings' standards.

4.20 The provision of new homes to standards which exceed the requirements of the adopted Local Plan should therefore be given weight in favour of the development proposals.

AFFORDABLE HOUSING

4.21 With regards to affordable housing, Policy LP11 of the Local Plan identifies that 20% of the homes to be delivered at the site should be affordable homes.

4.22 The development will deliver 20% (15 homes) affordable homes on site. The proposed mix of the affordable homes is as follows: -

- 9 x 2 Bedroom Homes
- 6 x 3 Bedroom Homes

4.23 Final details of the specific tenure split will be discussed and agreed with the Council prior to the determination of the application.

4.24 The affordable dwellings have been positioned within the site to avoid large clusters and to ensure that the streets are tenure blind.

4.25 The development proposals will therefore accord with the requirements of Policy LP11 of the Local Plan.

DENSITY & NUMBER OF HOMES PROPOSED

4.26 The development proposals seek to deliver 75 homes at a net density of 28 dwellings per hectare.

4.27 The density of the development is driven by the provision of large areas of greenspace, the surface water attenuation basin, and the size/type of homes proposed to be delivered.

4.28 As stated above (with specific reference to Policy LP7 of the Local Plan), the applicant has sought to ensure the effective and efficient use of the site though incorporating house styles, types, and sizes which better reflect the character of the wider area.

4.29 The delivery of internal size and space standards which exceed those required by adopted policies of the Local Plan further confirms the acceptability of the proposed density of the site.

4.30 Finally, the environmental and technical reports submitted with the application confirm that there is no adverse impact associated with the number of homes which are proposed to be delivered at the site. This is because the housing numbers and net-developable area of the site have been established taking into account the findings of the submitted assessment work.

4.31 The scheme will therefore make an effective and efficient use of the site, whilst still delivering a character of development which is sensitive to the site and its surroundings. It will therefore accord with the guidance presented in Policy LP7 of the adopted Local Plan.

RESIDENTIAL AMENITY

4.32 The design of the proposals will result in a high-quality local environment for prospective residents.

4.33 All of the proposed homes will be provided with private gardens which meet or exceed standard requirements.

4.34 Separation distances between each of the proposed homes and existing homes will also meet or exceed standard requirements.

4.35 Substantial areas of publicly accessible greenspace will be delivered with the development, which will also provide new links to the PROW and thus increase accessibility to the wider countryside.

CONCLUSION

4.36 The development will deliver much needed new homes within an area of proposed housing growth as outlined within the Kirklees Local Plan.

4.37 The development will provide homes of a size, mix, and tenure that will meet identified local housing needs. Enabling local people to live in a house of their choice in an area where they want to live. It will also make an important contribution to delivering Kirklees' ongoing housing land supply needs over the next 5 years.

4.38 Overall, the development will deliver much needed new homes in a sustainable location and will meet the Government's housing objectives as set out in the NPPF. The proposals also comply with the relevant housing policies of the adopted Local Plan.

5.0 PRINCIPLE OF DEVELOPMENT & OTHER KEY PLANNING MATTERS

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

> ***"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."***

5.2 The Kirklees Local Plan Update is the statutory development plan for the Kirklees authority area. Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.3 The application site is located within Mirfield, which is identified in the Local Plan as a sustainable location for new housing development. The Local Plan's Spatial Development Strategy identifies that approximately 400 new homes are proposed to be located within Mirfield over the course of the Local Plan period.

5.4 As detailed in Section 2 of this statement, the application site is identified as Safeguarded Land within the adopted Kirklees Local Plan.

5.5 Policy LP6 of the Local Plan states the following: -

> ***Areas identified as safeguarded land will be protected from development other than that which is necessary in relation to the operation of existing uses, change of use to alternative open land uses or temporary uses. All proposals must not prejudice the possibility of long term development on safeguarded land sites. The status of safeguarded land sites will only change through a review of the Local Plan.***

5.6 However, as the Council cannot currently demonstrate a 5-year land supply of deliverable housing sites, and as the housing delivery test results over the last 3-years has fallen below the 75% threshold, Policy LP6 can be considered out of date and the presumption in favour of sustainable development outlined in Paragraph 11 (d) of the NPPF and Policy LP1 of the Local Plan are therefore engaged.

5.7 Planning permission should therefore be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. The application of the test requires a robust identification of all of the benefits of the development (and a consideration of the weight to be attached to them) before a consideration of any alleged harm.

5.8 Within this statement we have outlined the benefits that the proposed development will deliver in respect of the delivery of much needed new homes to meet local housing needs, the provision of significant areas of public greenspace, and the ability of the development to improve the local

highway network. The following section of this statement also outlines the significant wider socio-economic benefits that the development proposals will deliver to the area.

5.9 Accordingly, to aid the Council's overall assessment of the application, this section of the statement specifically responds to the Council's two reasons for refusing the previous planning application at the site (Ref. 2017/93935) which was dated 29th October 2018. As previously outlined, there are clear material changes in circumstances which require the Council to reconsider their previous decision, the details of which are outlined below.

REASON FOR REFUSAL 1 – CONFLICT WITH PLANNING POLICY GUIDANCE IN RELATION TO SAFEGUARDED LAND – LOCAL PLAN POLICY LP6

5.10 We have outlined above that Policy LP6 of the Local Plan can be considered out of date and that the presumption in favour of sustainable development outlined in Paragraph 11 (d) of the NPPF and Policy LP1 of the Local Plan are therefore engaged.

5.11 This position is stated on account of the fact that the Council's current 5-year supply position of 3.96 years supply was identified in the 2022/2023 Annual Monitoring Report (AMR) published in December 2023. It therefore relates to the Local Plan's annual housing requirement of 1,730 homes per annum. The AMR also identifies that a 5% buffer has been included in the calculations. As such as 3.96 year supply would equate to a supply of 7,193 dwellings.

5.12 As the Local Plan is now over 5-years old, the revised standard method requirement of 1,840 homes per annum should now be used in the 5-year land supply calculation. Plus a 20% buffer on account of the Council's performance against the Housing Delivery Test, which is just **54%** over the last 3-years. The number of homes required to deliver a 5-year land supply on this basis would therefore equate to 11,040 homes (or 2,208 homes per annum).

5.13 The resulting housing deficit against the required 5-year land supply would therefore be **3,847 homes or a 3.25 year supply**.

5.14 We appreciate this calculation does not include the latest annual figures in respect of the number of dwellings which could be removed or added to the supply, but the 2023/2024 AMR identities that only 1,204 net additional dwellings were delivered in the last monitoring year. Which would represent a further deficit of 1,004 homes against the target of the revised standard method with a 20% buffer included . Thus the results of the updated assessment will likely only worsen the current land supply position further.

5.15 As such there is clear evidence of an acute shortage of housing in the Kirklees area and there is no reasonable prospect of the Council meeting the minimum housing requirements of the

District until the adoption of a new Local Plan, which according to the Council's latest Local Development Scheme (September 2025) will not be until after 2029/2030 at the earliest given it identifies that the new Local Plan won't be submitted to the Secretary of State for examination until January 2028.

5.16 As a consequence, there is no reasonable prospect of the Council meeting the current *minimum* housing requirements for the District in the short term at all unless additional land is released for housing which is located outside of development limits. Including Safeguarded Land.

5.17 Accordingly, with reference to the Council's first reason for refusing the previous planning application at the site, Policy LP6 is out of date and the presumption in favour of sustainable development outlined in Paragraph 11 (d) of the NPPF and Policy LP1 of the Local Plan is therefore engaged.

5.18 With specific regard to the policy wording outlined within Paragraph 11 (d) of the NPPF, the evidence submitted alongside the planning application confirms that: -

- The application site is not located within any protected areas and the development proposals would not impact any protected assets outlined within Footnote 7 of the NPPF.
- There are no adverse impacts associated with the development which would **significantly and demonstrably** outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places, and **providing affordable homes**, individually or in combination.

5.19 Furthermore, substantial weight should also be given in favour of the delivery of new market housing in the determination of this application.

5.20 The approach outlined above has been corroborated by two recent appeal decisions involving Safeguarded Land which we are aware of, one of which we were directly involved with. Key extracts of which are provided below: -

Appeal Ref: APP/R4408/W/25/3359917 - Land north of Hemingfield Road, Hemingfield, Barnsley, S73 0PW – Appeal Allowed 1st August 2025: -

66. The site is identified as safeguarded land in the LP, which was not released for development following a recent review. For this reason, the proposed development would undermine the spatial strategy and land reserved for development under a future plan would be removed, potentially increasing pressure on the Green Belt. This conflict with Policy GB6 is a matter of significant weight against the proposal.

67. The scheme would deliver 165 to 180 dwellings and at least 16 affordable houses in Hoyland, in an area earmarked for growth in the LP. This is consistent with Policies H1 and H2. Delivery of at least 10% affordable housing is also consistent with Policy H7.

68. *The shortfall in delivery of both market dwellings and affordable housing is now considerable both in this area and across the borough. The current housing land supply is less than 3 years and probably of the order of 2 years. I conclude that the likelihood of the housing requirement in the local plan being met over the remaining plan period from the allocated sites is vanishingly small.*

69. *For these reasons, I reduce the weight given to the conflict with Policy GB6, which constrain development. I also give very substantial weight to both the provision of a large number of market dwellings and affordable housing towards the targets in the local policies.*

75. *I conclude that the considerable benefits from provision of market and affordable housing in a sustainably located area, in addition to the other benefits listed above, outweigh the harm caused by conflict with spatial policy GB6 and to the landscape. This is in the context of a significant shortfall in housing across the borough and little prospect of the need being met over the plan period.*

75. *The proposal is therefore consistent with the local development plan when read as a whole.*

Appeal Ref: APP/U2750/W/25/3367176 - Land West of, Garden Lane, Sherburn, North Yorkshire LS25 6AT – Appeal Allowed 18th November 2025: -

7. *The appeal site is part of a wider area of safeguarded land around Sherburn in Elmet. Saved Policy SL1 of the Selby District Local Plan 2005 (SDLP) states that 'it is intended that the release of safeguarded land, if required, will be carried out in a controlled and phased manner extending over successive reviews of the Local Plan'. Moreover, the policy resists development that would "prejudice long term growth beyond 2006".*

8. *The National Planning Policy Framework makes clear that development on safeguarded land "should only be granted following an update to a plan which proposes the development"*

9. *Policy SP2 of the Selby District Core Strategy (CS) directs development to existing settlements in line with the level of services available and restricting development in the open countryside. The appeal site is on the edge of but outside the defined development limits of Sherburn-in-Elmet.*

10. *It is agreed between the parties that the council can demonstrate only 2.4 years of a 5-year housing land supply and that this is a significant material consideration of great weight in support of the development. I note that the housing land supply worsened from 2.7 years to 2.4 years as of the council's latest published position of August 2025*

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11. *Therefore, the tilted balance in National Planning Policy Framework paragraph 11(d) is engaged such that planning permission should be granted unless the harms of doing so would significantly and demonstrably outweigh the benefits.*

44. *I have identified harm with regards the in-principal policy conflicts in respect of the site being safeguarded land (policy SL1) and being located outside of the development limits (policy SP2). However, because I have found that these policies are out of date, I have afforded this conflict only moderate weight.*

47. *As such, I do not consider that the harm of the appeal scheme significantly and demonstrably outweighs the benefits. Indeed, I conclude that the benefits of the appeal scheme outweigh the harm.*

48. *For the reasons given above the appeal should be allowed.*

5.21 For the reasons outlined above, it is our view that there is simply no debate to be had in respect of the planning policy position associated with the determination of the planning application. This position is made even more clearer below where we respond to the Council's second reason for refusing the previous application at the site.

REASON FOR REFUSAL 2 – PERCEIVED UNNACCEPTABLE HIGHWAY SAFETY IMPACT – LOCAL PLAN POLICY LP21

5.22 The Council's second reason for refusing the previous planning application was associated with the belief that the scheme would have an unacceptable highway safety impact. It should be stressed from the start that this was not the view of the Council's highways officers at the time, as the Council's highways officers did not object to the previous application.

5.23 Notwithstanding this position the applicants have considered the following matters prior to the submission of this planning application: -

- A comprehensive review of the previously refused planning application.
- Feedback from highways officers through the formal pre-application process.
- Feedback from local stakeholders through the community consultation process.
- An up to date comprehensive review of the local highway network.
- Consideration of the development proposals against current planning policy requirements.

5.24 The conclusions formulated from this assessment are detailed within the submitted Transport Assessment prepared by Optima Highways which is submitted in support of the planning application.

5.25 The Transport Assessment identifies that the proposals originally included a single point of vehicular access to the Site from Woodward Court. However, following the feedback received from pre-application discussions with the Council and local stakeholders further work was undertaken and it is now proposed to provide a second vehicular egress from the Site (i.e. exit only) onto Hepworth Lane which forms part of the southern Site boundary.

5.26 Whilst a single point of access/egress from Woodward Court is still considered acceptable on highways/transport grounds (as was also previously agreed by the Council's Highway Officers for the 2017 application), in order to respond to the feedback received at the pre-application stage, the development proposals now include the delivery of one point of access (Woodward Court) and two points of egress (Woodward Court and Hepworth Lane).

5.27 The Transport Assessment identifies that the changes made to the development by including the second point of egress onto Hepworh Lane could result in the development having a positive impact on the local highway network.

5.28 The Transport Assessment has also assessed existing traffic flows along Wellhouse Lane (just south of the Woodward Court Junction) and compared them with what was established at the time the previous planning application was submitted. This assessment is based on a comparison between the average daily flows undertaken over a 7-day period in 2016 (the survey used to inform the Transport Assessment which supported the 2017 application) and a 7-day period in 2025 (used to inform the Transport Assessment submitted alongside the application). The result of this comparison is that traffic flows on Wellhouse Lane have reduced by some 12% to 14% during the intervening 8-9 year period.

5.29 Furthermore, the Transport Assessment identifies that all of the modelled local junctions would operate comfortably within capacity during the future 2030 design year and can therefore satisfactorily accommodate the development proposals.

5.30 Beyond these junctions the development impact dilutes even further, becoming negligible and immaterial compared with daily fluctuations in traffic flows. The impact of the development is certainly not severe which is the test applied in paragraph 116 of the NPPF.

5.31 On the contrary, the development proposals will actually result in an overall reduction in traffic flows on the southern section of Wellhouse Lane during the morning peak hour and no change during the evening peak hour i.e. providing either a betterment or at least a ‘nil detriment’ impact on this part of the network.

5.32 Accordingly, with specific reference to the Council’s second reason for refusing the previous application at the site, the development proposals will mitigate the Council’s perceived impacts of additional traffic from the site through the delivery of an alternative and safe route to Wellhouse Lane that can be utilised by both existing and proposed residents of the area.

5.33 The reduction in existing traffic flows and the amendment to the proposals to deliver additional highways infrastructure are considered to be the exact type of material change in circumstances to overcome the Council’s previous second reason for refusal.

5.34 The development proposals will therefore comply with the requirements of Policy LP21 of the Local Plan as the submitted Transport Assessment demonstrates that a safe and suitable access to the site can be achieved for all people and that the residual cumulative impacts of

development are not severe. Indeed, as stated, the development will deliver either a betterment or at least a 'nil detriment' impact on this part of the highway network.

CONCLUSION

5.35 We provide unequivocal evidence above that the presumption in favour of sustainable development outlined in Paragraph 11 (d) of the NPPF and Policy LP1 of the Local Plan is engaged by virtue of the Council's housing land supply and delivery position.

5.36 With specific regard to the policy wording outlined within Paragraph 11 (d) of the NPPF, we also confirm that the evidence submitted alongside the planning application confirms that: -

- The application site is not located within any protected areas and the development proposals would not impact any protected assets outlined within Footnote 7 of the NPPF.

- There are no adverse impacts associated with the development which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes, individually or in combination.

5.37 Indeed, the environmental and technical reports that have been submitted with this planning application identify that there are no technical or environmental issues that would constrain the development of the site.

5.38 Importantly, this also includes the submission of evidence within the Transport Assessment which establishes that a safe and suitable access to the site can be achieved for all people and that the residual cumulative impacts of development are not severe. Indeed, the development will deliver either a betterment or at least a 'nil detriment' impact on this part of the network.

5.39 On account of the information presented in this and the other statements which accompany the planning application, it is considered that the development proposals comply with the relevant guidance presented in the Framework and the Kirklees Local Plan when read as a whole.

5.40 As a consequence, the development proposals can be considered Sustainable Development as defined by the Framework and there is a presumption in favour of granting planning permission for this development without delay.

6.0 SOCIO-ECONOMIC BENEFITS

6.1 The socio-economic benefits that the development would deliver to Mirfield and the wider Kirklees area are as follows:-

- Creating sustainable communities, offering existing and potential residents of Mirfield and the surrounding area the opportunity to live in the house and location they desire.
- Delivering financial contributions towards the improvement of Mirfield's infrastructure through Section 106 contributions.
- New capital expenditure in the region of £7.85m creating substantial direct and indirect employment opportunities of approximately 50 new jobs of which 70% are usually retained in the local area.
- Sustaining and improving Kirklees' labour market through delivering the right homes in the right locations.
- Increasing retail and leisure expenditure in the local area by approximately £1.8m per annum, creating 11 jobs in these sectors.
- Provision of funding towards public services from an estimated figure of £700k from the Government's new homes bonus & annual council tax payments of circa £116k per annum.

6.2 The development of the site will deliver a £7.85m construction investment to the Kirklees area over a 2-3 year build period. This level of investment will deliver a wide range of direct and indirect economic benefits to the area, stimulating employment growth during construction.

6.3 A high proportion of the workforce for each Bellway Homes development are drawn locally. It is therefore highly likely that the majority of the proposed construction jobs will be taken up by a local workforce. Furthermore, local business will also benefit from trade linkages established through the construction of the development, meaning that a large proportion of the indirect jobs would be supported locally from suppliers of construction materials and equipment.

6.4 Following the construction of the development new employment opportunities will be created and existing facilities/services sustained as a result of the spending patterns of new residents within Mirfield and the wider local area. It is estimated that the development will generate over £1.8m each year of spending power to the local retail and leisure economy.

6.5 The development will deliver significant economic gains through the Government's New Homes Bonus incentive and annual Council Tax payments. At a time when local authorities' budgets are being reduced these areas of financial gain can provide beneficial ways in which Councils can continue to support their communities.

6.6 The development will also deliver financial contributions towards the improvement of local infrastructure through Section 106 payments, including potential improvements to local schools.

6.7 Overall, the development will deliver a number of socio-economic benefits to Mirfield and the wider Kirklees area and in doing so it will meet the Government's objectives of sustainable development.

6.8 The socio-economic benefits of the development proposals should be given substantial weight in the determination of the planning application.

7.0 CONCLUSION

7.1 This application seeks full planning permission for the delivery of 75 new homes, open space, landscaping, and associated infrastructure at Land East of Woodward Court, Mirfield.

7.2 This statement has reviewed relevant planning policy at the national and local levels. It demonstrates considerable support for the proposed development of the application site.

7.3 The key benefits and planning grounds in support of the proposed development are summarised as follows: -

- The proposals seek new much needed residential development in a highly sustainable location where housing growth is supported.
- The proposed number of homes and housing mix to be delivered at this site will meet housing needs for first time buyers, couples of all ages, and families.
- The development will deliver 75 homes in the next 5 years. Providing an important contribution to Kirklees' market and affordable housing needs.
- The submitted Planning Layout identifies that the proposed quantum of development can be accommodated on the site whilst providing a high-quality development with substantial areas of publicly accessible greenspace.
- The development will deliver a significant **36.34%** biodiversity net gain in habitat units through the provision of the on-site landscape and biodiversity proposals. It will also deliver a **73.4%** net gain in hedgerow units.
- In order to respond to the feedback received at the pre-application stage the development proposals now include the delivery of one point of access (Woodward Court) and two points of egress (Woodward Court and Hepworth Lane).
- The submitted Transport Assessment establishes that a safe and suitable access to the site can be achieved for all people and that the residual cumulative impacts of development are not severe. Indeed, the development will deliver either a betterment or at least a 'nil detriment' impact on this part of the local highway network.
- The environmental and technical reports that have been submitted with this planning application identify that there are no technical or environmental issues that would constrain the development of the site.
- The development proposals are situated in a **suitable** and highly sustainable location in respect of existing settlement form and there are no technical or environmental (built and natural) constraints that would preclude the development of the site.
- The site is **available** now as it is under the control of a national housebuilder who are actively seeking to secure planning permission for the residential development of the site.
- The site can also be considered **achievable** as new homes can be viably delivered at the site within the next 5 years.

- The new housing development can provide a number of substantial economic and social benefits to the Mirfield and wider Kirklees area.

- The development proposals meet the Framework's definition of Sustainable Development and there is therefore a presumption in favour of granting planning permission for this development.

7.4 Based on the evidence set out in this statement and the accompanying documents it is considered that the application proposals will create a sustainable, high quality and accessible development which will provide significant benefits to the Mirfield and wider Kirklees area.

7.5 We have provided unequivocal evidence that the presumption in favour of sustainable development outlined in Paragraph 11 (d) of the NPPF and Policy LP1 of the Local Plan is engaged by virtue of the Council's housing land supply and housing delivery position.

7.6 There are no adverse impacts associated with the development which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes, either individually or in combination.

7.7 As a consequence, the development proposals can be considered Sustainable Development as defined by the Framework and there is a presumption in favour of granting planning permission for this development without delay.