

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

STRATEGIC PLANNING COMMITTEE

26 AUGUST 2021

Planning Application 2021/91544

Item 8 – Page 9

Outline application for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/healthservices; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness

Southgate/Leeds Road, Huddersfield, HD1 1TW

Amended Recommendation

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development 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:

- (1) Contribution of £10K to fund the removal of Traffic Regulation Orders within the site;**
- (2) Contribution of £23K to provide a shelter and real-time information to the bus stop on Leeds Road.**

Response from the Council's Biodiversity Officer:

The Council's Bio-diversity is satisfied that a scheme can be designed in accordance with local policy, namely, to avoid significant impacts to biodiversity and to provide a biodiversity net gain. It is recommended that the Preliminary Ecological Appraisal (PEA) should be updated to an Ecological Impact Assessment (undertaken in line with CIEEM's guidance) at reserved matters stage based on the final layout and development proposals.

The PEA includes baseline ecological value of the site calculated utilising the Defra Biodiversity Metric 2.0, which is welcomed, and this concludes that the site currently has a value of 5.68 habitat units and 0.29 hedgerow units. Therefore, at reserved matters stage it should be demonstrated how a 10% biodiversity net gain will be achieved, having regard to the Kirklees's Biodiversity Net Gain Technical Advice Note and any additional forthcoming guidance on net gain. Updated post-development metric calculations which demonstrate a minimum of 6.25 habitat units and 0.32 hedgerow units should be supplied.

In order to achieve on-site biodiversity net gain, given the sites urban location (Urban Biodiversity Opportunity Zone) the following design considerations would need to be incorporated into the development:

- Urban green roofs and walls, well-designed living green walls and roofs not only benefit biodiversity but contribute to urban greening, climate change and air quality initiatives which are particularly relevant to the town centre location of the site.
- Rain gardens and other sustainable drainage features.
- Urban street trees and soft planting of species beneficial to native pollinators.
- New opportunities for roosting bats within buildings, particularly given historical usage of the site by this species.

The current design proposals do not feature any of the above and in order to demonstrate that biodiversity has been fully considered throughout the design process, the applicants should engage with their consultant ecologists and use the submitted PEA in order to inform various iterations of the layout and design of the development to reach the best outcomes on-site.

In addition to an updated EclA, a condition for a Biodiversity Enhancement and Management Plan (BEMP) should be applied to secure a 10% net gain in biodiversity and the future management/maintenance of any created habitat features.

The Council's Bio-diversity Officer is satisfied the required level of detail can be obtained at reserved matters stage and that the proposals are capable of meeting local and national policy.

On the basis of this advice, the recommendation is amended to omit a contribution towards off-site measures to achieve bio-diversity net gain on the grounds that it would be secured on site via a condition. The recommendation is therefore amended as above.

Correction

Paragraph 3.3 (v) Layout should refer to the first phase comprising a landmark building of approximately 10,000m² and not 5000m² as stated in the report.

Formation of artificial grass pitch with associated features, including eight 15m high floodlights, fencing up to 4.5m, pedestrian circulation and access route, vehicular maintenance and emergency access with Springwood Road, erection of store, grass mounds, retaining structures and landscaping works

Holmfirth High School, Heys Road, Thongsbridge, Holmfirth, HD9 7SE

Corrections

Paragraph 8.2 of the committee report wrongly states that:

KC Environmental Health: Objection due to adverse impact on residential amenity due to associated noise and flood lighting impacts.

The report should instead read:

KC Environmental Health: No objection subject to the imposition of planning conditions securing a noise management plan, pitch perimeter fencing fixtures, hours of use, installation of the agreed external artificial lighting, electric vehicle charging points, construction site working times.

In addition, condition 8 of section 12.0 of the committee report should be replaced with a compliance condition regarding the installation of the agreed external artificial lighting infrastructure.

Public consultation:

A 7-day public consultation was held on the proposed hours of use, with letters sent to neighbours and representatives who had previously commented on the planning application.

One resident responded to the consultation and raised the following concerns:

1. Water drainage. Rain water flooding on Springwood Road has not been resolved. Removal of natural absorption from grass pitches will exacerbate the situation. Sewage flooding occurred on 4th July 2021, as a result of inadequate drainage, this still has not been addressed by Yorkshire Water. This results in a lack of confidence that adequate measures will be taken to prevent and or control excessive water from overflowing into neighbouring sites. A letter stating that there is no known flooding of the pitches is simply inadequate and not in line with evidenced local knowledge.

Officer response: Please refer to paragraphs 10.53 to 10.58 of the planning committee report. The Lead Local Flood Authority have raised no objections to the latest proposals for a soakaway. The proposed surface water drainage would not connect into the Yorkshire Water drainage infrastructure.

2. Views and Light pollution. Proposals to light the pitch until 9pm in the winter when it gets dark much earlier are simply unacceptable. Pitches that require high Fences and 15m high floodlights simply do not fit into such a tight spot so close to homes. There are other recreational facilities in the Holme Valley, that already have some floodlighting that would better accommodate this proposal if it is about health and fitness and access for Holme Valley residents. If the lighting was restricted to 6pm it would be more acceptable.

Officer response: Matters of visual amenity (paragraphs 10.11 to 10.19) and residential amenity (paragraphs 10.23 to 10.37) have been considered in the planning committee report. Each planning application has to be judged on its own merits. Officers consider that the proposal may not be policy compliant if the hours of use were restricted to 6pm as there would be limited community benefit to justify the loss of the grass playing field contrary to Local Plan policy LP61.

3. Noise. pollution Worse than not being addressed it seems that Noise pollution has been accepted. The noise report states an average of 47 db + or -10% is expected from the pitch at neighbouring properties. So possibly as high as 51.7db on average. The WHO say that 50 db is considered to be detrimental to health. It is unacceptable to have this level of noise at the front of your home. I cannot understand how the environmental health department could consider that this is permissible. Furthermore; In an earlier document Environmental health reported: "the predicted 47dB LAeq (1 hour) equivalent noise levels from the pitch would exceed the background levels by around 7dB at 18:00 The criteria recommends that that the noise from pitch should not exceed the background sound level by more than 5dB.....The report's assessment of Lmax also indicates that the suggested criteria of average Lmax not exceeding 60dB at noise sensitive locations is also likely to be exceeded by whistles and ball impact sounds." Has this simply been ignored now? How could this be managed? The proposal is simply too close to neighbouring properties for it to be permissible.

Officer response: Matters regarding noise have been considered in the planning committee report (paragraphs 10.23 to 10.37). Officers consider that the proposed amended hours of use achieves a balance between addressing amenity concerns (particular with regards to lighting and noise) and allowing for sufficient community use. Extensive negotiations have taken place with the relevant parties regarding these concerns. Furthermore, these matters would be managed with the use of the hours of use and noise management plan planning conditions.

4. Traffic and Parking. Traffic and parking is unresolved. How will Springwood Road and Miry Lane and Heys Road accommodate the extra traffic. Where will the cars park and who will manage that?

Officer response: No objections have been received by Highways Development Management. It is considered that there is sufficient capacity within the highway network to accommodate any additional traffic associated with the proposed facility and that there would be no adverse impact on highway safety. It is also considered that there is sufficient on-site car parking for the proposed facility that would utilise the existing access arrangements with Heys Road. These concerns have been considered in the committee report (paragraphs 10.46 to 10.52). A car parking management plan condition would secure the necessary car parking management arrangements.

5. *Wildlife. A 30 year managed plan has been recommended.*

Officer response: Noted. A planning condition would secure the approved Landscape and Ecological Design Strategy prepared by Bowland Ecology, dated 12th March 2021 to deliver a minimum of 5.02 habitat units post-development. The condition would require the approved strategy to be implemented and thereafter maintained and monitored for 30 years following construction.

6. *Urban Green space - Community Access - Fencing No attempt has been made to resolve this. Views will be disrupted every day and all day by high fencing. If this application is for the pupils at Holmfirth high school then there is no need for high fences or any fences. Prison fences are only 70cm (less than an arm's length) higher than the proposed 4.5m high fences. Are the fences to keep the local community out? Or is this a local community asset? Would a 1m high fence suffice?*

Officer response: This matter has been considered within paragraphs 10.11 to 10.19 of the committee report. The proposal has been designed in accordance with artificial sport pitch guidance by the Football Association. It is considered that the proposed fencing is common for such a facility and is necessary for its security and management. Furthermore, given its green mesh appearance, officers do not have any visual amenity concerns.

And Finally: I am a sports enthusiast and fully support sports development for young people and adults. If the proposal was to change a section of the grass pitch to an all-weather playing pitch, for all sports, to be managed and used by our school and local community up until 6pm each weekday and for a lesser period at weekends with adequate lighting and limited fencing to enable this then I would not be objecting. I would still be seeking to ensure that the current and subsequent water drainage is adequately resolved, and that suitable car parking is provided and managed for the benefit of everyone.

Officer response: Please see above.

The same resident also highlighted that the incorrect deadline of 23rd August 2019 was stated on the consultation letter instead of 23rd August 2021. As such, the resident requested that the neighbourhood should be adequately informed by letter and given an appropriate amount of time to respond to the changed plan before any decisions can be made.

Officer response: The typographical error is acknowledged and unfortunate, but officers consider that it is clear that this it was a typographical error as the letter was dated 2021. Additionally, the website stated that the public consultation end date was 23 August 2021. In any event, this was a re-consultation exercise, which the council were not required to do by legislation.

Cllr Donald Firth:

Concerns previously raised that need to be addressed when placed in the middle of a residential area including:

- How many residents who could be termed as close neighbours to the School, have been informed.
- The outdoor lighting, annoying light pollution in the late evening.
- Times of usage and noise issues.
- Parking facilities.

Cllr Nigel Patrick:

Query raised regarding where users and visitors to the facility will park their cars.

Officer response: The above matters are addressed in the committee report and there are no objections from the concerned consultees. The necessary site notices were erected around the site and press notices were made. Neighbour notification letters were also sent to 67 properties around the site. Additional time for the receipt of consultation responses was also permitted. Therefore, the consultation process is in accordance with the council's Development Management Charter. It is considered that the proposed lighting scheme and proposed hours of use would ensure that there is no adverse impact on residential amenity, subject to the necessary conditions. Officers also consider that the existing school car park capacity would exceed the predicted car parking requirements of the facility per hour. Furthermore, a car parking management plan condition would secure measures that ensure customers are aware of the proposed parking arrangements and secure details of the supervision and marshalling of the car park at peak times.

Sheffield Football Association:

The following observations are made:

- Prefer to see evening usage until at least 9 pm on each day
- Women's football is played at 2 pm on Sunday afternoon, so the usage plan would not accommodate women's football
- The football season could run up until April/May, so the proposed times could impact match play
- The football season starts early September, so the proposed times could impact match play
- Summer months are a great time for new participation and community engagement projects, so reduced hours could impact this

Other considerations;

- Will limiting the usage time stack up financially?
- Who are the potential partner clubs and when do they play?
- What is on the local physical activity agenda, and how could the site be used to tackle this?

Officer response: Please refer to paragraphs 10.35 to 10.36 of the committee report. Development Management officers acknowledge the Sheffield FA preference for longer hours to maximise the facility's community use, particularly at weekends. Development Management sympathise with

this request but understand that any further increase in the proposed hours of use would attract an objection from Environmental Health. Sport England, who are a statutory consultee, have raised no objections subject to the imposition of a community use agreement condition. Additionally, officers acknowledge that there are natural grass pitches (“Little Wembley”) nearby which could potentially be used to compliment the proposed Artificial Grass Pitch. Officers recognise that the proposed hours of use is also likely to affect the school’s capability in achieving funding from external bodies such as the Football Foundation, who specified the initial hours of use in paragraph 10.29 of the committee report. However, the school believe that they have the necessary funds and capability to still run a sustainable AGP facility.

Planning Application 2017/93980

Item 10 – Page 71

Erection of detached shed/store

Woodside Farm, Wakefield Road, Grange Moor, Huddersfield, WF4 4DS

Corrections

Paragraph 5.1 of the committee report should refer to *six* iterations of the proposals. Paragraph 10.15 should read “The first iteration of the proposed development was clearly not commensurate with the scale of the agricultural operation initially described by the applicant, or the agricultural operation described by the applicant on 12/06/2020 (namely, 13 secure acres and a herd of 15 cows)”.

Planning Application 2021/92487

Item 11 – Page 89

Erection of two temporary single storey modular classroom buildings

Taylor Hill Centre, Close Hill Lane, Newsome, Huddersfield, HD4 6LE

Amended Recommendation

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and allow the applicants time to resolve the coal authority objection.

Updated Information for Section 10

Coal

The Coal Authority were consulted and responded with an Objection. One of the modular buildings is currently within influencing distance of the confirmed mine. Recommendations have been made that, as per the Coal Authority’s adopted policy, buildings should not lie within influencing distance of this mining feature and be avoided wherever possible.

Intrusive site investigations should be carried out prior to the determination of this planning application in order to demonstrate to the LPA that the site is, or can be made safe and stable for the development proposed.

Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. The Agent confirmed that the necessary Permit had been sought before the investigatory works can commence.

Officer's comment that the applicants will be required to provide sufficient information to the Coal Authority in order to resolve this matter. If the matter cannot be resolved within a reasonable timescale the application will be brought back to the committee to update.

The recommendation has been amended to delegate authority back to the head of planning to resolve the coal authority objection prior to releasing planning permission.

Highways

Amended Plans setting out where the motorcycle/cycles parking are to be relocated have been received. They are to be sited northwest and in front of the main building for Taylor Hill Centre. No removal of a parking space is required.

Additional clarification

The proposed modular buildings are to allow provision of theory based animal and land studies for operational use whilst allowing the main buildings to be used for practical studies.

Planning Application 2021/92122

Item 12 – Page 99

Variation of Condition 1 (Plans) on previous permission 2019/94152 reserved matters application pursuant to application no 2018/90802 for development of 16,723 sq metres employment floor space together with associated internal roads, parking and landscaping in relation to the reserved matters of layout, scale, appearance and landscaping. Together with the discharge of conditions 3, 6, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 32, 33 and 34 in so far as they relate to Phase 2

Land at Slipper Lane, Leeds Road, Mirfield, WF14 0DE

Landscape implementation costs

When purchasing nursery trees for planting, the price per tree varies notably by species. However, overall, the price per unit for whips compared to standards is substantially lower. Conversely, whips are bought at a substantially higher volume: in this case, 74 standard trees are being replaced by circa 1200 whips. There also greater labour costs associated with planting a greater number of trees.

The applicant has provided quotes for their original and now proposed landscaping layouts. The proposed landscaping has an increase in cost of 16%. This has been reviewed by K.C. Trees, who do not dispute the costing.

Public representations

The committee report was published on the final day of the public representation period. Three further public representations were received following the completion of the committee report. The following is a summary of the comments received, with officer response, not covered within the main report.

- Planting elsewhere on the site, around unit 1, appears inadequate and poorly maintained. This raises concerns for the future of the subject planting.

Response: The site is subject to major development monitoring by the Planning Compliance team, who will continue to supervise the development to ensure ongoing compliance with conditions on the management and maintenance of the landscaping.

- Whips will take too long to provide screening, compared to the previously approved 'mature' trees.

Response: The trees approved as part of the original landscaping scheme were 'standards', not mature trees. 'Standards' are young trees with a minimum height of 1.8m. The 'standard' trees would also require time to grow to a height which would offer maximum screening.

I refer you to paragraphs 10.11 and 10.12 of the main report, which considers tree growth times.

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