

## KIRKLEES METROPOLITAN COUNCIL

### PLANNING SERVICE

#### UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY STRATEGIC PLANNING COMMITTEE

17 November 2020

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Planning Application 2020/92657

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Item - 8

**Erection of 10 classroom teaching block and formation of car parking area with associated engineering and landscape works (within a Conservation Area) King James School, St Helen's Gate, Almondbury, Huddersfield, HD4 6SG**

#### Proposed development

Paragraph 3.4 states the structure is to be faced in 'natural stone cladding'. The applicant has clarified that 'stone cladding' was a misnomer and that the building would not have stone 'cladding'. They have confirmed that it would be constructed with a traditional external natural stone skin.

#### Drainage update

Further review of the submission drainage strategy by the Lead Local Flood Authority identified beneficial enhancements could be achieved via modest alterations. The applicant has agreed to undertake these alterations; however, the updated plans have not been received yet. They are expected imminently. The plans provided to date demonstrate that an acceptable drainage layout is feasible. To allow these updated plans to be submitted, officers propose to secure their submission via condition, which is supported by the Lead Local Flood Authority.

As the proposal would increase the car park to over 50 parking spaces a petrol interceptor is to be sought via condition.

#### Conditions clarification and update

Draft condition 10 states the development should be done in accordance with the travel plan. For clarification, the travel plan has not been submitted yet. The condition draft should read 'submission of travel plan and implementation of approved recommendations.

As per the drainage update, the following additional conditions are proposed:

- Submission of updated drainage strategy
- Details of petrol interceptor for car park

**Demolition of existing building and erection of engineering building with associated external works David Brown Gear Systems, Park Gear Works, Park Road, Lockwood, Huddersfield, HD4 5DD**

Amended plans received to address residential amenity issues:

As detailed in the main report, the applicant was asked to review the scale of the building where it is immediately adjacent to the boundary with residential properties on De Trafford Street.

The applicant has submitted a set of revised plans which seek to mitigate the impact on neighbouring dwellings. The changes are summarised as follows:

- The eaves of the single storey warehouse element have been reduced in height by approximately 0.5m
- The second storey of the office and file store element has been reduced in size so that this aspect is pulled back from the boundary with 27 De Trafford Street
- The overall height of the office and file store element has been reduced in height by approximately 1m

The reduction in the eaves height of the single storey warehouse helps to reduce the overall mass of the building where it is parallel to the boundary with 11-25 De Trafford Street. The eaves of the proposal would be just over 1m higher than the existing building that lies along this boundary and the proposed increase in the ridge height remains negligible (circa 0.1m). What is more, the proposed building is set back from the boundary with adjacent gardens by 1.5m whereas the existing building sits along the boundary and it is considered that this separation would mitigate the increase in built form as perceived from the adjoining rear gardens.

The three storey office and file store that lies to the rear corner of 27 De Trafford Street has been reduced in scale. The second floor has been cut back so that it is around 6m further away from 27 De Trafford and the overall height of this part of the building has been lowered by approximately 1m. As a result, this element of the scheme is a much less imposing feature which helps to reduce the overall impact of the development on this neighbour.

In summary officers consider that the proposed amendments successfully mitigate the impact of the proposed building to an acceptable level and as such the application accords with Policy LP24 of the Local Plan and guidance in the NPPF.

Drainage:

The Lead Local Flood Authority have advised that a condition requiring a detailed scheme for the proposed surface water drainage strategy is appropriate. The proposed rate of discharge to the public sewer is accepted by the LLFA.

Letter of support received on behalf of the applicant:

The applicant has provided a letter of support from BAE Systems who are the customer for the naval gear systems that are manufactured and tested on the site. The letter highlights the need for the proposed development, which is necessary to support the applicant's ability to supply equipment for the UK Government's Type 26 Frigate Programme.

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**Planning Application 2019/93616**

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**Item – 12**

**Erection of 46 dwellings [revised layout with vehicular access from southwest] Land south of Soureby Cross Way, East Bierley, BD4 6PL**

Representations

Cllr Smaje made the following comments:

*Any new housing on allocated land needs to be sympathetic to the conservation area and the village. A large development does raise concerns about local infrastructure, as has been raised in the comments, and I ask that any S106 monies will be used locally to improve infrastructure rather than being used elsewhere in Kirklees.*

*The change of access way is now as it is shown in the Local Plan and addresses many concerns that ourselves and residents have from the previous application. It also helps the Sports Club and means that there will be a better entrance for them. This in turn should mean that vehicles to the sports club can more easily access their parking facilities, which should help reduce parking on the main road.*

*We would ask that consideration is given to the incline of the access in order to reduce the headlights facing straight into the terrace houses opposite.*

Regarding Cllr Smaje's final point, in addition to the assessment set out at paragraph 10.39 of the committee report, it is noted that the gradient of the proposed vehicular entrance should assist in limiting intrusive light (from vehicle headlights) hitting the windows of existing residential properties opposite on Hunsworth Lane.

Lead Local Flood Authority – No objection, subject to conditions requiring full details of surface water, land and foul drainage, overland flow routing, temporary drainage and management and maintenance. No objection to 3.7l/s surface water discharge rate. No objection to changes to proposed attenuation (from two box culverts to a storage tank and oversized pipes). No objection to conclusions in revised Flood Risk Assessment and Surface Water Management Strategy (rev C).

KC Landscape – In light of figures provided for proposed open space areas, £66,828 contribution towards open space required (given that, apart from area B, the proposed spaces appear to have been designed as amenity grass

rather than public open space or useable spaces). Further advice provided regarding landscaping.

The East Bierley Village Preservation Society submitted further comments on 14/11/2020, making the following points:

- Legal notices should have been posted when the proposed site access was changed.
- New plans were submitted after reconsultation period ended, and more consultation time should have been allowed.
- Development would take part of the recreation ground, which is protected (so much so that a recent Fields in Trust Deed of Dedication application was turned down as a further level of protection was not considered necessary by the council). Application should therefore be refused.
- Access from Soureby Cross Way has also been deemed unsuitable, therefore application site cannot be provided with safe access, and planning permission should be refused.
- Acceptance of use of part of recreation ground would have a knock-on effect on application 2020/90996 (land at St Luke's, Bierley Marsh).

The above comments are noted. The case officer's response is as follows:

- Reconsultation was indeed carried out after the proposed site access was revised (as detailed at paragraph 7.9 of the committee report).
- The two drawings submitted on 06/11/2020 were a compensation land plan (which clarified (and amended, albeit not significantly) the area of recreation ground that would be used to provide the proposed access, and the area that would be added to the recreation ground), and an amenity areas plan (which provided figures for the areas of open space that had been previously illustrated on earlier drawings). Applying the Wheatcroft Principle, the reconsultation period would have been extended had these two drawings made significant changes to the proposals, however the two drawings did not include significant changes, nor did they add significant new information that would warrant reconsultation. It is considered that no party's interests were prejudiced by the timing of the submission of these two drawings in relation to the reconsultation period.
- The acceptability of the use of part of the recreation ground is discussed at paragraphs 10.61 to 10.64 of the committee report. The recent application for Fields in Trust dedication is noted, however the reasons for not approving this application (namely, that sufficient protection is already in place) are not considered to be reasons for refusal of planning permission for the proposed development (where harm caused by the loss of part of the recreation ground would be limited, where compensatory land is being offered, and where public benefits would be secured as a result of part of the recreation ground being used).
- Approval of the current application would not set a precedent for other applications under consideration in East Bierley, where different considerations are relevant.

## Highways

On 11/11/2020 the applicant submitted a Road Safety Audit (RSA) relating to the revised proposed layout. On 12/11/2020 Highways Development Management officers confirmed that the RSA was considered acceptable.

Further to paragraph 10.77 of the committee report, the applicant has also submitted initial sketches confirming that adequate on-site parking for visitors can be provided within the proposed layout.

## Trees

Further to paragraph 10.67 of the committee report, on 13/11/2020 the applicant submitted a supporting note from the applicant's arboricultural consultant, stating that the proposed vehicular access and its footways appeared to be outside the root protection areas of trees T6 and T7, and as such no direct impacts would be caused, and future viability of the trees would be assured. The consultant also noted that ground compaction along the track is likely to have discouraged the westward spread of the roots of these trees.

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**Planning Application 2020/92331**

**Page 133 Item – 13**

**Outline planning application for demolition of existing dwellings and development of phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2) development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/D1/D2 uses), a 2 form entry primary school including early years provision, green space, access and other associated infrastructure Land east of, Leeds Road, Chidswell, Shaw Cross, Dewsbury**

## Representations

KC Planning Policy – Proposed uses are in line with what is set out in the Local Plan allocations document (site allocation MXS7). Concern regarding some aspects of indicative layout, namely interaction between homes and open spaces / play areas, and with wider landscape. Concern raised regarding omission of Ossett from sequential test, and potential inclusion of D2 use within the local centre. Concern raised regarding reference to B1a use in application documents. Proposed 122,500sqm of employment floorspace (to be met within the proposed 35 hectares of employment land) is in line with the site allocation. The proposals would deliver an employment site of strategic significance within the district and across the City region.

KC Public Rights of Way – No objection in principle to development. The applications are outline with access reserved, and it is understood that this would only be the main access points from the existing ordinary road network and not any internal access arrangements. An appropriate arrangement should be made for the off-carriageway links, including that to Leeds Road at the northern entrance to the site near Dum Wood. Outline may be the

necessary stage to do this. The site designs must appropriately incorporate or make alternative appropriate provision for public rights of way. No details submitted are sufficient to consider those matters in detail. Significant submissions regarding alignments, widths, construction, levels, sections etc for and affecting public rights of way, will be required prior to any detail being agreed or consented.

### Highways

Assessment of the highways impacts of the proposed development is ongoing. Since the publication of the committee report, Highways Development Management officers have provided detailed, extensive comments on the applicant's submissions, and the applicant has responded to the comments of Highways England relating to the submitted Transport Assessment and Travel Plan.

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**Planning Application 2020/92350**

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**Outline application for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure Land south of, Heybeck Lane, Chidswell, Shaw Cross, Dewsbury**

Update as per application ref: 2020/92331.

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