
Report of the Head of Development Management

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 20-Apr-2017

Subject: Planning Application 2017/90438 Formation of car park and erection of security cameras and lighting Acre Mill, Acre Street, Lindley, Huddersfield, HD3 3EA

APPLICANT

C/O Agent, Calderdale &
Huddersfield NHS
Foundation

DATE VALID

08-Feb-2017

TARGET DATE

05-Apr-2017

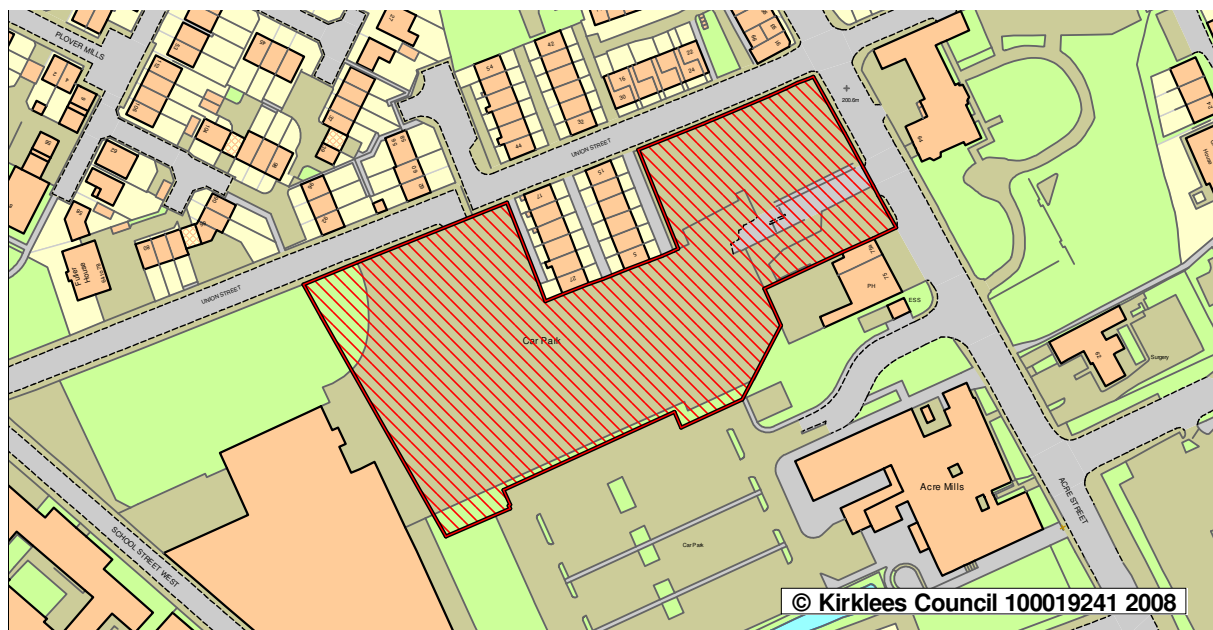
EXTENSION EXPIRY DATE

24-Apr-2017

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: Lindley

Ward Members consulted

No

RECOMMENDATION:

DELEGATE approval and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions including those contained within this report

1.0 INTRODUCTION:

1.1 The proposals are brought forward to the Sub Committee for determination because the site exceeds 0.5 hectares, in accordance with the Council's Scheme of Delegation.

2.0 SITE AND SURROUNDINGS:

2.1 The application site is approximately 1.01 hectares and comprises of a relatively flat piece of land currently surfaced with a variety of materials, principally concrete or crushed hardcore.

2.2 Access to the site is via Acre Street, a classified C road on the eastern boundary. There are parking restrictions, 'no waiting at any time' along the frontage of the site on Acre Street.

2.3 The application site is mainly surrounded by residential properties to the north. The site wraps around two terraced rows, which are south of Union Street. The Huddersfield Royal Infirmary is to the south-east of the site. On the immediate eastern boundary of the site there is a retail unit and public house with accommodation above. There are a number of ancillary buildings and facilities related to the Hospital, within the vicinity of the site, which historically formed part of Acre Mills. Permissions have been granted within the immediate vicinity for additional facilities for the Hospital, including multi-storey car parks. To the south of the car park is the former Acre Mills itself which, in part, comprises a Grade II listed building.

2.4 The application site is currently being used as a temporary car park, providing 316 spaces ancillary to the main Hospital premises.

3.0 PROPOSAL:

- 3.1 The proposal seeks a temporary permission for a period of 3 years, to regularise the continued use of the car park together with the erection of security cameras and lighting. The use of this site, and a wider area of land for car parking, was first approved in 2009.
- 3.2 A total of 6 security cameras would be erected, 4 to be on the existing slim lattice tower to the east in the site, over 40m from the Acre Street entrance, and 2 to be erected on the rear of an existing building on the western boundary. Further information regarding the positioning of the lighting is awaited but this would include the existing monopole with 4 no. lights to the east of the site. The site would remain unsurfaced. The boundary treatments are to remain as existing which are a mix of post and panel fencing and stone walling. The access would remain from Acre Street as existing, and 316 car parking spaces will be retained, with no additional spaces being created.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 2009/92887: Formation of temporary car park, barriers, lighting and access improvements (granted 3 year temporary planning permission) – to expire on 22nd December 2012
- 4.2 2005/95291: Demolition of curtilage buildings, erection of 2 no. multi-storey car parks, change of use, extensions and alterations to principal listed building to form office accommodation and outline application with siting and means of access for health related facilities, 20 hospital worker accommodation units, surface car parking and associated landscaping and highway works (within the curtilage of a listed building) (Conditional Full Permission)
- 4.3 2005/95292: Listed Building Consent for demolition of curtilage buildings and erection of extensions and alterations to the existing principal building to form offices (Consent Granted)
- 4.4 2003/94923: Listed Building Consent for internal refurbishment, erection of staircase and removal of glazed roof to adjoining building (Consent Granted)
- 4.5 2007/94759: Listed Building Consent for demolition of curtilage buildings and erection of extensions and alterations to the existing principal building to form offices (Modified Proposal) (Consent Granted)
- 4.6 2007/94746: Demolition of curtilage buildings, erection of 2 no. multi-storey car parks, change of use, extensions and alterations to principal listed building to form office accommodation and outline application with siting and means of access for health related facilities, 17 hospital worker accommodation units, surface car parking and associated landscaping and highway works (within the curtilage of a listed building) (modified proposal) (Conditional Full Permission)

- 4.7 2010/92137: Extension of time limit for implementing existing permission 2007/94746 Demolition of curtilage buildings, erection of 2 no. multi-storey car parks, change of use, extensions and alterations to principal listed building to form office accommodation and outline application with siting and means of access for health related facilities, 17 hospital worker accommodation units, surface car parking and associated landscaping and highway works (within the curtilage of a listed building) (modified proposal) (Extension to time limit – Granted and scheme partly implemented)
- 4.8 94/90234: Use of land as car park and erection of security fencing, gates and lighting (Conditional Full Permission)

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 A consultation response from Crime Prevention requested more information from the applicant regarding the capability of the proposed lighting and CCTV, and details of the monitoring of CCTV. On 06/04/2017 the agent submitted a CCTV Layout Plan demonstrating the location of the proposed CCTV, and direction of view, as well as a CCTV Specification and details of monitoring. The Crime Prevention officer has been reconsulted and any response to this information will be reported to Members in the update.
- 5.2 The Agent was asked to provide details of the Travel Plan for the hospital site so that the strategy to encourage low carbon forms of transport could be assessed. This was received on 5th April.
- 5.3 In response to Environmental Services' comments regarding potential light pollution, further information regarding the proposed lighting scheme was requested. This has not yet been received but could, if required, be imposed as a planning condition.

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 published for consultation on 7th November 2016 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council considers that, as at the date of publication, its Local Plan has limited weight in planning decisions. However, as the Local Plan progresses, it may be given increased weight 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. Pending the adoption of the Local Plan, the UDP (saved 2007) remains the statutory Development Plan for Kirklees.

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

6.2 The site is unallocated in the Unitary Development Plan Proposals Map.

D2 – Land without Notation on the Proposals Map
BE1 – Design Principals
BE2 – Quality of Design
BE22 – Parking Facilities for People with Disabilities
BE23 – Crime Prevention
EP4 – Noise Sensitive Locations
T10 – Highway Safety
T16 – Pedestrian Routes
T19 – Parking Standards

National Planning Guidance:

6.3 Paragraph 17 – Core Planning Principals
Chapter 4 – Promoting Sustainable Transport
Chapter 7 – Requiring Good Design
Chapter 8 – Promoting Healthy Communities
Chapter 11 – Conserving and enhancing the natural environment
Chapter 12 - Conserving and enhancing the historic environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by site notices, press advert and neighbour letters. The period of publicity expired on the 17th March 2017. As a response to the publicity, one public representation was received with the following comments;

7.1.1 Your map isn't clear of where exactly you are proposing to put the lighting. My house is next to the proposed area and I don't want any lighting being placed so that it is shining into my property.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

8.1.1 K.C. Highways Development Management
Highways DM have no objection to these proposals and have no wish to resist the granting of planning permission. No specific highway conditions are required.

8.2 Non-statutory:

8.2.1 K.C. Environmental Health (Pollution and Noise)
K.C. Environmental Health have no concerns subject to conditions being applied to any permission granted relating to the operation of artificial lighting, and electric vehicle charging points.

8.2.2 K.C. Strategic Drainage (Flood Management)

K.C. Strategic Drainage have no concerns subject to a condition being applied to any permission granted relating to details of foul, surface water, and land drainage.

8.2.3 Crime Prevention

Unable to provide an informed crime prevention response until more information is submitted relating to the capability of the lighting and CCTV, and details of the monitoring of CCTV.

9.0 **MAIN ISSUES**

- Principle of development
- Urban design issues
- Residential amenity
- Landscape issues
- Highway issues
- Drainage issues
- Representations
- Other matters

10.0 **APPRAISAL**

Principle of development

- 10.1 The application seeks temporary planning permission which would regularise the formation of the existing car park and erection of security cameras and lighting on land which is unallocated in the Unitary Development Plan Proposals Map. In principle the continued use of the land for parking for a temporary period is acceptable, in accordance with Policy D2 of the UDP subject to consideration of design, amenity, highway and other material planning considerations. All these will be addressed later in the appraisal.

Urban Design issues

- 10.2 The design and layout of the proposed car parking has derived from the current use of the site as a temporary car park, and would predominantly remain unchanged. It is partly enclosed by a low stone wall to Acre Street and vertical timber boarding from Union Street but otherwise the site is visible from these two streets. Given the form and function of the use, and that it is proposed for a temporary period, it is considered unnecessary to provide further screening to the car park and that, on balance, it is acceptable in terms of visual amenity. The proposed CCTV would be erected on an existing structure, set back from Acre Street by over 40m, and Union Street by over 38m, on a slim lattice tower. In respect of lighting, there is an existing monopole supporting a number of lights to the east of the site. Whilst further information is awaited as to whether this is to be altered as part of this proposal, these existing structures do not appear out of place in the context of the car park or the scale of the buildings within Acre Mills. It is considered,

in principle, that similar additional structures to host the proposed lighting would not be out of keeping.

- 10.3 As previously set out part of Acre Mills is a Grade II listed building. Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to planning permission a local planning authority shall be special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this instance the car park, and the ancillary structures, are some distance from the listed part of the former mill. The listed building is separated from the car park by a formal landscaped entrance and, visually, by 'The Old Wire Works' public house fronting Acre Street. Given this, and taking into account the permission would be temporary, it is considered the development would not harm the setting of the listed building and would also comply with paragraph 132 of the NPPF.

Residential Amenity

- 10.4 The car park is most closely associated with dwellings along Union Street, including two terraced blocks on the south side of Union Street which would be surrounded on three sides by the car park. The car park is separated from properties on Union Street by a mixture of vertically boarded timber fencing and a high stone boundary wall. This effectively screens the use and activity associated with the car park from the ground floor of the properties and their amenity areas. The principal impacts of the continued use of the car park would be noise, air quality and potential light pollution associated with the lighting column proposed as part of this application. Policies D2 and EP4 of the UDP require 'residential amenity' and noise to be taken into account in the assessment of an application. Chapter 11 of the NPPF requires various forms of pollution, including noise, air and light pollution to be considered in the assessment of applications.
- 10.5 Whilst no hours of use have been proposed as part of this application, the 2009 permission restricted much of the car park subject to this application to a limited period of between 7:30 and 20:00. This was in the interests of residential amenity. Circumstances have not changed since this time and it is considered that this condition should be re-imposed in the interests of the amenity of neighbouring residents on Union Street.
- 10.6 The application seeks approval for lighting; a column supporting a number of lights is already in situ. It is unclear if this lighting is to remain unaltered, or if it will be removed in favour of new structures. In either case no details have been submitted with the application in support of the proposed lighting to demonstrate that this can be undertaken without causing undue glare or stray lighting to nearby residents. Whilst the principle of providing lighting, in terms of the safety of persons using the facility, is supported further details are required to ensure this is installed without causing light pollution. If no suitable information is received before committee this can be secured by condition requiring a suitable scheme to be submitted, approved and installed within a period of 3 months. This would be in accordance with the

recommendation of Environmental Services. Furthermore this would comply with Chapter 11 of the NPPF and Policies D2 and BE1 of the UDP.

- 10.7 Environmental Services have requested that electric vehicle charging points (EVCP) are installed within 10% of the parking spaces. It was suggested that either 10 % may be installed and commissioned, or which may be phased with 5% initial provision and the remainder 5% at an agreed trigger level (10% of electric vehicles on the road). The installation of EVCP would promote lower carbon forms of transport and would assist to mitigate the impact of emissions on air quality. As the car park is required for a maximum of three years, and as the site already has planning permission for a partly implemented scheme that would see most of the site developed, no contribution to EVCP is being sought as part of this application. However, the applicants have been advised that any further request to extend the use of the car park would require EVCP to be installed.
- 10.8 Although no EVCP have been sought as part of this application the applicants have provided the Hospital's site-wide travel plan in support of the application. An abstract taken from the Trust's Sustainable Travel and Transport Plan states,

'There are currently no 100% electric cars leased, although there are electric car charging points available at Acre Mills. We must ensure that the benefits of leasing low and ultra-low emission cars are promoted widely and that key information is accessible (e.g. low / no road tax). We will also promote the electric car charging points at Acre Mills further, providing clear information on how staff can use them, and we will provide links to funding options for electric car charging points outside residential properties.'

The use of the EVCP within the Acre Mills site is currently being monitored. Should there be any subsequent application to extend the time period of this permission then details of usage – and how the use of these facilities has been promoted – would be required to accompany the application.

Landscape issues

- 10.9 The site landscape will remain as existing, mostly unsurfaced with concrete covering the land immediately adjacent to the access point. While it may be preferable that the car park is surfaced and the spaces marked out, this is not considered necessary for this particular application as the existing layout was established in excess of 7 years ago, and the permission is for a temporary period of 3 years. This also allows flexibility in the future for the partly implemented planning permission to be completed. The applicants are aware, if any further permission is requested for a car park in this site, a more appropriate finished surface and layout may well be required.

Highway issues

- 10.10 The access would remain as existing, from Acre Street, and the existing 316 car parking spaces would be retained, with no further spaces created. Highways Development Management Officer's have confirmed that due to the nature of the application, a temporary permission for 3 years to regularise the use of the existing car park, they have no concerns in relation to Highway Safety. The Highways DM Officers' have confirmed no specific highway conditions are required.

Drainage issues

- 10.11 No details relating to surface water drainage were submitted as part of the application. The application form states that sustainable drainage systems will be used but no additional information has been submitted and the proposed drainage is not shown on any plans. A Flood Management Officer confirmed that K.C. Strategic Drainage has no concerns relating to the proposal provided a pre-commencement condition is attached to any approval.
- 10.12 In taking into account the planning application is for a temporary permission with no material changes to the surfacing of the site, a pre-commencement condition relating to drainage of the site is considered to be unnecessary in this instance. Should any future application seek permission for a permanent car park on the site then this would likely require a more appropriate and permanent surfacing material. At this time it would be prudent to require a surface water drainage scheme.

Representations

- 10.13 As a response to the publicity, one public representation was received with the following comments;

'Your map isn't clear of where exactly you are proposing to put the lighting. My house is next to the proposed area and I don't want any lighting being placed so that it is shining into my property'.

This has been addressed in para 10.6 of the appraisal.

Other Matters - Crime prevention

- 10.14 Policy BE23 requires development to include secure locations for car parking areas, while Chapter 8, Paragraph 69 of the National Planning Policy Framework asks the planning system to promote safe and accessible developments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- 10.15 In developments such as the Car Park at Acre Mills, CCTV coverage should be able to capture images from the entire car park area, and the images should be of such quality that would support identification for court proceedings purposes. The use of lighting is considered essential, in terms of

the safety of persons using the facility. The lighting column and lighting packs are already in situ. Kirklees District Police Architectural Officer has requested that more information be provided in relation to the ability of the lighting to support the CCTV cameras.

10.16 A CCTV Site Layout Plan was provided, and it is considered that the proposed CCTV would provide sufficient coverage of the site. The agent has informed the LPA that the CCTV will be monitored 24/7 by the in house security team based in the main hospital building, which is expected to promote safe and accessible development, as well as giving peace of mind to carpark users. At the time of writing a further consultation response from the Crime Prevention Officer in relation to this matter was awaited.

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. 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, for a temporary period, 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 Development Management)

1. 3 year temporary time limit condition
2. Development in accordance with the approved plans
3. Operation / usage time limit condition
4. Scheme for lighting

Background Papers:

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f90438>

Certificate of Ownership –Certificate A signed