



JohnsonMowat
Planning & Development Consultants

Jack Lunn Limited

Heaton Grange, Hanging Heaton, Batley

Full Planning Application for the Erection of 21 no. Residential Dwellings

Planning Statement

JM260002

Johnson Mowat References

Client	Jack Lunn Limited
Site	Heaton Grange, Hanging Heaton, Batley
Development	Full Planning Application for the Erection of 21 no. Residential Dwellings
Local Planning Authority	Kirklees Council
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Limitations

The assessments and interpretation have been made in line with legislation and guidelines in force at the time of writing, representing best practice at that time.

All of the comments and opinions contained in this report, including any conclusions, are based on the information obtained by Johnson Mowat Planning Limited during our investigations.

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- a) the date on which this assessment was undertaken; and
- b) the date on which the final report is delivered.

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1. Introduction

- 1.1 This Planning Statement is prepared on behalf of Jack Lunn Limited in relation to land at Heaton Grange, Hanging Heaton, Batley.
- 1.2 The purpose of the planning system is to positively promote the spatial organisation of land in order to achieve long-term sustainable development. In the Planning Acts, 'sustainable development' means managing the use, development and protection of land, the built environment and natural resources in a way, or at a rate, which enables people and communities to provide their social, economic and cultural wellbeing while sustaining the potential of future generations.
- 1.3 Planning is a vital means of securing the long-term wellbeing of our communities. It enables the efficient use of resources and infrastructure, with multiple benefits to society, the environment and the economy. England is a geographically small, densely populated nation, with multiple demands on land and built environment.
- 1.4 People should be able to expect homes that they want to live in. The moral case for action is manifold. Our failure to build is already harming our children and grandchildren. Radical action to build houses and increase home ownership is needed once more.
- 1.5 Whilst there is no single solution to this problem. The government needs to push on all fronts. A key component of this push is an increase in the availability of small to medium sites which will be attractive to a range of developers to speed up the building of new homes and support the government's wider ambition to increase competition in the house building market.

The Proposal

- 1.6 This planning statement has been produced in support of an application for full planning permission for the erection of 21 no. low carbon affordable residential dwellings.
- 1.7 This statement should be read alongside the technical documents which comprise the planning submission. These are as follows: -
- Architectural Pack (including Design and Access Statement) – **Acanthus**.
 - Remediation Strategy – **Lithos**.
 - Proposed Vehicle Tracking – **Melia, Smith & Jones**.
 - Climate Change Statement – **Jack Lunn Ltd**.
 - Arboricultural Impact Assessment – **Barnes Associates**.
 - Tree Survey – **Barnes Associates**.
 - Tree Constraints Plan – **Barnes Associates**.
 - Heritage Appraisal – **Prospect Archaeology**.
 - Noise Impact Assessment – **Apex**.
 - SAP New Build Report – **Enevo**.
 - Ecological Impact Assessment (including Condition Assessment & Statutory Metric) – **Whitcher Wildlife Ltd**
- 1.8 This statement identifies the site location and provides a description of the site forming this outline application, outlines relevant planning history, sets out the relevant planning policy and concludes with the planning case in support of the proposed residential scheme.

2. Site Location and Characteristics

Location

- 2.1 The application site which measures approx. 0.84 hectares (ha) is a previously cleared plot of land that has since scrubbed over with vegetation. There are several trees present around the perimeter of the site, but particularly along its northern boundary and adjacent to Mill Lane at the southwest corner of the site.
- 2.2 The site sits in an elevated position from the existing Heaton Grange residential estate to the south/southeast of the site and it is significantly higher than Mill Lane, which abuts the site to the west. The local context is residential to the south, by virtue of the aforementioned estate, and commercial to the north, with units within Batley Business Park located adjacent to the northern site boundary, albeit at a much lower level.
- 2.3 In terms of access, a vehicular access point into the southwest corner of the site is already in place off Heaton Grange, as is a pedestrian access to the existing playground area. It is also understood that a Public Right of Way (PRoW) (ref BAT/37/20) runs along the eastern boundary of the site.
- 2.4 The site is located approximately 0.5 miles from Batley town centre (an approximate 12-minute walk), which naturally offers a wide range of services and facilities.
- 2.5 The site is not located within a conservation area, nor does it contain any designated assets, with the closest being the Grade II listed railway viaduct.

3. Proposed Development

- 3.1 The proposal consists of 21 no. low carbon affordable homes (100% – social rent). A range of house types are provided, equating to the following percentages: -
- 52% - 2-bedroom 3 person houses.
 - 14% - 2-bedroom 4 person houses.
 - 29% - 3-bedroom 4 person houses; and,
 - 5% - 3-bedroom 5 person houses.
- 3.2 Access will be provided from Heaton Grange.
- 3.3 The planning application is supported by a detailed Design and Access Statement (DAS).

4. Planning History

4.1 The most relevant planning history is set out below.

Reference	Description	Decision	Date
2023/93597	Reserved Matters application pursuant to outline permission 2020/93777 for erection of residential development (19 dwellings)	Approved	20 December 2024
2020/60/93777/E	Erection of Residential Development	Approved	1 March 2023
2011/60/92202/E	Outline application for residential development (15 dwellings)	Approved	10 February 2012
2007/62/90376/E1	Erection of 12 no. dwellings with integral garages	Refused	7 April 2008
2003/62/91325/E1	Erection of 25 dwellings with garages	Withdrawn	13 April 2004
97/61/90214/E1	Erection of 16 Dwellings (Phase II)	Approval of Reserved Matters	29 September 1998
95/60/93539/E1	Outline application for residential development	Approved	26 July 1996

TABLE 1 – PLANNING HISTORY

5. Planning Policy

- 5.1 The Labour government has committed to building 1.5 million new homes by 2030 to address the UK's housing crisis, with a focus on accelerating the construction process through reforms to the planning system and increasing investment in housing development. This timeline aims to address the housing crisis in a timely manner while ensuring that homes are built sustainably and meet the growing demand for affordable housing. This Chapter sets out the relevant planning policy context for the proposed development, alongside other relevant national and local planning guidance. An assessment of relevant policy is provided in Chapter 6.

Approach to Determining the Planning Application

- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 establishes the legal requirement for planning applications to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 specifies that 'in dealing with such an application, the authority shall have regard to the provisions of the development plan, so far as material to the application, and any other material considerations'.

Statutory Development Plan

- 5.3 The statutory Development Plan for Kirklees consists of the Kirklees Strategy and Policies Document (2019) and the Allocations and Designations Document (2019).
- 5.4 As the Kirklees Local Plan (KLP) is over five years old, it was reviewed in 2023, and it was concluded that a full update would be required. The Emerging Kirklees Local Plan (EKLP) is at an early stage of preparation, with submission for examination anticipated in January 2028.
- 5.5 The EKLP is therefore at least 2.5 years from adoption. The first step in determining whether a proposal complies with the Development Plan is to identify all relevant policies, including those which are 'most important for determining the planning application'. The relevant policies are set to below.
- **Policy LP1 (Presumption in Favour of Sustainable Development)** sets out a presumption in favour of sustainable development reflective of the NPPF. This confirms that planning applications consistent with the Local Plan will be approved without delay. In cases where no relevant policies exist or where relevant policies are out of date, planning permission will be granted unless material considerations indicate otherwise. This includes considering whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, or if specific NPPF policies indicate that development should be restricted.
 - **Policy LP2 (Place Shaping)** requires development proposals to build on the strengths and opportunities, and respond to the challenges, identified in the KLP, in order to protect and enhance the qualities that contribute to local character, as defined in four sub area statements. Batley and Spen Character Area: Batley benefits from strong connectivity, including direct access to the M62 and an extensive Greenway network supporting walking and cycling. A well-established hierarchy of centres provides access to employment, shopping, leisure and services, with Batley acting as a key cultural and service hub supported by nearby centres and the Birstall retail and leisure park. Attractive townscapes, high-quality parks and countryside, strong local employment, a robust housing market, gentle topography and opportunities to enhance river corridors collectively underpin the area's overall strengths.
 - **Policy LP3 (Location of New Development)** requires development to align with the KLP's spatial development strategy and the principles of sustainable development and place

shaping. It directs growth to sustainable locations that reflect a settlement's size, function, and spatial priorities, while supporting overall housing and employment objectives. Proposals should respond to identified housing needs and deliverability requirements, and ensure appropriate access to infrastructure, green and blue networks, a range of transport choices, and local services. The Spatial Development Strategy establishes Kirklees' growth strategy, identifying Batley as a focus for housing delivery with an indicative requirement of around 725 dwellings (2.3% of the housing need), reflecting its role within the Authority's overall growth strategy. The reasoned justification to Policy LP3 (paragraph 6.8) confirms that windfall development should be assessed for consistency with the Spatial Development Strategy and place-shaping objectives of the KLP, recognising that, alongside allocated sites, windfall sites (including smaller sites and ad hoc redevelopment opportunities) will continue to make an important contribution to housing delivery.

- **Policy LP7 (Efficient and Effective use of Land and Buildings)** promotes the efficient use of land and buildings by encouraging development that makes the best use of available land, particularly within sustainable locations. It supports appropriate densities, the reuse of previously developed land and buildings and development that responds positively to its context while avoiding overdevelopment or harm to local character and amenity.
- **Policy LP11 (Housing Mix and Affordable Housing)** ensures that new housing developments deliver a balanced mix of dwelling types, sizes and tenures that respond to identified local housing needs. The policy also requires the provision of affordable housing in accordance with established thresholds, viability considerations and the Council's adopted guidance.
- **Policy LP20 (Sustainable Travel)** promotes sustainable travel choices by prioritising walking, cycling and public transport. Development proposals are required to minimise the need to travel by private car, improve access to services and facilities and support a modal shift through appropriate location, design and travel planning measures.
- **Policy LP21 (Highways and Access)** requires development proposals to provide safe, suitable and convenient access for all users. It seeks to ensure that development does not negatively impact highway safety or the efficiency of the transport network and that access arrangements are appropriate to the scale and nature of the development.
- **Policy LP22 (Parking)** sets out requirements for vehicle and cycle parking provision associated with new development. It seeks to ensure that parking levels are appropriate to the proposal and avoid adverse impacts on highway safety or residential amenity while also supporting sustainable travel objectives.
- **Policy LP23 (Core Walking and Cycling Network)** protects and enhances the Core Walking and Cycling Network. Development proposals are required to safeguard existing routes and, where appropriate, deliver improvements that enhance accessibility and promote active travel. Policy LP24 (Design) requires all development to achieve a high standard of design that responds positively to its context. Proposals should respect surrounding uses and deliver high-quality public and private spaces.
- **Policy LP27 (Flood Risk)** seeks to manage and reduce flood risk by directing development away from areas at highest risk of flooding where possible. Where development is proposed in areas of flood risk, it must incorporate appropriate mitigation measures.
- **Policy LP28 (Drainage)** requires development proposals to manage surface water effectively, prioritising sustainable drainage systems (SuDS). Development should reduce runoff rates where possible, avoid increasing flood risk and ensure long-term maintenance of drainage infrastructure.

- **Policy LP30 (Biodiversity and Geodiversity)** to protect and enhance biodiversity and geodiversity assets. Development proposals should avoid harm to designated sites, protected species and habitats. Where possible, they should deliver a net gain for biodiversity.
- **Policy LP32 (Landscape)** requires development to protect and enhance landscape character and quality. Proposals should respond to local landscape features, topography and views and avoid unacceptable harm to the wider landscape setting
- **Policy LP33 (Trees)** seeks to protect existing trees, woodland and hedgerows that make an important contribution to amenity, biodiversity and character. Development proposals should retain significant trees where possible and provide appropriate replacement planting where loss is unavoidable.
- **Policy LP38 (Minerals Safeguarding)** safeguards mineral resources from unnecessary sterilisation by non-mineral development. Development within Minerals Safeguarding Areas must demonstrate that it will not prejudice the future extraction of economically important mineral resources.
- **Policy LP47 (Healthy, Active and Safe Lifestyles)** promotes development that supports healthy, active and safe lifestyles. Proposals should encourage physical activity, provide safe and inclusive environments and contribute positively to health and wellbeing outcomes.
- **Policy LP50 (Sport and Physical Activity)** provides support for the provision of new open space where appropriate, encouraging everyone in Kirklees to be as physically active as possible and promoting a healthier lifestyle for all.
- **Policy LP53 (Contaminated and Unstable Land)** requires development proposals on contaminated or unstable land to ensure that risks to human health, property and the environment are properly assessed and addressed. Appropriate remediation measures must be secured to ensure land is suitable for its proposed use.
- **Policy LP63 (New Open Space)** requires new residential development to provide new open space, sport and recreation facilities in accordance with local standards, unless it can be demonstrated that existing provision is sufficient or that a financial contribution is more appropriate.

Supplementary Planning Documents (SPD)

5.6 The following SPDs have been adopted by the Council and are relevant to this proposal: -

- **Affordable Housing and Housing Mix SPD (2023)** – This provides guidance to support the implementation of KLP Policy LP11. It sets out expectations for the provision, type, size, tenure and mix for housing, along with guidance on responding to identified local needs. The document also outlines requirements for affordable housing within new developments.
- **Kirklees Housebuilders Design Guide SPD (2021)** – This provides guidance to support high-quality residential design across the Borough. It sets out design principles covering layout, scale, massing, materials, streets, parking, public realm and sustainability. The aim is to ensure new development responds positively to local character and creates safe, attractive and functional living environments.
- **Kirklees Open Space SPD (2021)** – This provides guidance on the provision of open space in connection with new development. It sets out standards for open space and identifies circumstances where on-site provision or financial contributions are required. It supports the implementation of KLP policies relating to open space and green infrastructure.

- **Kirklees Highway Design Guide SPD (2019)** - This provides guidance on the design and delivery of highways and access arrangements associated with new development. It covers matters such as street hierarchy, access design, parking, servicing, pedestrian and cycle infrastructure and standards. This is to ensure safe and efficient movement networks.

National Planning Policy National Planning Policy Framework (2024)

- 5.7 The NPPF contains the Government's planning policies for England; it promotes sustainable growth and gives significant weight to supporting housing delivery through the planning system. The NPPF is a material consideration in the determination of planning applications.
- 5.8 The 2024 NPPF supports the Government's aim to deliver 1.5 million new homes. Key changes include a revised standard method for assessing housing needs (raising requirements for Kirklees), along with a stronger focus on delivering housing and affordable homes.
- 5.9 The NPPF outlines that the planning system seeks to achieve sustainable development, including housing provision, through three main objectives: economic (building a strong, responsive and competitive economy), social (supporting vibrant and healthy communities) and environmental (protecting and enhancing the natural, built and historic environment). Planning policies and decisions should guide development towards sustainable solutions, considering local circumstances and needs. At its core, the NPPF has a presumption in favour of sustainable development to ensure that sustainable development is pursued in a positive way¹.

Presumption in Favour of Sustainable Development

- 5.10 Paragraph 11 sets out that decisions should apply a presumption in favour of sustainable development, confirming that for decision taking this means: c) approving development proposals that accord with an up-to date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸ [our emphasis], granting permission unless: -
- i the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or*
 - ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, 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 combination⁹.*
- 5.11 In relation to housing applications, footnote 8 defines 'out-of-date' as: situations where: the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.
- 5.12 Footnote 7: confirms that the policies referred to in paragraph 11(d) are those in the NPPF (rather than the Development Plan) relating to: habitats sites, Sites of Special Scientific Interest, Green Belt, Local Green Space, National Landscape, National Park, Heritage Coast, irreplaceable habitat, heritage assets and areas at risk of flooding or coastal change.
- 5.13 Footnote 9 confirms that the policies referred to in paragraph 11(d) ii are those in NPPF paragraphs 66, 84, 91, 110, 115, 129, 135 and 139 (affordable and rural housing, sequential approach to town centre uses, sustainable transport, efficient use of land and design quality).

¹ NPPF paragraphs 7 – 10

- 5.14 Paragraph 34² sets out the legal requirement⁶ for policies in Local Plans and Spatial Development Strategies to be reviewed at least every five years to assess if updates are needed, considering changes in local circumstances or national policy. Policies should be updated in circumstances where the local housing need figure changes significantly.
- 5.15 In relation to decision making, paragraph 39 states that Local Planning Authorities should approach development decisions positively, working proactively with applicants to secure developments that enhance an area's economic, social and environmental conditions.

Delivering a Sufficient Supply of Homes

- 5.16 With regards to housing delivery, the NPPF is clear that the Government aims to "significantly boost the supply of homes" (paragraph 61). Paragraph 61 also highlights the need to ensure that sufficient land is available in the right locations and that the needs of groups with specific requirements are addressed. The aim is to meet the area's housing needs with a suitable mix of housing types for the local community.

Maintaining Housing Supply and Delivery

- 5.17 Regarding housing land supply, NPPF paragraph 78 requires Local Planning Authorities to: Identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement Paragraph 78 goes on to confirm that this housing requirement will be set against either: -
- Adopted strategic policies (where these are less than 5 years old or have been reviewed and found not to require updating); or
 - Local housing need (LHN) where strategic policies are more than five years old.
- 5.18 NPPF Annex 2 confirms that 'local housing need' should be calculated through the application of the Standard Method set out in national planning practice guidance.
- 5.19 Alongside the 2024 NPPF, the Government published a revised Standard Method for calculating local housing need which aims to help achieve its 1.5 million homes target. This moves away from a reliance upon demographic projections towards a method that begins with the current number of homes in an area. The calculation for Kirklees amounts to 1,915³ homes per annum, representing a considerable uplift on the KLP target of 1,730 dpa.
- 5.20 Paragraph 78 confirms that the supply of specific deliverable sites should include a 5% buffer to ensure choice and competition in the market for land, with a 20% buffer where there has been significant under delivery of housing over the previous three years (measured against the housing delivery test), to improve the prospect of achieving the planned supply.
- 5.21 Paragraph 78 also requires Local Planning Authorities to identify a 5 year supply of specific deliverable sites against the established housing requirement. Annex 2 provides further guidance on the assessment of such sites including a definition of "deliverable".
- 5.22 Together, these updates provide a strong context to support housing delivery, reinforcing the government's clear priority to increase housing supply.

² Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012

³ Note: the Kirklees AMR suggests a standard method requirement of 1,840 for Kirklees but 1,915 is the latest figure, accounting for the latest affordability ratios

National Planning Practice Guidance (PPG)

- 5.23 The PPG provides more detailed guidance to support and assist the interpretation and implementation of policies contained within the NPPF and is a material consideration in the determination of planning applications.

Other Material Considerations

- 5.24 Kirklees Authority Monitoring Report (2025) The most recent housing land supply position for Kirklees is outlined in the 2024/2025 Authority Monitoring Report (AMR) (dated December 2025), which claims a 4.18 year supply based on a requirement of 1,840 dpa plus a 20% buffer. Applying the most up to date standard method derived requirement for Kirklees of 1,915 dpa (plus a 20% buffer) reduces the Council's claimed supply to 4.11 years⁴.
- 5.25 Housing Delivery Test (HDT) results show that housing delivery in Kirklees has also been consistently poor. The 2023 HDT score for Kirklees is just 54%, down from 67% in 2022 and 87% in 2021. The Council is also facing an ongoing shortfall in affordable housing, with the identified annual need for affordable homes not being met for several years.

Affordable Housing Delivery

- 5.26 In relation to affordable housing, the 2016 Kirklees Strategic Housing Market Assessment (SHMA) identifies a net annual affordable housing imbalance of 1,049 dpa. The 2024/2025 Authority Monitoring Report provides affordable housing delivery figures (Table 4.1 below), which demonstrate that delivery has fallen well short of the need outlined in the 2016 SHMA in all years. Given these poor delivery rates, the need for affordable housing has likely increased over time, suggesting a chronic and severe affordable housing crisis. Table 2 below (Source: Table 28 – Kirklees Annual Monitoring Report 2024/25) sets out affordable housing completions between 2014/15 and 2024/25.

Year	Affordable Housing Completions
2014/15	180
2015/16	155
2016/17	121
2017/18	100
2018/19	118
2019/20	155
2020/21	89
2021/22	109
2022/23	127
2023/24	256
2024/25	223

TABLE 2 – KIRKLEES AFFORDABLE HOUSING COMPLETIONS

Emerging Local Plan

- 5.27 Kirklees Council is in the early stages of updating its EKLP which will guide development until 2043. The next Draft Plan Consultation is currently scheduled for late 2026, with the Plan expected to be

⁴ Untested supply of 1,846 homes deduced from the Council's five year housing land supply calculation

submitted for examination in January 2028. Given the supply shortage and increased housing requirements, the Council will need to identify additional housing allocations to meet its long-term needs. With the EKLP still in its very early stages and at least 2.5 years from adoption, there is no short to medium term plan to address the severe and chronic housing shortfall.

Revised Housing Policy Context - Summary

- Housing delivery has consistently fallen short of targets, never reaching the current level of local housing need.
- The authority continues to fail the HDT, with a 2023 result of just 54%, triggering the presumption in favour of sustainable development and 20% buffer.
- Affordable housing delivery remains poor, with progress below the net annual affordable housing imbalance of 1,049 dpa. This figure, established in 2016, is expected to have worsened over time.
- Poor delivery rates have persisted, indicating a severe and chronic problem that has not been resolved, even following the adoption of the KLP in 2019.
- This highlights the failure of the previous spatial strategies set out in both the UDP and the KLP, necessitating a revised approach.
- With the EKLP still in its early stages, Kirklees lacks a short to medium term plan to tackle the housing crisis and needs to take urgent action.

6. Planning Assessment

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory Development Plan, unless material considerations indicate otherwise. The KLP is therefore the starting point for determining this planning application, with the 2024 NPPF also being a material consideration in the decision-making process. The scheme's compliance with the policies of the KLP are set out below.

Presumption in Favour of Sustainable Development

- 6.2 Aligned with the NPPF's overarching aim to achieve sustainable development, KLP Policy LP1 sets out a presumption in favour of sustainable development reflective of the NPPF. This confirms that planning applications consistent with the KLP will be approved without delay. In cases where no relevant policies exist or where relevant policies are out of date, planning permission will be granted unless material considerations indicate otherwise. This includes considering whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, or if specific NPPF policies indicate that development should be restricted.
- 6.3 The KLP, adopted in 2019, references an earlier version of the NPPF's presumption. However, it states that the Council will apply the NPPF when determining planning applications. For this application, the 2024 NPPF presumption has been used as it represents the most current version.
- 6.4 NPPF Paragraph 11 (d) sets out that decisions should apply a presumption in favour of sustainable development, confirming that for decision taking, this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸ [our emphasis], granting permission unless:
 - i the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
 - ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, 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 combination⁹.
- 6.5 It is our position that NPPF paragraph 11(c) is engaged for the following reason: -
- 6.6 Although 'out of date' the proposals accord with the statutory development plan.
- 6.7 In relation to housing applications, footnote 8 defines 'out-of-date' as: situations where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer), or where the HDT is failed. In relation to this planning application, NPPF paragraph 11(d) is engaged for the following reasons: -
- Kirklees Council cannot demonstrate a 'deliverable' five-year housing land supply⁵; and
 - Kirklees Council fails the Housing Delivery Test (54%)⁶.
- 6.8 These elements are discussed in further detail below.

Kirklees' Local Housing Need: Lack of a Five-Year Housing Land Supply

⁵ NPPF footnote 8

⁶ 2023 measurement

- 6.9 NPPF paragraph 78 requires Local Authorities to: -
"Identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement".
- 6.10 The latest standard method derived Local Housing Need (LHN) calculation for Kirklees is 1,915⁷ dpa. With the addition of a 20% buffer due to the failure of the housing delivery test (outlined below), land will need to be found to accommodate 2,298 dpa.
- 6.11 Table 3 below shows how this figure has changed over the last 25 years, demonstrating that Kirklees is currently facing its highest level of housing need to date. This strengthens the case in support of housing delivery.

Source	Requirement
Kirklees UDP (1999)	1,077
Kirklees Local Plan	1,730
2024 NPPF	1,915

TABLE 3 – KIRKLEES UDP: KIRKLEES LOCAL PLAN, GOVERNMENT

Five Year Housing Land Supply

- 6.12 The most recent housing land supply position for Kirklees is outlined in the 2024/2025 Authority Monitoring Report (AMR) (dated December 2025), which claims a 4.18 year supply based on a requirement of 1,840 dpa plus a 20% buffer. Applying the most up to date standard method derived requirement for Kirklees of 1,915 dpa (plus a 20% buffer) reduces the Council's claimed supply to 4.11 years⁸. It is therefore evident that there is a significant shortfall, which is exacerbated by applying the latest Standard Method derived local housing requirement. This is before the Council's supply is interrogated, which we are aware continues to draw upon sites such as the large Bradley Park allocation, the majority of which is in Council ownership and there is no clear evidence of those parts coming forward.
- 6.13 A focused review of the Council's supply position would provide a more accurate understanding of the scale of the need for housing delivery. It is anticipated that such a review would demonstrate that housing land supply is Kirklees is far less than 4.11 years. With the EKLP still some time away, this situation is expected to worsen, and there is no short to medium term solution to this supply issue without intervention. Kirklees Council must address this crisis urgently by granting permission for deliverable housing sites. Land of Heaton Grange is one such site that could deliver housing quickly to help to meet this need. The Applicant has full control over the site and has assembled a professional team of designers, technical experts, and planners. The required survey work has already been completed. The applicant is committed to bringing this site forward and can deliver the full scheme over a 1.5-year period. As Kirklees Council cannot demonstrate a 'deliverable' five-year housing land supply, the 'tilted balance' outlined in NPPF paragraph 11 (d) is engaged for the purposes of determining planning applications for housing.

Significance of the degree of shortfall

- 6.14 Notwithstanding the binary nature of engaging NPPF Paragraph 11(d), the scale of any five-year housing land supply shortfall is also material and impacts upon the weight to be attached to the matters to be considered in the tilted planning balance in the determination of an application. It is therefore important to address, at least in broad terms, the scale of the shortfall. This approach is consistent with the High Court judgment in *Gladman v SoS Housing Communities and Local*

⁷ This is the latest standard method derived figure for Kirklees using the latest affordability ratios, the Council suggests 1,840 which is not up to date.

⁸ Untested supply of 1,846 deduced from the Council's five-year housing land supply calculation

Government [2019] EWHC 128,14⁹. Generally, the greater the degree of shortfall, the more weight it must be given in the balancing exercise and Secretary of State decisions have consistently found that either: substantial, very significant or very substantial weight should be given to the delivery of housing where an LPA is unable to demonstrate a five-year housing land supply. In Kirklees' case, the claimed shortfall is approximately 0.89¹⁰ years for the five-year period from 1st April 2024 to 31st March 2029. This is based upon Kirklees Council's own supply figures which have not been subject to interrogation at this stage. The Kirklees Housing Land Supply position is likely to be far lower than 4.11 years. Nonetheless, this is an acute and 'substantial'¹¹ shortfall in the context of the overall weight to be given to housing provision.

Failure of the Housing Delivery Test

- 6.15 The HDT results show that housing delivery in Kirklees has been consistently poor. The 2023 HDT score for Kirklees is just 54%, down from 67% in 2022 and 87% in 2021.
- 6.16 Consequently, the NPPF paragraph 11(d) presumption of sustainable development is engaged. Kirklees must also apply a 20% buffer to its identified supply of deliverable sites, meaning land to accommodate 2,298 dpa¹² will need to be found. The 2024/2025 Kirklees Authority Monitoring Report (AMR) provides delivery figures for the last 10 years which shows that the KLP target of 1,730 dwellings per annum was not met in any year following the Plan's adoption. In fact, delivery consistently fell significantly short of this target each year.
- 6.17 The patterns of past delivery suggest that Kirklees is likely to continue to miss its housing targets for each of the coming years, with no short or medium-term solutions to this issue without intervention. The lack of meaningful progress on the EKLP further exacerbates the situation. As such, urgent action is required to address the housing land supply shortfall, and the Application Site provides a suitable, deliverable site for development in the short term. The site can begin to deliver homes within the next five years, making it a crucial part of the solution to meet Kirklees' housing needs.

Year	Net Additional Dwellings	Affordable Housing Completions
2014/15	666	180
2015/16	1,143	155
2016/17	983	121
2017/18	1,330	100
2018/19	1,550	118
2019/20	1,310	155
2020/21	1,021	89
2021/22	704	109
2022/23	985	127
2023/24	1,204	256
2024/25	988	223

TABLE 4 – KIRKLEES ANNUAL MONITORING REPORT 2024/25

⁹ <https://www.bailii.org/ew/cases/EWHC/Admin/2019/128.html>

¹⁰ Based upon the latest Standard Method housing need figures for Kirklees

¹¹ Policy HO7 of the consultation draft NPPF confirms that 'substantial' weight should be given to the benefits of providing housing that will contribute towards meeting the evidenced needs of the local community.

¹² Latest SM derived housing need figure used

- 6.18 The AMR also shows that Kirklees Council has failed to deliver anywhere near the number of homes required to meet the current LHN (1,915 dpa¹³) in any of the past years. This highlights a severe and persistent housing delivery problem and ultimately a failure of the KLP to address housing needs. Turning specifically to affordable housing, the 2016 Kirklees Strategic Housing Market Assessment (SHMA) identifies a net annual affordable housing imbalance of 1,049 dpa. The 2024/2025 Authority Monitoring Report (AMR) also provides affordable housing delivery figures, which demonstrate that delivery has fallen well short of the need outlined in the 2016 SHMA. Given these poor delivery rates, the need for affordable housing has likely increased over time, suggesting a chronic and severe affordable housing crisis. This highlights the failure of the previous spatial strategies set out in both the UDP and KLP, necessitating a revised approach. The Council has acknowledged the need for Green Belt release and sustainable non-Green Belt sites (such as Heaton Grange) should be considered first. With severe and chronic levels of under delivery throughout the plan period, an increased housing requirement for Kirklees and a lack of any effective plan to address the housing and affordable housing shortfalls, the situation is expected to worsen in coming years unless immediate action is taken.
- 6.19 As Kirklees Council cannot demonstrate a 'deliverable' five-year housing land supply, and the HDT is failed, the 'tilted balance' outlined in NPPF paragraph 11 (d) is engaged for the purposes of determining planning applications for housing. An assessment of the scheme against criteria i) and ii) of NPPF paragraph 11d) is therefore set out below.

Compliance with the Development Plan

- 6.20 Policy LP3 requires development to align with the KLP's spatial development strategy, the principles of sustainable development (Policy LP1) and place shaping (Policy LP2). It directs growth to sustainable locations that reflect a settlement's size, function and spatial priorities, while supporting overall housing and employment objectives. Proposals should respond to identified housing needs and deliverability requirements, and ensure appropriate access to infrastructure, green and blue networks, a range of transport choices, and local services.
- 6.21 The reasoned justification to Policy LP3 confirms that windfall development should be consistent with the spatial development strategy and place-shaping objectives of the KLP, recognising that windfall sites (including smaller sites and ad hoc redevelopment opportunities) make an important contribution to housing delivery.
- 6.22 The application site lies within the urban area of Hanging Heaton which forms part of Batley, within the Batley and Spen Character Area. The site is in proximity to the centres of Batley, Cleckheaton, Heckmondwike, Gomersal and Birstall. This area benefits from strong connectivity, including direct access to the M62 and an extensive greenway network that supports walking and cycling. A well-established hierarchy of centres provides access to employment, shopping, leisure and services, with Batley acting as a key cultural and service hub supported by nearby centres and the Birstall retail and leisure park. The KLP identifies this area as accommodating a significant proportion of the Authority's housing growth.
- 6.23 The application site is therefore located within an urban area identified as a sustainable location for housing development in accordance with KLP Policy LP2 and the Batley and Spen Character Area Statement, benefitting from good accessibility to services, employment opportunities, sustainable transport options and existing infrastructure.
- 6.24 The spatial development strategy identifies Batley as a focus for housing delivery, with an indicative requirement of around 725 dwellings (2.3% of the housing need), alongside significant growth directed to nearby Cleckheaton (1,295 homes), Heckmondwike (340), Gomersal (270) and Birstall

¹³ Latest SM derived housing need figure used

(375). These figures are based on the KLP housing requirement of 1,730 dpa, which is lower than the current Standard Method derived requirement of 1,915 dpa.

- 6.25 Applying the revised Standard Method and a 20% buffer (due to HDT failure), increases the annual requirement to 2,298 dpa, representing a substantial uplift over the spatial development strategy target.
- 6.26 The Kirklees AMR 2025 confirms that identified sources of housing supply are insufficient to meet this level of need. Under-delivery is also expected to persist, as KLP allocations are not delivering as anticipated and are unable to address the short to medium term supply gap. On this basis, Kirklees can demonstrate only a 4.02 year supply of deliverable housing land, with a shortfall equivalent to circa. 0.98 years prior to the interrogation of supply assumptions.
- 6.27 There is also a significant shortfall in affordable homes, amounting to 1,049 dwellings per year. This position is likely to have worsened since the publication of the 2016 SHMA, given persistent under-delivery. This place added pressure on the Kirklees housing market, with social consequences including overcrowding, delayed household formation, and impaired labour mobility.
- 6.28 In the absence of an up-to-date Local Plan and with no short or medium term solution to address the supply deficit, there is an urgent need to approve deliverable housing sites.
- 6.29 Land off Heaton Grange represents a sustainable and accessible opportunity that would efficiently utilise land, integrate with the existing urban area, and be well connected to infrastructure and public transport. The proposal would support the Spatial Development Strategy and deliver much-needed market and affordable housing in a location identified for growth. This would accord with Policies LP1, LP2 and LP3.

Housing Mix and Affordable Housing

- 6.30 Policy LP11 does not prescribe a fixed housing mix and instead refers to evidence such as the Strategic Housing Market Assessment (SHMA). However, the SHMA dates from 2016 and is now substantially out of date, it also does not distinguish adequately between different character areas across the Borough, therefore applying a largely standardised approach to housing need. While the Affordable Housing and Housing Mix SPD (2023) provide further guidance, case law confirms that SPDs cannot introduce new policy requirements and must be applied flexibly. The housing need for the area (Batley and Spen) is set out below (see Page 27 of SPD).

<https://www.kirklees.gov.uk/beta/planning-policy/pdf/affordable-housing-housing-mix-spd.pdf>

Batley & Spen	Market Housing	Affordable Rent	Affordable Intermediate
1 and 2 bed	30-60%	40-79%	60+%
3 bed	20-40%	0-19%	20-39%
4+ bed	15-35%	0-19%	0-19%

Table 7 Batley & Spen dwelling requirement (%) by number of bedrooms for Market Housing, Affordable Rent, and Affordable Intermediate tenure types

- 6.31 In this development the affordable housing provision will comprise 14 x 2 no. bedroom (66%) and 7 x 3 no. bedroom (34%) homes which falls broadly within SPD parameters for affordable rented properties.

- 6.32 The proposal therefore accords with the NPPF, which seeks to significantly boost the supply of homes, deliver a mix of housing types to meet the needs of different groups, and give substantial weight to the benefits of affordable housing provision. Taken together, the scheme represents a sustainable and policy-compliant response to local housing needs, with any limited deviations from guidance clearly outweighed by the benefits delivered

Density

- 6.33 The scheme would achieve a net density of 45.65 dwellings per hectare. KLP Policy LP7 (Efficient and Effective use of Land and Buildings) seeks to achieve a net density of 35 dwellings per hectare, while allowing for lower densities where necessary to secure particular house types to meet local housing needs or to ensure compatibility with surrounding development.
- 6.34 The NPPF similarly confirms that density should be considered in the round, having regard to factors such as local housing needs, site constraints, character and design quality.
- 6.35 In this case, the proposed density reflects an efficient and proportionate use of the site and is shaped by site constraints and the need to respond sensitively to local character.
- 6.36 The proposed density is reflective of the site coming forward for family housing in accordance with the character of the local area and the identified need for this type of housing. Such properties (which will comprise of semi-detached and terraced homes), will include well-proportioned gardens, and in-curtilage parking. In addition, the layout and density have also been shaped by the importance of ensuring appropriate separation distances for amenity and open space.
- 6.37 The proposed development represents an efficient and effective use of the site, which has been informed by the identified housing mix and shaped by site constraints and the need to respond sensitively to local character. Whilst it deviates very slightly from Policy LP7 in quantitative terms this is justified by the local need for larger family housing. Furthermore, when considered in the round, it fully accords with the objectives of Policy LP7 and the NPPF in terms of density and delivering a high-quality, design-led residential development.
- 6.38 The scheme therefore achieves an appropriate balance between efficient land use and providing a housing mix aligned with evidenced local needs in accordance with Policy LP7 and Chapter 11 of the NPPF.
- 6.39 The application is also accompanied by a suite of technical reports which demonstrate that there are no technical constraints which would prevent the site coming forward for development and that the scheme will not result in any significant adverse impacts in accordance with local and national planning policy.
- 6.40 Where recommendations have been made within these reports for required mitigation or potential improvements, these are provided as part of the proposed development or, where necessary, can be secured via a suitably worded planning condition. Any resultant harms arising from the development of the site for housing are therefore considered to be extremely limited and in overall terms compliant with all relevant technical policy considerations.
- 6.41 The application proposals therefore fully comply with the relevant policies of the statutory development plan. The presumption on favour of sustainable development is therefore triggered by the schemes compliance with Paragraph 11c) and planning permission should be granted without delay.

Achieving Sustainable Development

- 6.42 NPPF paragraph 11c) states that applying the presumption of sustainable development means *"approving development proposals that accord with an up to date development plan without delay"*

- 6.43 It is our position that the development of the application site for residential uses accords with the adopted statutory development plan and, therefore, the presumption in favour of sustainable development is triggered by the schemes compliance with Paragraph 11c).
- 6.44 If the Council does not agree that the proposals should be assessed under the provisions of NPPF Paragraph 11c) (i.e. being in accordance with the development plan), then it follows that the proposals should instead be considered under the provisions of Paragraph 11d). It has been established earlier that the NPPF Paragraph 11d) is engaged through the following routes: -
- Kirklees not being able to demonstrate a deliverable five-year housing land supply
 - Failure of the Housing Delivery Test
- 6.45 An assessment of the scheme against criteria i) and ii) of NPPF Paragraph 11d) is therefore set out below.
- 6.46 The NPPF outlines that the planning system seeks to achieve sustainable development, including housing provision, through three main objectives: economic (building a strong, responsive and competitive economy), social (supporting vibrant and healthy communities) and environmental (protecting and enhancing the natural, built and historic environment). Planning policies and decisions should guide development towards sustainable solutions, considering local circumstances and needs. At its core, the NPPF has a presumption in favour of sustainable development to ensure that sustainable development is pursued in a positive way¹⁴.

Part i) Areas of Particular Importance

- 6.47 Part i) sets out that permission should be granted unless 'the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed'.
- 6.48 Footnote 7: confirms that the policies referred to are those in the NPPF (rather than the Development Plan) relating to: habitats sites, Sites of Special Scientific Interest, Green Belt, Local Green Space²⁹, National Landscape, National Park, Heritage Coast, irreplaceable habitat, heritage assets and areas at risk of flooding or coastal change.
- 6.49 The only matter of relevance to this application is a small area of the site at risk of surface water flooding which falls within the eastern end of landscape area, and it has been demonstrated within the accompanying Flood Risk and Drainage Assessment that this can be mitigated.
- 6.50 Therefore, there are no relevant NPPF policies relating to assets of particular importance which provide a strong reason for refusing the development proposed.

Part ii) The "Tilted Balance

- 6.51 The 'tilted' planning balance set out in NPPF paragraph 11 d) (ii) is triggered. This requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies taken as a whole. Regard must be given to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes¹⁵. This balancing exercise is set out below.
- 6.52 Where an LPA cannot demonstrate a five-year supply of deliverable housing sites, substantial, very significant or even very substantial weight should be given to the delivery of housing. In undertaking

¹⁴ NPPF Paragraphs 7-10

¹⁵ Footnote 9 confirms that policies referred to in Paragraph 11d) ii) are those in NPPF Paragraphs 66, 84, 91, 110, 115, 129, 135 and 139 (affordable and rural housing, sequential approach to town centre uses, sustainable transport, efficient use of land and design quality).

this exercise, consideration has been given to the detailed review of technical considerations in individual reports submitted to support this planning statement.

Benefits of the Scheme

- 6.53 The proposed development will deliver the following social, economic and environmental benefits which weigh substantially in favour of the proposals:
- 6.54 In relation to housing development, the proposals would contribute to the NPPF objective to boost significantly the supply of housing to meet the identified needs for market and affordable homes. The proposed dwellings could be delivered in the short term (and over a 1.5 year period) to meet a 5 year housing requirement.
- 6.55 The proposed housing mix would help meet the evidenced need for additional family homes in this strongly family-oriented area, where continued growth in the number of families is anticipated and the proposals exceed affordable housing requirements.
- 6.56 The scheme would deliver 'substantial' housing benefits and address the acute and persistent housing and affordable housing delivery crisis in the authority. This position is now long standing and has not been addressed by the KLP that was adopted in 2019.
- 6.57 Furthermore, due to the timing of the EKLP Review, Kirklees has no short term plan making 'remedy' to solve its housing issues. It therefore needs to take urgent action and start approving planning applications.
- 6.58 The proposals occupy a highly sustainable, accessible and appropriate location for residential development with good levels of connectivity to key facilities, services and employment opportunities, including by sustainable modes of transport.

Social Benefits

- 6.59 The development could achieve the following benefits which are directly relevant to the social dimension of sustainable development: -
 - The delivery of 21 no. high-quality low carbon affordable homes to meet Kirklees Council's severe and chronic housing delivery problem. This will make a significant contribution to meeting Kirklees' increased housing requirement.
 - Delivery of 100% on-site affordable housing (all social rent) in the context of affordable housing delivery across the Authority having been consistently below the level of need identified in the SHMA. As such, the proposals will play a crucial role in offering local people the opportunity to own their own home, addressing their exclusion from the housing market.
 - The affordable homes would deliver clear social benefits by providing safe, modern and energy-efficient housing, improving physical and mental health, reducing overcrowding, and supporting wellbeing—particularly for families and young people. More stable housing also brings wider benefits by reducing homelessness costs and educational disruption, generating measurable long-term social and economic value for the community and local authorities.
 - Delivery of a housing mix aligned with local needs, comprising a range of high-quality 2 to 3 bedroom homes meeting the needs of households of all sizes and supporting the creation of a mixed and sustainable community in line with identified local requirements. The proposed mix reflects current and expected future occupancy patterns and the demands of different households. Through this, new housing can also help to address overcrowding issues in the local area.

- Provision of residential opportunities within a sustainable and accessible location close to local services and amenities and employment opportunities that are highly accessible by non-car modes of transport.
- The integration of sustainable transport measures, including the provision of pedestrian routes which will provide a genuine choice of modes of transport and encourage active travel.
- Generation of employment opportunities (direct, construction, supported and supply chain) which will benefit the existing and future local population.

Environmental Benefits

6.60 The following benefits are directly relevant to the environmental dimension of sustainable development: -

- The creation of a sustainable development, close to existing shops, employment opportunities, services, leisure and community uses, that is accessible by a range of sustainable transport modes including on foot, by cycle, public transport and private car.
- Provision of extensive, maintained and accessible green infrastructure and public open space which will be of visual and recreational benefit to new residents and the existing community. Delivery of a high-quality scheme which makes efficient use of land.
- Enhancement of high-quality landscaping and provision of sustainable drainage solutions to reduce the risk of surface water flooding on site and in the surrounding area. This could also support further ecological benefits.
- Delivery of a highly energy-efficient development incorporating air source heat pumps, low-energy LED lighting, low-E glazing, smart energy metering, low-water appliances, and smart electric vehicle charging points.
- The provision of heating and cooling systems being installed efficiently to minimise energy consumption.
- The use of energy-efficient lighting systems.
- Commitment to the use of solar photovoltaic panels and Air Source Heat Pumps to ensure 5 -10% of the energy used in the building coming from renewable sources.
- Moreover, and as part of the parking provision, all dwellings will have an electric vehicle charging point. It is also an intention to obtain construction materials from local sources wherever possible and subject to availability.
- The access arrangements are appropriate, and traffic can be accommodated on the highway network. The site is accessible by sustainable transport options.
- There are no concerns in respect of any other technical considerations including land contamination, flood risk and drainage, ecology and residential amenity.

Economic Benefits

6.61 The economic role of sustainable development contributes to building a strong, responsive and competitive economy 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.

6.62 It is useful to identify the economic contribution of construction in terms of both indirect impacts (through developers themselves and their contractors) and indirect impacts (from other sectors and

firms that rely on development and its supply chains and spending). The benefits are broadly categorised (all are relevant) as: -

- Capital Investment and Expenditure Benefits.
- Construction Benefits.
- Direct Employment Benefits.
- Indirect and Induced Employment Benefits.
- Custom Expenditure Benefits.
- Public Finances.
- Local Authority Revenue Benefits.
- Local Community Benefits; and
- Other “Softer” Benefits.

6.63 When quantitative and qualitative benefits are considered in tandem, the wider economic benefits are as follows: -

Development as a Driver of Economic Growth

- 6.64 Improving the long-term competitiveness of the UK economy, including through its significant network of supply chains and contracting relationships.
- 6.65 Construction is a major source of national employment, with construction supporting more jobs compared with investment in many other sectors of the economy. The construction industry provides a crucial labour entry point for young, lower skilled workers and those moving out of unemployment.

Sector Skills and Employability

- 6.66 The construction industry offers a range of opportunities across different trades and skill sets from bricklaying and carpentry through to plumbing and maintenance. Apprenticeship opportunities are particularly prevalent and have increasing over recent years.

Enhancing Place Competitiveness and Local Economic Development

- 6.67 The proposals will create competitiveness within the construction industry, and it will be the intention to use local suppliers. This is considered important for an area to remain competitive and attractive to business and economic activity, which in turn will drive the economic growth the country needs.

Harms from the Scheme

- 6.68 Overall, any harm arising would be minimal, especially within the context that relevant KLP policies are complied with and there is an urgent need for additional housing land, as evidenced by Kirklees AMR (2025), which shows a significant market and affordable housing delivery shortfall in Kirklees. Technical reports supporting this submission have not identified harms over and above those that are capable of being managed through the imposition of a suitably worded planning condition or s106. Further any perceived harm caused will be far outweighed by the significant need for market and affordable housing in Kirklees.

The Planning Balance

- 6.69 In applying the overall planning balance, the potential adverse impacts of the proposals have been identified and are limited. In contrast, the material considerations weighing in favour of the development range from moderate to substantial and, taken together, carry 'substantial' weight¹⁶.
- 6.70 Substantial weight is afforded to the delivery of housing on a windfall site in the context of Kirklees Council's significant and chronic shortfall of deliverable housing land, currently estimated at circa. 0.98 years for the period 1 April 2024 to 31 March 2029. The delivery of 100% affordable housing (all social rent), together with an appropriate mix of dwelling sizes, in the context of the Council's acute shortfall should also be afforded substantial weight. This position has not been resolved by the adopted KLP and there is no realistic short-term plan-making solution given the anticipated timescales for the EKLP.
- 6.71 Land off Heaton Grange represents a sustainable and accessible opportunity that would efficiently utilise land, integrate with the existing urban area, and be well connected to infrastructure and public transport. The proposal would support the spatial development strategy and deliver much-needed market and affordable housing in a location identified for growth.
- 6.72 On this basis, the negligible impacts associated with granting planning permission would fall short of significantly and demonstrably outweighing the benefits, which include the delivery of much-needed affordable housing, together with wider social, economic and environmental benefits. Planning permission should therefore be granted in accordance with paragraph 11(d)(ii) of the NPPF, subject to appropriate conditions and obligations.

¹⁶ Policy Ho7 of the consultation draft NPPF confirms that 'substantial' weight should be given to the benefits of providing housing that will contribute towards meeting the evidenced needs of the local community

7. Summary and Conclusions

- 7.1 This planning statement has been prepared by Johnson Mowat on behalf of Jack Lunn Ltd. It accompanies a full planning application proposing the residential development of Land off Heaton Grange, Batley to provide 21 low carbon affordable homes (100% - social rent).
- 7.2 The site is located urban settlement of Batley, a Town Centre within the Kirklees settlement hierarchy. The site should be considered a windfall site. The site occupies a highly sustainable location for future residential development, being well related to the surrounding built form and within convenient proximity to a comprehensive range of local facilities, services and public transport opportunities.
- 7.3 This proposal will make a meaningful contribution to meeting Kirklees Council's housing requirement of 1,915¹⁷ new homes per annum and will help address the acute housing delivery problem currently faced by the Council. The proposed development will deliver a mix of homes to meet the identified needs of the local area; further the delivery of new family homes will meet demand and help reduce over-crowding, whilst freeing up more homes on the housing ladder.
- 7.4 Jack Lunn Ltd is a housebuilder with an established track record in delivering residential developments across Kirklees and Yorkshire. The developer is committed to bringing the site forward at the earliest opportunity, with the potential to commence and complete development within the next five years¹⁸. This would enable the delivery of homes in line with the urgent housing needs in Kirklees.
- 7.5 This Planning Statement demonstrates that the proposed development of 21 affordable homes on Land off Heaton Grange is a sustainable and necessary response to the acute housing supply shortfall in Kirklees. The application is supported by a range of technical assessments which confirm that there are no significant technical constraints to the site's development and the scheme will not result in any significant adverse impacts. The proposal will deliver much needed market and affordable housing and provide significant social, economic, and environmental benefits.
- 7.6 The application proposals comply with the statutory development plan and, in accordance with paragraph 11(c) of the NPPF, the presumption in favour of sustainable development applies. Planning permission should therefore be granted without delay.
- 7.7 As Kirklees Council does not have a five-year supply of deliverable housing sites, the most important policies for determining the planning application are out-of-date and the proposals benefit from a presumption in their favour and the 'tilted' planning balance set out in paragraph 11(d) is also engaged.
- 7.8 Upon applying this tilted planning balance, it is demonstrated that the proposed development would not result in any adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme.
- 7.9 Very significant weight should be afforded to the delivery of housing in the context of Kirklees Council's substantial 0.98¹⁹-year shortfall in deliverable housing land, and the acute affordable housing crisis in the authority.
- 7.10 Overall, this Statement has established that irrespective of whether Paragraph 11(c) or 11(d) of the NPPF is triggered by the subject application, the development proposals represent sustainable development and should be approved without delay.

¹⁷ Latest SM Figure

¹⁸ With a 1.5 year build period

¹⁹ Latest SM figure