

PLANNING STATEMENT

LAND OFF WAKEFIELD ROAD, TOWN END,
PONTEFRACT, WEST YORKSHIRE, WF8 4HW

OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF
EXISTING DERELICT DWELLING AND ASSOCIATED
STRUCTURES, AND DEVELOPMENT OF 22 DWELLINGS
(ACCESS AND LAYOUT DETAILS SUBMITTED)

PLANNING PORTAL REFERENCE:

Statement of Mr J Everett BSC Hons MRTPI Director,
Addison Planning Consultants Ltd on behalf of
Mr Duffy, Mr Duffy & Mr Davies

23rd September 2019



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JAY EVERETT

N/A

QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Jay Everett and I have been a Chartered Member of the Royal Town Planning Institute since 1993. I hold a degree in Town and Regional Planning, and I am Managing Director of Addison Planning Consultants Ltd.
- 1.2 I have 28 years of experience of working in the field of town planning, including 12 years in local government working in both planning policy and development control and 16 years acting for landowners, developers, occupiers and investors throughout the North of England. My involvement in the property market involves the preparation of complex planning applications, strategic promotion of land and property through the local planning policy system; and acting as an expert witness in planning appeals.
- 1.3 This Planning Statement deals with the planning policy context relating to the site. I then consider the planning case for the proposal.
- 1.4 **Chapters 2 to 4** introduce the application. Chapter 2 sets out the nature of the proposal. Chapter 3 describes the site and its environs, and the planning history. Chapter 4 examines the planning policy context for the consideration of the application proposals.
- 1.5 **Chapter 5** of my Statement examines the planning case for the proposal.
- 1.6 **Chapter 6** summarises the principal conclusions from Chapter 5.

INTRODUCTION & BACKGROUND INFORMATION

- 2.1 This Planning Statement has been prepared on behalf of Mr Duffy, Mr Duffy & Mr Davies – owners of the Application site.
- 2.2 Outline Planning Permission for the erection of 22no. Dwellings on this site was granted by the Council on the 11th February 2014 (13/02705/OUT). A subsequent Reserved Matters approval was issued on the 13th October 2014 (14/01310/REM). An Application to delete Condition 30 of the Outline Planning Permission (relating to a requirement for Affordable Housing) was granted on the 2nd April 2015 (14/02376/FUL).
- 2.3 The time period for the implementation of that Planning Permission has lapsed although the Permissions have established the principle of development on this site. The landowners are effectively seeking to renew the previous Planning Permission with the objective of delivering the development of new housing.
- 2.4 The proposed description of development is:
- “OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING DERELICT DWELLING AND ASSOCIATED STRUCTURES, AND DEVELOPMENT OF 22 DWELLINGS (ACCESS AND LAYOUT DETAILS SUBMITTED)”
- 2.5 The proposed development is for twenty-two family dwellings with a mixture of house types and sizes. Access makes use of the existing established gateway serving this land.
- 2.6 The Planning Application includes the following list of drawings and documents.
- P1a: APC Covering Letter 23-09-2019
 - P1b: Planning Application Form 23-09-2019
 - P1c: Residential Dwelling Supplementary Info 23-09-2019
 - P1d: CIL Questions Form 23-09-2019
 - P2a: 3132-1-000 - Site Location Plan
 - P2b: Site Plan as Existing (topographical survey)
 - P3: Drawings:
 - Dwg 16-1104-001A-Access Arrangement
 - 3132-1-001 -B- Proposed Site Layout - Indicative Colour - With OS
 - 3132-1-001 -B- Proposed Site Layout - Indicative Colour

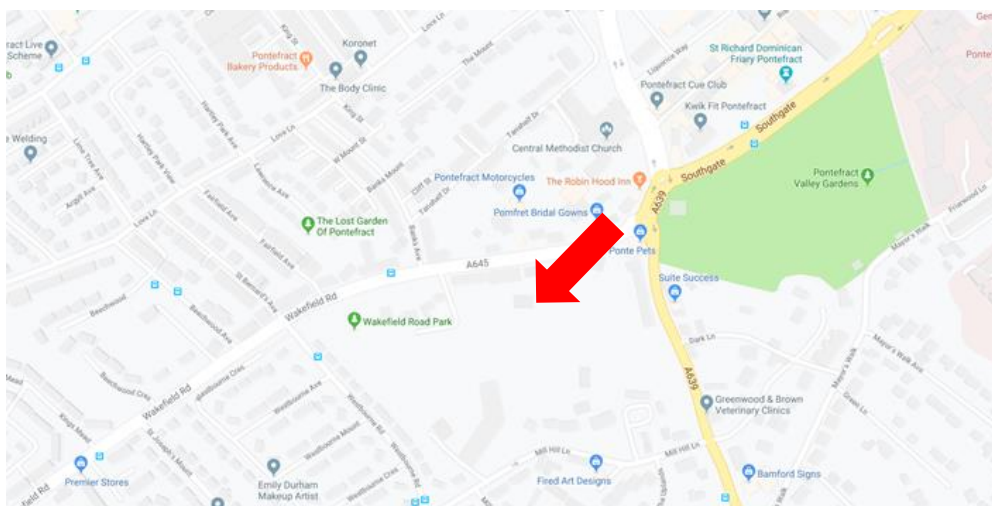
INTRODUCTION & BACKGROUND INFORMATION

3132-1-001 -B- Proposed Site Layout

P4	Design and Access Statement 3132-1 05-08-2019
P5	Planning Statement 23-09-2019
P6	Affordable Housing Statement 12-08-2019
P7	FRA and Drainage Strategy 31-07-2019
P8	Phase 1 Geo-environmental Investigation
P9	Arboricultural Impact Assessment 06-08-2019
P10	Preliminary Ecological Appraisal 08-11-2018
P11	Transport Statement 16-1104V2 06-08-2019

SITE DESCRIPTION AND PLANNING HISTORY

- 3.1 The application site comprises land close to the centre of Pontefract comprising approximately 0.78 ha of land which is partially the residential curtilage of The Priory (a former dwelling now vacant/derelict). There are storage containers located to the west of the site and the remainder of the site is open land.
- 3.2 Part of the site was previously part of a sand quarry and the levels to the southern boundary rise steeply with a quarry face to the south west of the site. There are several trees within the site which are protected by Tree Preservation Order and Friarwood and Button Park Conservation Area is located to the east together with several Buildings of Local Interest. The plan below shows the approximate position of the site relative to Wakefield Road/A645.



- 3.3 The Aerial photograph below shows the site is closer detail:



SITE DESCRIPTION AND PLANNING HISTORY

- 3.4 The site is in a mixed-use area with residential development directly abutting the northern and eastern boundaries. There is an area of woodland to the south and west of the site with allotments and further residential development beyond.

PLANNING APPLICATION HISTORY RELATING TO THE APPLICATION SITE

- 3.5 The Council's Public Access database shows the following relevant planning history for the site – a full Land Search has not been undertaken and there may therefore be other older planning applications relating to the site.
- 3.6 Ref. No: 13/02705/OUT: Outline Application for 22no. Dwellings (access only) together with demolition of existing dwelling and removal of commercial uses approved 11th February 2014.
- 3.7 Ref. No: 14/01310/REM | Residential development 22 no dwelling (reserved matters pursuant to outline approval 13/02705/OUT for appearance, landscaping, layout and scale) | Land Off Wakefield Road Town End Pontefract West Yorkshire WF8 4HW approved 13th October 2014.
- 3.8 Ref. No: 14/02376/FUL Removal of condition 30 (affordable housing) pursuant to application 13/02705/OUT (Outline Application for 22no. Dwellings (access only) together with demolition of existing dwelling and removal of commercial uses) Land Off Wakefield Road Town End Pontefract West Yorkshire WF8 4HW approved 2nd April 2015.

PLANNING POLICY CONTEXT

RELEVANT ADOPTED PLANNING POLICY

- 4.1 The Development Plan consists of the following development Plan Documents:
- 4.2 Local Development Framework Core Strategy (LDFCS) (adopted April 2009). Policies likely to be of relevance to the Application proposal include:
 - Policy CS 1 - Location of Development
 - Policy CS 3 - The Scale and Distribution of Additional Housing
 - Policy CS 4 - Sustainable Transport
 - Policy CS 6 - Housing Mix, Affordability & Quality Policy
 - CS 9 - Transport Network
 - Policy CS 10 - Design, Safety and Environmental Quality
 - Policy CS 11 - Leisure, Recreation and Open Space
 - Policy CS 13 - Mitigating and Adapting to Climate Change and Efficient Use of Resources
 - Policy CS 14 - Influencing the Demand for Travel
 - Policy CS 15 - Waste Management
 - Policy CS 16 - Minerals
- 4.3 Local Development Framework Development Policies Document (LDFDPD) (adopted April 2009). Policies likely to be of relevance to the Application proposal include:
 - Policy D 4 - Sites Designated for Biological or Geological Conservation
 - Policy D 5 - Ecological Protection of Watercourses and Water Bodies Policy
 - D6 - Wildlife Habitat Network
 - Policy D 7 - Protection of Trees and Woodland
 - Policy D 8 - Landscape Character
 - Policy D 9 - Design of New Development
 - Policy D 12 - Landscape Design

PLANNING POLICY CONTEXT

Policy D 14 - Access and Highway Safety

Policy D 15 - Safety and Security Through Design

Policy D 20 - Pollution Control

Policy D 22 - Contaminated Land

Policy D 24 - Flood Risk

Policy D 25 - Drainage

Policy D 27 - Renewable Energy Generation Technology

Policy D 28 - Sustainable Construction and Efficient Use of Resources

- 4.4 Local Development Framework Site Specific Policies Local Plan (LDF SSPLP) (adopted September 2012). Policies likely to be of relevance to the Application proposal include:

SSP1 – Presumption in Favour of Sustainable Development

- 4.5 The site is located within the urban area of Pontefract in the Council's adopted Site-Specific Policies Local Plan. The Friarwood and Button Park Conservation Area (CA29) abuts the site to the eastern boundary and there is a row of Locally Listed buildings (BLIs) within the Conservation Area to the east of the site. There is a Tree Preservation Order on the woodland to the rear of the site. The site is in an Air Quality Management Area, a mineral safeguarding area and a Coal Authority Standing Advice Area.

- 4.6 The Site-Specific Policies Local Plan also includes Policy SSP1 regarding the presumption in favour of sustainable development. In this regard the plan is not out-of-date or silent with regards to this proposal and therefore the development plan must be afforded full weight.

- 4.7 The application site is located adjacent to a Conservation Area. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving and enhancing the character and appearance of the Conservation Area.

- 4.8 Local Development Framework Waste Development Plan Document (adopted December 2009). Policies likely to be of relevance to the Application proposal include:

PLANNING POLICY CONTEXT

W1 Strategic Approach to Waste Management

W7 Waste Facilities within Development

4.9 Supplementary Planning Guidance

Wakefield Residential Design Guide (adopted 31 January 2018)

(Wakefield Council Street Design Guide (adopted 18 January 2012).

4.10 Other material considerations to be considered include the National Planning Policy Framework (the Framework – 2019); the planning guidance published in March 2014 to support the Framework; and the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

EMERGING LOCAL PLAN AND EVIDENCE BASE

4.11 The Council is in the process of writing a new Local Plan for the District. An initial Draft Local Plan Consultation was undertaken in January 2019

4.12 The consultation follows on from the Early Engagement consultation, which took place in October to December 2017.

4.13 The Initial Draft Plan sets out the Council's planning policies for securing growth, investment, sustainable development and improving the environment in the district. The Local Plan will cover the period to 2036 and will provide a comprehensive, updated planning framework of policies, site allocations and designations. The Local Plan will be used to promote development and to assess development proposals.

4.14 The emerging Local Plan is at a very early stage in the plan making process and as such is not a material consideration for this proposal.

4.15 The following chapter of my Statement therefore examines the case for planning within this Development Plan and planning policy context which includes the NPPF and NPPG, and the evidence base (where available) that has been completed to inform the emerging Local Plan.

ASSESSMENT OF PLANNING CASE

- 5.1 Having regard to the relevant national and local planning policies, I consider that the main issue to be considered in this case is the principle of residential development on the site.

ISSUE 1: THE PRINCIPLE OF DEVELOPMENT

- 5.2 The proposal is for the provision of housing and should therefore be assessed against Policies CS1, CS3, CS4 and CS6 of the Core Strategy which set out the principles against which the scale and distribution of additional housing will be determined.
- 5.3 The National Planning Policy Framework (NPPF) states that at the heart of the NPPF is a presumption in favour of sustainable development and highlights the importance of balancing economic, social and environmental elements.
- 5.4 The Council's Local Development Framework Site Specific Policies Local Plan (Policy SSP1) confirms that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 5.5 The Council's Local Development Framework Core Strategy sets out the overall framework and policy context within which local Planning Decisions should be made. The Core Strategy sets out a Spatial Vision which describes the Wakefield District in 2026. Based upon this Spatial Vision Policy CS1 of the Core Strategy sets out a broad strategy for the location of development which confirms that:
- Most new development, including most housing, employment, retail and mixed-use development, will take place within the urban areas taking advantage of existing services and high levels of accessibility, with:
 - the largest amount of development located in the Sub Regional City of Wakefield;
 - smaller, but significant, amounts in the Principal Towns of Castleford and **Pontefract**;
- 5.6 Policy CS1 also gives priority to the use of previously developed land and buildings within the settlement for new developments, followed by suitable infill sites within the settlement, and finally sustainable extensions.

ASSESSMENT OF PLANNING CASE

- 5.7 The proposal site is located within the existing urban area of Pontefract in a mixed-use area to the west of the town centre. The site is located off a main road into Pontefract within walking distance of public transport and has access to local services and facilities.

- 5.8 The application site is partially vacant residential use (Priory house and its curtilage) towards to the east of the site and the site is partially used for storage to the west. The remaining site is a former quarry. These historical and current uses coupled with the potential contamination identified within the Phase 1 Environmental Risk report - suggest that the application site should be regarded as Previously Developed Land ('PDL').

- 5.9 In my view the proposed developed of this site therefore accords with the principles set out in Policy CS1. The Council reached the same conclusion in determining to grant the previous Planning Permission for this site (13/02705/OUT) against the same local policy context.

- 5.10 Policy CS3 confirms that the largest number of additional houses will be built in Wakefield, with smaller, but significant numbers in Castleford and **Pontefract**. Core Strategy Policy CS3 also indicates that proposals for residential development should achieve a net residential density of at least 30 dwellings per hectare in urban areas outside of Wakefield, Castleford and Pontefract.

- 5.11 The gross site area is approx. 0.78 hectares. At the proposed quantum of development (22 dwellings) the development achieves a density of 28 dwellings per gross hectare. The net developable area however (which is the usual measurement for density) is less than 0.78 Ha taking into account the principle access road.

- 5.12 The site is also constrained by its topography (the steep sided quarry face) and the need to retain some higher quality tree specimens. The proposed number of dwellings reflects the optimum use of the site considering the site constraints. I consider that the density achieved therefore accords with Policy CS3 which makes provision for slight reductions in the target densities *"In circumstances where individual site characteristics dictate and are justified, a lower density may be acceptable"*.

ASSESSMENT OF PLANNING CASE

- 5.13 In my view the proposed developed of this site for 22 dwellings therefore accords with the principles set out in Policy CS3. The Council reached the same conclusion in determining to grant the previous Planning Permission for this site (13/02705/OUT) against the same local policy context.
- 5.14 In relation to sustainability, taken together, Policies CS4 and D14 aim to locate development to ensure safe and convenient access; reduce the need to travel; and to allow essential travel needs to be met using transport modes other than the private car. In addition, Policy CS4 (criterion c) states that residential development will be located where it is within walking distance of essential local facilities and public transport services.
- 5.15 In order to demonstrate compliance with these policies a Transport Assessment has been submitted with the Application which identifies that there is good pedestrian and public transport accessibility to the site.
- 5.16 The proposed development scheme can also provide for measures to promote and facilitate sustainable transportation through the provision of cycle storage, and EV charging. These details can be secured by an appropriate planning condition to come forward as part of the detailed design at Reserved Matter stage.
- 5.17 Consequently it is considered that the proposal site is a location where the development of new housing will not result in an unacceptable increased need to travel and which would allow essential travel needs to be met by the use of transport modes other than the private car, in accordance with Core Strategy Policies CS4 and D14.
- 5.18 Core Strategy Policy CS6 requires the housing mix provided for within residential development schemes to relate to housing needs within the area, as identified within documents such as the Strategic Housing Market Assessment. CS6 also requires that, unless otherwise agreed with the Council, affordable dwellings should be provided on the application site and 30% of new dwellings should be dwellings which can be defined as affordable.

ASSESSMENT OF PLANNING CASE

- 5.19 The proposal provides for an indicative mix (based on the layout detail) of 9 two-bed properties, 9 three-bed properties and 4 four-bed properties.

- 5.20 At this stage, the proposal is for all 22 units to be market houses without any affordable housing. The viability of this site to deliver affordable housing was tested as part of the previous planning permission. That viability work has been updated and is submitted for independent scrutiny as part of this Application.

- 5.21 In relation to the mix of house sizes provided, it is considered that the proposal provides for a relatively broad mix of housing, including smaller properties and larger family houses and accords with the identified housing need in the Council's SHMAA. The development is therefore considered to accord with the requirements of policy CS6.

- 5.22 In summary regarding the principle of the development, the site is previously developed land in a highly sustainable location; and has recently benefit from planning permission for 22 dwellings. It is proposed to develop the site in an efficient manner, provide for a housing mix which relates appropriately to objectively assessed need, and is in a highly sustainable location (in terms of minimising the need to travel by car to access services and facilities). The development should therefore be considered as acceptable in principle and to be consistent with the principles of sustainable development, and in accord with key local Core Strategy Policies.

- 5.23 Turning to the three dimensions to sustainable development, economic, social and environmental as defined by the NPPF, the proposed development of this site would provide economic benefits associated from new housing development including the provision of construction jobs and from future residents of the proposed dwellings. In addition, the proposal would provide some social benefits and help to support the vitality of the local community.

- 5.24 Having regard to the environmental dimension of sustainable development the site is visually contained and a development of twenty-two dwellings will not have any significant landscape impact.

- 5.25

ASSESSMENT OF PLANNING CASE

OTHER ISSUES: IMPACT ON NEIGHBOURING PROPERTIES

- 5.26 The interface distances between the proposed individual properties on the site together with the positioning of windows and the general arrangement within the site would not lead to amenity issues arising within the development.
- 5.27 None of the neighbouring properties are sufficiently close to the site to be affected directly. The Applicant's case is therefore that the proposals will not adversely affect the residential amenity of existing occupiers adjacent to the application site.

OTHER ISSUES: ECOLOGY AND TREES

- 5.28 A Preliminary Ecological Appraisal has been undertaken to assess the ecological value of the site and outline any necessary mitigation measures together with proposals to identify opportunities for enhancements. This is included with the application submission under reference: P10 - Preliminary Ecological Appraisal 08-11-2018.
- 5.29 The assessment concludes that there are no significant constraints to the development and set outs proposals to mitigate through the retention of woodlands and good tree specimens along the boundaries of the site. It also sets out opportunities to enhance the ecological value of the site through, for example, the inclusion of a number of bat and bird boxes integrated into the proposed structures, together with a landscaping scheme which will provide natural habitat for nesting, foraging and shelter for birds and small mammals.
- 5.30 The assessment concludes: "It is considered that through the full adoption and implementation of mitigation and enhancement measures detailed in Section 6.3 and 6.4, the ecological impacts resulting from the scheme as proposed are not likely to be of significance to nature conservation at greater than the site level."
- 5.31 The Applicant's case is that the combination of bat and bird boxes and new landscaping will provide an opportunity to enhance biodiversity. These benefits can be secured by an appropriate planning condition.

Trees

ASSESSMENT OF PLANNING CASE

5.32 An Arboricultural Impact Assessment has been undertaken to assess the impact of the proposals on existing trees within the site. This is included with the Application submission under Reference: P9 - Arboricultural_Impact_Assessment 06-08-2019

5.33 This concludes:

"8.4 An appraisal of the proposal documentation provided to date identified that construction of the development as proposed will require the removal of six moderate quality trees, six low quality trees, ten low quality groups, part of one further low-quality group.

8.5 Additionally, seven 'U' category trees and six groups are recommended for removal regardless of the development proposals due to relatively short projected remaining life expectancies and displacement of boundary features.

8.7 Nonetheless, the site can accommodate a number of new trees as part of a high-quality landscaping scheme, the delivery of which be guaranteed through the imposition of a suitably worded condition attached to a planning approval."

5.34 The tree specimens that have been identified for removal to facilitate the development are generally poor specimens. The proposal provides an opportunity through a landscape management regime to improve the management and health of retained trees in conjunction with a new landscaping proposal that will enhance both the character and appearance the site, along with its ecological value.

5.35 The proposal accords with paragraph 118 of the NPPF and the landscaping strategy will provide a benefit by improving biodiversity in the area.

OTHER ISSUES: DRAINAGE AND FLOOD RISK

5.36 The NPPF requires local planning authorities to adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, water supply and demand considerations.

5.37 In this regard, the Applicant's undertook initial investigations into drainage and flood risk issues with the relevant statutory undertakers. A drainage strategy is included with the submissions under Reference: P7 - FRA and Drainage Strategy 31-07-2019'

ASSESSMENT OF PLANNING CASE

- 5.38 The strategy shows that there are options for both foul and surface water drainage design to ensure there would be no risk to flooding on or off site.
- 5.39 The applicant's case is that the proposals will not increase the risk of flooding either on or off site and that the site can be adequately drained of both surface and foul water, subject to the implementation of an approved drainage scheme as set out in the submitted plans.

OTHER ISSUES: ACCESS AND HIGHWAY IMPACTS

- 5.40 The proposal is to access the site off Wakefield Road by providing a 5.5m carriageway, 2m footways on both sides and visibility of 2.4m x 43m to the west and exceeds 2.4m x 43m to the east.
- 5.41 A Transport Statement has been prepared to assess the transport implications of the proposal. This is included with the application submission under Reference: P11 - Transport Statement 16-1104V2 06-08-2019.
- 5.42 The Statement sets out that the proposal will generate a negligible level of new traffic movements and as such is highly unlikely to have any material or significant residual impact on traffic or road safety and so passes the test in paragraph 109 of the NPPF.

SUMMARY

- 5.43 The proposed development does not conflict with any of the saved policies of the Development Plan and the principle of development is acceptable having regard to the emphasis of the NPPF to boost the supply of housing through sustainable development proposals.
- 5.44 In relation to assessing the 'planning balance', the above paragraphs have set out that the proposals will not cause any adverse effects and will deliver significant benefits including:
- Boosting the supply of market housing
 - Delivering high quality homes to a high standard of design
 - Delivering economic benefits through construction and resident spend, adding to the viability and vitality of the local community.

ASSESSMENT OF PLANNING CASE

5.45 I also consider that the proposals will not have any significant adverse effect:

- On the residential amenity of existing occupiers adjacent to the site
- On drainage or flood risk
- On any known heritage assets
- On highway safety

5.46 Through the above assessment of the proposals against the core principles of sustainable development set out in the NPPF, it has been demonstrated how the proposals will deliver significant economic, social and environmental benefits. As there are no other material considerations which would indicate otherwise, in accordance with the NPPF the proposed development should be approved without delay as it represents sustainable development.

SUMMARY AND CONCLUSIONS

- 6.1 My intention in this Statement was to deal with the planning case for the proposal for 22 houses.
- 6.2 In relation to the principle of development, the site is within the urban area in proximity to a range of services and transport modes. The site is Previously Developed Land and has until recently benefited from Planning Permission for the development of 22 houses. Having regard to the adopted Development Plan policies, the proposal accords with those policies and is clearly acceptable in principle. Moreover, the site is in a sustainable location and accords with the basic principles of the NPPF.
- 6.3 Having regard to my assessment of the Planning Balance I have then considered whether there any other material circumstances that would outweigh the NPPF presumption that sustainable development should be permitted. I have concluded that the Application proposals will not cause any adverse effects and will deliver significant benefits including:
- Boosting the supply of market housing
 - Delivering high quality homes to a high standard of design
 - Delivering economic benefits through construction and resident spend, adding to the viability and vitality of this rural community.
- 5.47 I also consider that the proposals will not have any significant adverse effect:
- On the residential amenity of existing occupiers adjacent to the site
 - On drainage or flood risk
 - On any known heritage assets
 - On highway safety
- 6.4 Through the above assessment of the proposals against the core principles of sustainable development set out in the NPPF, it has been demonstrated how the proposals will deliver significant economic, social and environmental benefits. As there are no other material considerations which would indicate otherwise, in accordance with the NPPF the proposed development should be approved without delay as it represents sustainable development.

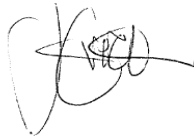
SUMMARY AND CONCLUSIONS

- 6.5 I conclude that the Application proposals are in conformity with the Development Plan and the Policies of the NPPF and should be granted planning permission.

Statement of Truth

"The evidence which I have prepared and provide for this Statement is to the best of my knowledge true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions."

Signature:



Date: 23rd September 2019.....

JAY EVERETT BSc HONS, MRTPI