
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 23-Nov-2017

Subject: Planning Application 2017/92230 Outline application for residential development Rodgers Plant Hire, Riverside Works, Woodhead Road, Honley, Holmfirth, HD9 6PW

APPLICANT

Mr S Rodgers, Rodgers
Plant Hire

DATE VALID

30-Jun-2017

TARGET DATE

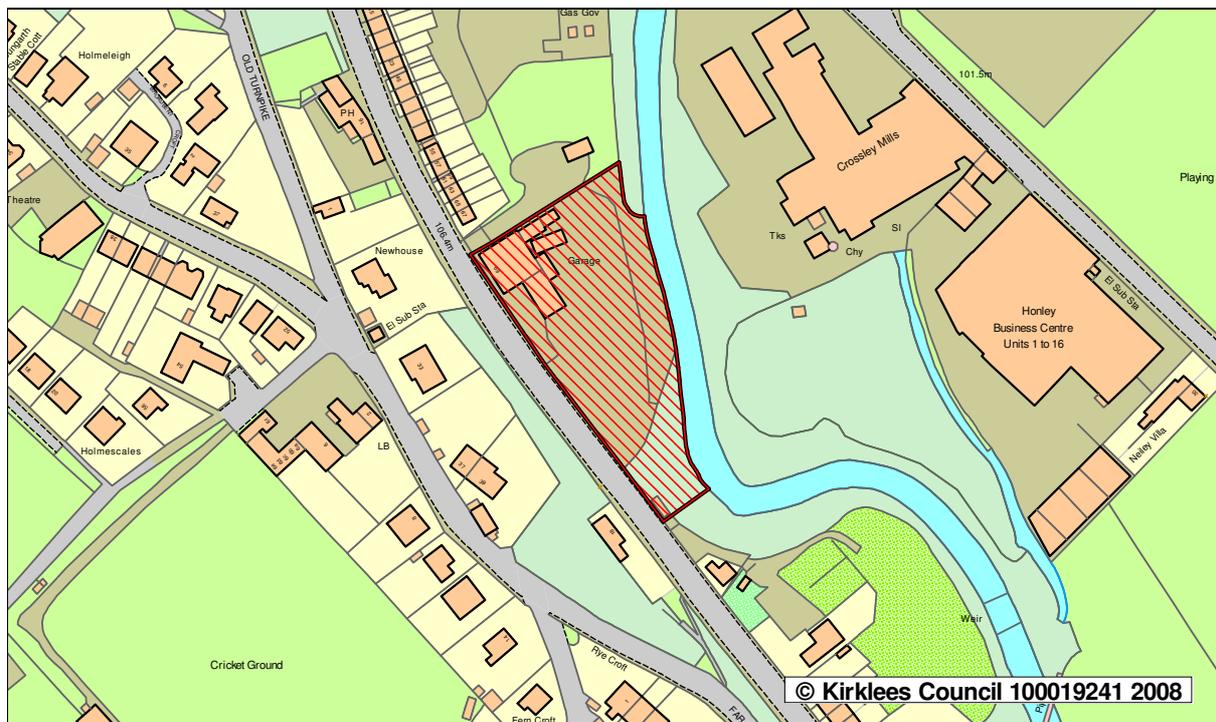
29-Sep-2017

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Holme Valley North

Yes

Ward Members consulted

RECOMMENDATION

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report and to secure a S106 agreement to cover the following matters:

- The payment of a bond to cover the cost of constructing a section of footpath alongside the riverside from the site at a future date. Cost to be confirmed.

In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Strategic Investment shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Strategic Investment is authorized to determine the application and impose appropriate reasons for refusal under Delegated Powers.

1.0 INTRODUCTION

- 1.1 This is an outline planning application brought to Huddersfield Planning Sub-Committee given the application is for residential development and the scale of the development exceeds 0.5 ha.

2.0 SITE AND SURROUNDINGS

- 2.1 The site extends to approximately 0.53 ha in area with frontage to Woodhead Road, Honley and is currently used to accommodate a local plant hire business. Existing buildings are sited to the north west of the site and are used for the storage and maintenance of plant and machinery with ancillary offices and trade counter facilities.
- 2.2 Adjacent, to the north of the site is a terrace of residential properties with frontage to Woodhead Road and beyond is Bridge Works Business Park which accommodates a number of business units. To the east, where the site bounds the River Holme, and to the south, with frontage to Woodhead Road, there are a number of trees protected by a tree preservation order.

3.0 PROPOSAL

3.1 The application is submitted in outline, with access as the sole consideration. All other matters; scale, layout, appearance and landscaping, are reserved.

3.2 Access is to be taken from Woodhead Road, located centrally to the site's frontage with Woodhead Road.

3.3 An indicative layout plan has not been provided.

4.0 RELEVANT PLANNING HISTORY

4.1 Application Site

2014/91511: Outline application for residential development – Conditional Outline Permission (Unimplemented, expired 06.08.2017)

4.2 Surrounding Area

The site and the surrounding area have no relevant planning history to the current proposal.

5.0 HISTORY OF NEGOTIATIONS

5.1 Negotiations have taken place between officers and the applicant in regards to conditions 11 and 27 of the previous planning application, ref. 2014/91511. Condition 11 required the enhancement of the site's existing pedestrian footpath along the frontage. Condition 27 required the provision of a path through the land to the rear. In summary the applicant disputed their need. In summary amended processes have been agreed to address the requirements of the conditions. These shall be elaborated upon within the relevant sections of the following assessment.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

6.2 On the UDP Huddersfield Town Centre Insert Map the site is unallocated, adjacent to a Green Corridor.

6.3 The site is allocated as Priority Employment Area on the PDLP Proposals Map, adjacent to a Wildlife Habitat Network.

6.4 Kirklees Unitary Development Plan (UDP) Saved Policies

- **D2** – Unallocated land
- **D6** – Green corridors
- **NE9** – Development proposals affecting trees
- **BE1** – Quality of design
- **BE2** – Design principles
- **BE11** – Building materials
- **BE12** – Space about dwellings
- **EP4** – Noise sensitive locations
- **T10** – New development and access to highways
- **B1** – Business and industry: strategy
- **B4** – Premises and sites with established use, or last used for business and industry
- **T19** – Parking standards
- **H1** – Housing: Strategy
- **H6** – Sites for new housing
- **H10** – Affordable housing
- **H18** – Provision of open space for new housing
- **R13** – Rights of way and public access areas
- **R18** – Canals and rivers

6.5 Kirklees Publication Draft Local Plan: Submitted for examination April 2017

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP3** – Location of new development
- **PLP7** – Effective use of land and buildings
- **PLP8** – Safeguarding employment land and premises
- **PLP21** – Highway safety and access
- **PLP24** – Design
- **PLP28** – Drainage
- **PLP30** – Biodiversity & Geodiversity
- **PLP32** – Landscape
- **PLP47** – Healthy, active and safe lifestyles
- **PLP52** – Protection and improvement of environmental quality
- **PLP53** – Contaminated and unstable land

6.6 National Planning Policy Framework

- **Paragraph 17** – Core planning principles
- **Chapter 6** – Delivering a wide choice of high quality homes
- **Chapter 7** – Requiring good design
- **Chapter 8** – Promoting healthy communities
- **Chapter 11** – Conserving and enhancing the natural environment
- **Paragraph 187** – Problem solving

6.7 Other Documents

- Kirklees Council: Interim Affordable Housing Policy 2016
- Kirklees Council: Public Right of Way – Improvement Plan
- DCLG: Technical housing standards – nationally described space standard
- West Yorkshire Low Emissions Strategy 2016 to 2021

7.0 **PUBLIC/LOCAL RESPONSE**

7.1 The application has been advertised via site notice and through neighbour letters to addresses bordering the site. This is in line with the Councils adopted Statement of Community Involvement. The end date for publicity was the 17th of August 2017.

7.2 At the time of publication no public representations have been received in regards to the proposed development.

7.3 Holme Valley Parish Council: ‘Object as incomplete application’.

Ward Member Interest

7.4 Cllr Greaves has reiterated his support of previous condition 27, which required the applicant to provide a pedestrian footpath along the adjacent river. Following discussions between the applicant and officers in which the potential to amend the condition to a bond was agreed, Cllr Greaves was consulted and did not express an objection to this alternative.

8.0 **CONSULTATION RESPONSES**

8.1 **Statutory**

The Environment Agency: No objection, however requested an informative.

8.2 **Non-statutory**

Crime Prevention: General advice provided as part of previous application on site, 2014/91511. As the proposals are the same, and no material change in relevant guidance, the comments are considered up to date and are considered below.

K.C. Ecology: No objection in principle, however requested conditions relating to lighting and appropriate ecological assessments are submitted.

K.C. Education: Advised to apply standard condition if subsequent details of housing numbers exceeds threshold.

K.C. Highways: No objection subject to condition.

K.C. Landscape: No objection in principle; however requires further details to be provided at Reserved Matters stage. Provided general comment on details required. Furthermore confirmed Public Open Space required, either on site or off-site contribution.

K.C. Pollution and Noise: Advised conditions be imposed relating to ground contamination, noise and air quality, in addition to an informative regarding appropriate hours of construction.

K.C. Lead Local Flood Authority: No objection subject to condition.

K.C. Strategic Housing: Welcomes this application and is open to discussion with the applicant regarding affordable housing, in line with the Interim Affordable Housing Policy 2016.

K.C. Trees: No objection in principle, however requested a note informing the applicant that any reserved matters application will need to be supported by an arboricultural impact assessment and method statement, in accordance with BS 5837.

Yorkshire Water: No objection.

9.0 MAIN ISSUES

- Principle of development
- Urban Design issues
- Residential Amenity
- Highway issues
- Drainage issues
- Planning obligations
- Other Matters
- Representations

10.0 APPRAISAL

Principle of development

Sustainable Development

- 10.1 NPPF Paragraph 14 and PLP1 outline a presumption in favour of sustainable development. Paragraph 7 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation (Para.8).
- 10.2 The dimensions of sustainable development will be considered throughout the proposal. Paragraph 14 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Land allocation

- 10.3 The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states;

'Planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]'

All these considerations are addressed later in this assessment.

- 10.4 Consideration must also be given to the emerging local plan. Within the Local Plan the site is allocated as a Priority Employment Zone. PLP8 states that;

Within Priority Employment Areas, proposals for redevelopment resulting in a non-employment end use, or for the conversion or change of use of sites and premises in use or last used for employment, will only be supported where:

- a. it can be demonstrated that the site or premises are no longer capable of employment use; and*
- b. the proposed use is compatible with neighbouring uses and where applicable, would not prejudice the continued use of neighbouring land for employment.*

- 10.5 The proposal would result in a non-employment use. The impact of this shall be considered below.

Change of use from employment to residential

- 10.6 The site is in existing employment use and accommodates a well-established plant hire business employing in the order of twelve people. Policy B1 of the Council's UDP seeks to meet the employment needs of the district by providing land to accommodate the requirements of business and maintaining the stock of established business and industrial premises and sites, except where this would lead to environmental problems or where they are unsuitable for business and industrial use or there is no realistic prospect of re-use or redevelopment for such purposes.
- 10.7 NPPF paragraph 22 is clear that local planning authorities should not safeguard sites previously in employment use if there is no strong economic case for their retention. It is noted that these premises are still operational; however, the location and premises are not considered to be of strategic significance to the district's employment stock. Despite this, there still remains a requirement for the applicant to justify the change of use. This will be an important element in addressing saved UDP policy B4.
- 10.8 Policy B4 sets out considerations against which proposals for change of use of land and premises in existing employment use will be considered:
- The applicant considers that the site and buildings are not best suited for continuing employment use having regard to accessibility to local

and national road networks, the condition and layout of the existing buildings and the cost of demolition, remediation and redevelopment of the site.

- The applicant maintains that there are other employment sites available within the Holme Valley that is of equivalent quality to the application site.
- The existing company has indicated its intention to relocate to more suitable premises, which will facilitate the expansion of the plant hire operation with the potential to increase the number of employment opportunities. An alternative site has been identified, with the sale of the site required to facilitate the move.
- Residential development would be compatible with existing residential properties that adjoin the site. The applicant contends that new residential development would not adversely affect the continued operation of existing employment uses at Bridge Works Business Park and Crossley Mills Business Park.
- The development proposed would not impact adversely upon buildings of architectural or historic interest. Redevelopment of the existing site, in a prominent location with frontage to the main road running through the valley would improve the local amenity of the area.

10.9 The above considerations were assessed by officers and members during the previous application, ref.2014/91511, which was approved. Extant, and recently expired permissions, do carry weight in the decision making process unless material planning considerations indicate otherwise. The above was considered sufficient justification for the loss of employment use on site, therefore not in conflict with policy B1. Circumstances have not changed to invalidate the above, and officers maintain their support.

10.10 However the PDLP has become a material planning consideration with significant weight. Nonetheless, considering PLP8, for the reasons outlined above, the application is considered to address the criteria of PLP8 (2.a, 2.b). Further to this, while the PDLP carries significant weight, the UDP remains the principal development plan, therefore carrying greater weight than the PDLP.

10.11 Considering the above it is concluded that the principle of development is acceptable. However consideration must be given to the local impact, outlined below.

Urban Design issues

10.12 The application is made at outline with all aspects relating to design being reserved. More detailed aspects permitting a full visual amenity impact, including site layout, architectural forms and facing materials, will be addressed at the reserved matters stage. The reserved matters will also provide the required details on required levelling works and other external features, including boundary treatment details.

- 10.13 At this stage there is considered no prohibitive considerations which would prevent the proposed residential development having an acceptable impact on the area's visual amenity and preventing the reserved matters application adhering to Policies BE1, BE2 and BE12 of the UDP, PLP24 of the PDLP and Chapter 7 of the NPPF.

Residential Amenity

- 10.14 Policy D2 of the UDP and NPPF paragraph 17 seek to protect residential amenity. Policy BE12 sets out the normally recommended minimum distances between habitable room windows. As the application is at outline stage with all other matter reserved the impacts the proposed development would have on the amenities of neighbouring dwellings and the future occupiers of the proposed development cannot be fully considered at this stage.
- 10.15 Notwithstanding this concern is held over the site's proximity to Woodhead Road (A6024) and the potential for noise pollution. To protect the amenity of residents in dwellings adjacent to this road it is recommended by Environmental Health that conditions be imposed to specify the minimum sound levels to be achieved in habitable rooms of properties and the inclusion of a ventilation scheme to allow fresh air in without the need to open windows. This is deemed acceptable, in accordance with Policies EP4 and PLP52.
- 10.16 Considering the site and adjacent land, officers do not consider there to be any prohibitive reasons which would prevent an acceptable scheme, subject to the relevant reserved matters, being submitted. The residential development of the site is not anticipated to harm the amenity of neighbouring residents. This is subject to a detailed assessment of the relevant reserved matters. Nonetheless, as this stage, the proposal is considered to comply with Policy D2 of the UDP, PLP24 of the PDLP and Paragraph 17 of the NPPF in relation to residential amenity.

Highway issues

- 10.17 The application is outline with only access applied for as a consideration. Reserved matters covering detailed design will be considered later. The access applied for is covered in detail in the Transport Statement prepared by Sanderson Associates. Within this statement a workable access has been designed and is shown on the plans. The proposed access arrangements are the same as those approved via 2014/91511.
- 10.18 Currently the land and premises are used commercially for plant hire. Existing access to the site is from Woodhead Road (A6024) via an access located within the northern half of the site frontage. It serves as both vehicular and pedestrian access to the site.
- 10.19 Regarding traffic generation, consideration is first given to the existing business's arrangement. The supporting traffic assessment determines that the existing business generates 40 two way vehicle movements a day. K.C. Highways accept their methodology. Based on the TRICS information and information supplied by Rogers Plant Hire it would appear that the impact of the development will not be "severe" and as an exchange from the current

use it is likely that there will be a "balancing of traffic flows" with an improvement in favour of the proposed development with respect to the reduction in daily commercial vehicle movements to and from Woodhead Road with the removal of the current Plant Hire Use.

- 10.20 Regarding visibility, visibility at this junction will be in accordance with the guidance set out within Manual for Streets and will comprise of sight lines of 51.6m to the north and 53.6m to the south at a setback of 2.4m. These distances are in excess of those required for the 30mph Woodhead Road. It is noted that Woodhead Road increases to a 40mph road circa 250m to the south. Nonetheless, observed traffic distances from the 2014 traffic report a mean speed of 33mph. A full PIA assessment in the vicinity of the site access has been undertaken and Highways Development Management is satisfied that there are no existing accidents trends that this proposal would likely exacerbate.
- 10.21 The previous application on site, 2014/91511, included a condition requiring the existing footpath along the site frontage to be increased to a consistent width of 2.0m. This was in the interest of pedestrian safety, as the existing footway's width varies from 0.9m to 1.3m. The applicant disputes the need for this condition, as the footway to the site's south is 1.0m wide and ends approximately 250m further away. Bar five dwellings, the route leads to nothing. To facilitate the widening of the footpath would require the loss of the existing boundary wall, an attractive local feature, and new retaining works to the highway due to the level differences between the site and the road. Following discussions between officers and the agent it has been agreed that the footway to the south of the new entrance does not need to be widened. The footway to the north of the new access leads to Honley and is anticipated to have a greater footfall as residents walk towards the village and associated amenities. The applicant does not object to a suitably worded condition requiring the northern footway being widened to 2.0m.
- 10.22 In order to encourage sustainable travel, the developer; in the supporting transport statement, proposes that first time occupiers of each dwelling be provided with an information pack which sets out details of local bus and rail services and the availability of local services and facilities. In addition where garages are provided, cycle hangers for bike storage will be considered. It is also intended that in marketing the development, details of the ease by which the site can be accessed by sustainable travel and the availability of local facilities in Honley.
- 10.23 Whilst such proposals are welcomed, it is considered that they should be extended to include the provision of Metro's Residential Metro Card (RMC). The aim of the RMC is to encourage public transport use by house occupiers at new residential development sites through the provision of discounted annual Metro Cards and public transport information, thus helping to establish sustainable travel patterns from the very start. The Metro Card allows virtually unlimited travel on buses and trains throughout West Yorkshire, depending on the type of Metro Card purchased. The scheme provides an attractive benefit for new house occupiers, an incentive to purchasers of new homes and is aligned with planning guidance to encourage the use of sustainable transport. It is intended that such arrangements be secured by way of planning condition.

- 10.24 Considering the above officers are satisfied that the development would not prejudice the safe and efficient operation of the highway, subject to the abovementioned conditions. Therefore the development is deemed to comply with Policies T10 and PLP21 and Chapter 4 of the NPPF.

Drainage issues

- 10.25 The site is within Flood Zone 1 and as the site is under 1ha a Flood Risk Assessment is not required. Consultation has taken place with Yorkshire Water and The Environment Agency. Neither group object to the development, although The Environment Agency have requested an advisory note be placed on the decision notice.
- 10.26 Regarding surface water, the application proposes to drain to an existing water course. The Lead Local Flood Authority raised concern with this, with policy indicating that the hierarchy of drainage should be applied. No justification has been provided ruling out sequentially preferable drainage options. Further details are also requested relating to 1:100 flood risk and future maintenance and ownership of drainage systems.
- 10.27 The application is at outline, with only access as a consideration. At this time the concerns expressed by the LLFA are not considered prohibitive to overcome. It is considered appropriate to impose conditions requiring further details relating to drainage be provided. Subject to the relevant conditions the application is considered to comply with Policy BE1 (iv) of the UDP, PLP28 of the PDLP and chapter 10 of the NPPF.

Planning obligations

Provision of a riverside walk

- 10.28 The previous application on site, 2014/91511, included the following condition;

27. Before development commences a scheme for the provision of a pedestrian footpath through the site running parallel to the River Holme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the alignment and construction of the footpath together with arrangements for subsequent maintenance. Unless otherwise agreed in writing by the Local Planning Authority, the footpath shall be provided in accordance with the details approved before the development is first occupied.

Reason: *In the interest of promoting Sustainable Development in respect of connectivity alongside the River Holme, and in accordance with the National Planning Policy Framework.*

- 10.29 This was in the interest of enhancing sustainable development and healthy lifestyles through encouraging walking. Furthermore Policies R13 and R18 of the UDP requires the consideration of creating new links in the public right of way network and enhancing routes adjacent to the waterside environment. Policy PLP47 of the PDLP relates to promoting 'healthy, active and safe lifestyles' and PLP20 places pedestrians at the top of the hierarchy of travel.

- 10.30 Under S60 of the Countryside and Rights of Way Act 2000 the council produced a Rights of Way Improvement Plan (2010-2020). Within the document the Holme Valley Riverside Way, which includes the site, forms a promoted route.
- 10.31 The applicant has expressed concerns with the condition being carried over to the current application, including the practical viability of providing the scheme, due to it being within protected woodland, the topography and flooding concerns, as well as the lack of adjoining footpaths at this time.
- 10.32 For the abovementioned reasons, officers maintain that the footway is required and necessary to make the development acceptable in planning terms. Working proactively with the agent to attempt to overcome the applicant's concerns, officers have discussed the payment of a Bond to be used by the council to implement the footway, should plans be brought forward to implement the riverside walk. This is considered a reasonable approach, taking into account the requirements of Paragraph 187 of the NPPF. The use of a Bond is considered to comply with the three tests for planning contributions outlined within The Community Infrastructure Levy Regulations 2010 and is to be secured via a S106 agreement.
- 10.33 The applicant has agreed to the bond in principle, awaiting further details following the value of the bond being calculated by K.C. Highways.
- 10.34 Subject to the S106 agreement the proposal is deemed to comply with the objectives of Policies R13 and R18 of the UDP, PLP20 and PLP47 of the PDLP and Chapter 8 of the NPPF.

Affordable Housing

- 10.35 In accordance with Policies H10 & H12 of the UDP, PLP11 of the PDLP and the Interim Affordable Housing Policy 2016 the provision of affordable housing is a material planning consideration. Through the Interim Affordable Housing Policy 2016 a contribution of 20% of built units is sought.
- 10.36 As the application is made at outline, in order to secure this requirement, it is considered that a standard condition can be imposed.

Public Open Space

- 10.37 Policy H18 of the UDP requires the provision of POS on sites put forward for housing development which are over 0.4 hectares. The site area is approx. 0.53 hectares and therefore the requirements of Policy H18 apply.
- 10.38 In order to secure this provision, a standard condition can be imposed. The layout of this POS, if an on-site contribution is proposed, will need to be considered at Reserved Matters stage. If an off-site contribution is proposed it would be addressed through discharge of condition.

Education

- 10.39 In line with the requirements of 'Providing for Education Needs Generated by New Housing' (KMC Policy Guidance), the proposed development may attract a contribution towards additional School Places it generates.

- 10.40 Given that the number of dwellings proposed is indeterminate at this stage, it is considered that the standard education condition should be imposed and the matter examined at Reserved Matters stage, when the number of dwellings proposed is put forward.

Other Matters

Ground contamination

- 10.41 Given the history use of the site concern is held over ground based contamination. If minded to approve it is considered necessary to condition the investigation and remediation, along with other appropriate measures, to ensure the site is safe for habitation. This is to comply with the guidance of Policy G6 of the UDP and PLP53 of the PDLP.

Impact on local ecology

- 10.42 The adjacent woodland forms part of a Green Corridor within the UDP Proposal's Map and a Habitat Network of the PDLP. The application is supported by an ecological report; however it was produced in 2014 and would typically be considered insufficient/out of date.
- 10.43 Notwithstanding this, the application relates to a brownfield site with no vegetation. As such, and as detailed in the ecological report, the site consist of low value habitats. This is considered unlikely to have changed since 2014.
- 10.44 Regarding the adjacent Green Corridor and Habitat Network, these are outside of the applications redline. The principle of developing the site is not considered to come into conflict with local ecology. The development's impact on the adjacent Green Corridor and Habitat Network will be verified at Reserved Matters stage where further details, particularly layout, are known.
- 10.45 K.C. Ecology do not object to the development, subject to conditions requiring the submission of a lighting strategy, to ensure no stray lighting spills into the valued habitat of the adjacent woodland, and an ecological design strategy, exploring the opportunity for ecological enhancement of the site. This is to accord with Policy PLP30 of the PDLP and Chapter 11 of the NPPF. Officers consider this to be appropriate and accept these conditions.

Impact on adjacent protected trees

- 10.46 The adjacent woodland benefits from an area TPO order but the woodland is outside of the applications redline. At this stage, with all matters reserved, officers do not consider the principle of development harmful to the adjacent trees. The relevant reserved matters applications, layout and landscaping, should be supported by an arboricultural impact and method statement to allow officers to assess the development's potential impact upon the protected trees. An informative to this affect is to be placed on the application, if minded to approve. Subject to this K.C. Trees and planning officers do not raise concerns.

Impact on local air quality

- 10.47 In accordance with government guidance on air quality mitigation, outlined within the NPPG and Chapter 10 of the NPPF, it is considered reasonable and necessary to seek air quality enhancement as part of the application. If minded to approve a condition is to be imposed requiring details of either active or passive mitigation, in the form of electric vehicle charging points.
- 10.48 The purpose of this is to promote modes of transport with low impact on air quality, should the application be recommended for approval. Subject to this condition the development is deemed to comply with the abovementioned policies and guidance. This also conforms to the guidance of policies PLP21, PLP24 and PLP51 of the PDLP.

Representations

- 10.49 No public representations were received in regards to the proposal.
- 10.40 Holme Valley Parish Council: 'Object as incomplete application'.

Response: This is noted. Officers do not consider the submission of an outline application unacceptable in this situation.

11.0 CONCLUSION

- 11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.
- 11.2 The site is unallocated within the UDP and is also considered to be previously developed (brownfield) land. The NPPF encourages the effective use of land by reusing land that has been previously developed. Giving weight to the previous permission on site and the assessed justification officers are satisfied that the proposal would not cause harm to the local economy through the loss of an employment site.
- 11.3 Access is a consideration, and the details provided have been assessed as acceptable. Regarding the reserved matters, officers do not consider there to be any prohibitive reasons which would prevent acceptable details coming forward at reserved matters application stage.
- 11.4 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Strategic Investment)

1. Standard OL cond (submission of reserved matters)
2. Standard OL cond (implementation of reserved matters)
3. Standard OL cond (reserved matters submission time limit)
4. Standard OL cond (reserved matters implementation time limit)
5. Ecology (lighting strategy)
6. Ecology (design strategy)
7. Contaminated land
8. Affordable Housing (speculative)
9. Public Open Space (speculative)
10. Education (speculative)
11. Noise mitigation report
12. Ventilation Report
13. Air Quality (Charging point)
14. Drainage (scheme details)?
15. Drainage (separate foul/surface)
16. Drainage (discharge rates)
17. Drainage (storm event assessment)
18. Drainage (ongoing maintenance)
18. Highways (site access details)
19. Highways (visibility splays)
20. Highways (provision of frontage footpath)
21. Highways (metro cards + details)

Note: EA informative

Note: Tree advice

Background Papers

Application and history files can be accessed at:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92230>

Certificate of Ownership: Certificate A signed