
Report of the Head of Strategic Investment

STRATEGIC PLANNING COMMITTEE

Date: 13-Jul-2017

**Subject: Planning Application 2016/94285 Outline application for erection of primary school building and reconfiguration of existing playing pitches
Playing fields and allotments adj, Clare Hill Playing Fields, Clare Hill,
Huddersfield**

APPLICANT

David Martin, Kirklees
Council, Physical
Resources, c/o Agent

DATE VALID

03-Mar-2017

TARGET DATE

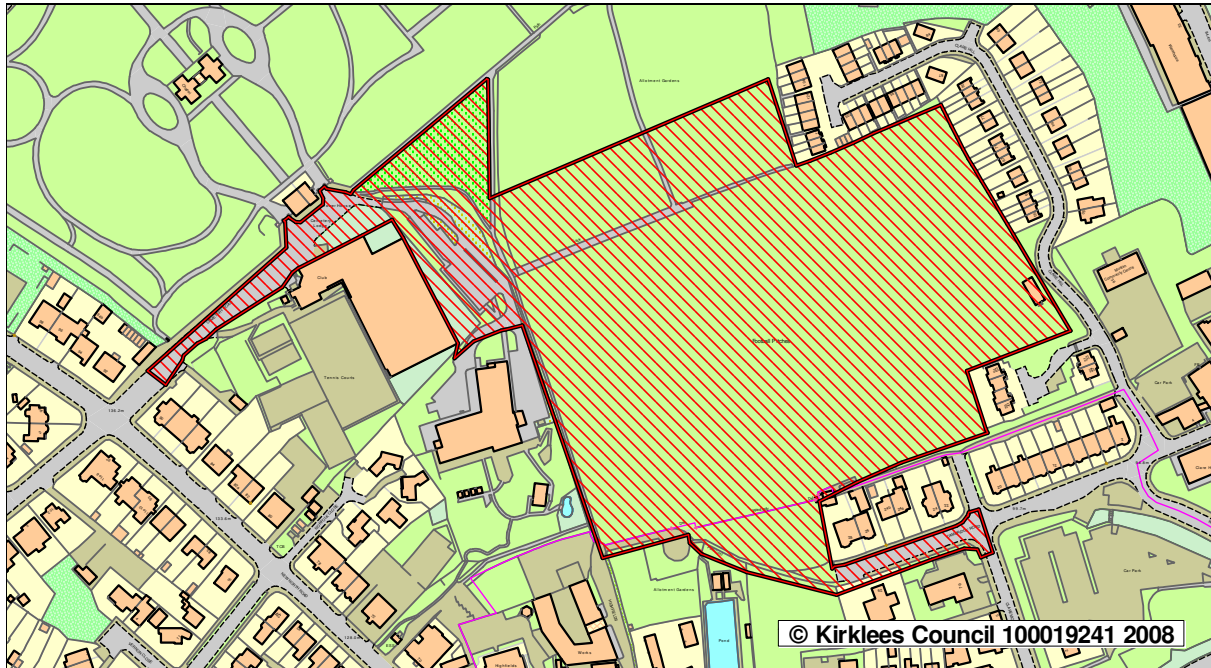
02-Jun-2017

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: Newsome & Greenhead Wards

Yes

Ward Members consulted
(referred to in report)

RECOMMENDATION:

Approve 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 referred to within this report.

1.0 INTRODUCTION:

- 1.1 The application is brought to Strategic Planning Committee as the proposal is non-residential and the site area exceeds 0.5 ha in size. Kirklees Council is the applicant.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site lies on the southern edge of the Greenhead ward on the border with Newsome ward. It is bounded to the north by council owned allotments, to the east by residential properties on Clare Hill, to the west by Highfields Adult Day Centre and to the south by both residential properties on Cambridge Road and further council owned allotments. There are public footpaths from the south west corner running north around the edge of the site towards Cemetery Road running through part of the site to the north-west. Access to the site is currently via Clare Hill.
- 2.2 The site is adjacent to three separate conservation areas (Birkby to the north, Greenhead Park/ New North Road to the south west and Huddersfield Town Centre to the south east). A number of grade II listed buildings are located in close proximity to the site. These are concentrated mainly beyond the north-west and south west boundaries of the site.
- 2.3 The application site currently consists of four playing pitches and a number of allotments to the northern part of the site.

3.0 PROPOSAL:

- 3.1 This outline planning application seeks the principle of developing part of the site for a new primary school building with associated highway works and reconfiguration of the existing pitches. The matters for consideration are access and layout with all other matters reserved.
- 3.2 The proposed access arrangements to the site would consist of two new vehicular access points to the site. One from Cambridge Road (south east) with a one way system in and out and associated staff parking and a drop off zone. The other to the north west from Cemetery Road. The proposals would include bringing Cemetery Road up to adoptable standards and the formalisation of the footpath and parking arrangements to both sides of the carriageway.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None relevant

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 23/07/17- receipt of Phase 2 Ground Investigation report ref no. 3620
- 03/03/17- amended red line and plans & confirmation of notices served on all relevant interested parties
- 26/04/17 – plans demonstrating highway proposals/works
- 05/05/17- agents agreement to condition air quality report and low emissions travel plan

08/05/17 – receipt of map showing alternative allotments sites to be offered to existing plot holders

16/06/17- Applicants confirming Greenhead College not willing to enter into a formal community use agreement for their remaining 3 pitches

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 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. It is now considered that considerable weight can be afforded to the Publication Draft Local Plan. 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 Policies 2007) remains the statutory Development Plan for Kirklees. (Considerable weight now)

6.2 The application site is largely allocated as urban greenspace with the small triangular part to the south for educational facilities on the UDP Proposals Maps.

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

The site excluding the roads is shown to remain as urban greenspace in the Local Plan

PLP2 Place shaping

PLP21 Highway Safety and access

PLP24 Design

PLP30 Biodiversity and Geodiversity

PLP32 Landscape

PLP35 Historic environment

PLP47 Healthy, active and safe lifestyles

PLP51 Protection and improvement of local air quality

PLP52 Protection and improvement of environmental quality

PLP61 Urban Greenspace

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

D3 – Urban Greenspace
R7A - proposals to develop private playing fields
R9 – proposals involving development on allotments
BE1 – Design principles
BE2 – Quality of design
BE23 – Crime prevention
EP4 – Noise sensitive development
EP6 – Noise generating development
T10 – Highway safety
T19 – parking provision
G6 – Land contamination
EP11 – Ecological landscaping
EP4 – Noise sensitive development

Supplementary Planning Guidance / Documents:

Kirklees Playing Pitch Strategy

National Planning Policy Framework:

Core Planning Principles-12

Part 1 – Building a strong, competitive economy
Part 4 - Promoting sustainable transport
Part 7 – Requiring Good Design
Part 8 – Promoting Healthy Communities
Part 10 – Climate change, flooding and coastal change
Part 11 – Conserving and Enhancing the Natural Environment
Part 12 – Conserving and Enhancing the Historic Environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by site notices, press and neighbouring properties as well as the existing allotment holders were notified by letter. Fourteen representations have been received to date. The concerns of which are summarised below:

- Loss of the landscape and ecological potential of the site
- To ensure the existing public/community use of the site is maintained
- To remove the area of woodland and orchard from the application site
- Request a site visit by Members of the committee along with users of the important and diverse open space requested by Chair of the Claytons Field Action Group
- Proposals to provide access from Cemetery Road is dangerous would cause gridlock for users of school, the cemetery and HLTSC (Huddersfield Lawn Tennis and Squash Club)
- Submitted traffic report does not reflect an accurate representation of the current use of roads or when funerals and specific types of events took place.

- Introduction of traffic regulations on Cemetery Road for 2 hours would not work for HLTSC as tournaments last over two hours.
- Access to HLTSC and Highfields Day Centre must remain open to emergency services
- Loss of existing parking on Cambridge Road to existing neighbouring businesses
- Increase in highway safety concerns on an already very busy road
- No mention of concerns of allotments holders at consultation with local residents prior to application being submitted
- Replacement plots at Cemetery Road need substantial amount of upgrading works to bring them into use
- Remaining plot holders not offered anything
- Cemetery Road Association – objects on loss of allotments and protected species
- Alternatives brownfield site would be more appropriate than application site including allotment land
- Existing allotments could be utilised for outdoor studies/activities in association with the proposed school with existing plot holders. Potential for outdoor ‘classroom’
- No consultation with the any of the envisioned users of the proposed school.
- Surrounding area of open space should be preserved as a community asset
- Consideration should be given to the concept of a footpath to run behind the proposed school for the continuation the “Betjeman Way” as promoted by the Clayton Fields Action Group
- To share therapeutic garden of adjacent Highfields special needs centre
- Proposals would degrade local amenity in view of other local developments such as Clayton Fields

Councillor Julie Stewart –Turner requested a plan showing the location of the replacement allotments and enquired about the condition of these. She also asked whether “the plot holders be compensated for the loss of their crops, and the time, effort and expense that has been put into the existing plots”.

Response: A map showing the location of alternative plots and details of the preliminary package of measures to be carried out to the replacement plots is received. This would be conditioned.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

Sport England –“Sport England remain disappointed with how this proposal has worked out. We engaged with the Council at pre-app and accepted a scheme which involved a marginal net loss of playing field which was off-set by both the existing and proposed playing fields being opened up for community use. What Sport England is being asked to accept here does not comply with playing field policy as there is a net loss of playing field, but without the sweetener of the College playing field being opened up for

community use. Whilst the new area of playing field being made available for community use is welcome it is not a deal-maker.

Had this scenario been offered at pre-app, Sport England would have indicated its opposition to the proposal from the outset.

Unfortunately Sport England is left in a position where sustaining an objection (however legitimate) is likely to be of no further benefit, and as such we withdraw our objection – provided our concerns as to how the playing field issue has been handled is reported to planning committee, and subject to the imposition of the conditions “.

KC Highways - The proposals acceptable, subject to suitable conditions

8.2 **Non-statutory:**

K.C. Arboricultural Officer – no objections subject to condition for landscaping to incorporate new tree planting and enhancement of existing tree areas to remain

K.C. Environmental Services – support subject to suitable conditions

K.C. Conservation & Design – no objections

K.C. Ecology & Biodiversity Officer – support subject to conditions

K.C Flood Management and Drainage - support subject to conditions

K.C Allotments manager – support see assessment below

K.C. Landscape – awaiting response

K.C. Public Rights of Way - awaiting response

Environment Agency – none to date

WY Police Architectural Liaison Officer – no objections subject to condition to ensure crime prevention measures are incorporated into the scheme in accordance with the advice dated 24th January 2017

Yorkshire Water – no objections subject to conditions

Coal Authority – no objections subject to the development being carried out in accordance with the recommendations as set out in the Phase 2 Ground investigation – Rotary Drilling Report (Report Number 3620) prepared by Michael D Joyce Associates LLP dated April 2016; (see response dated 3rd Feb 2017

9.0 **MAIN ISSUES**

- Principle of development (playing fields and allotments)
- Visual amenity issues
- Residential amenity issues
- Landscape issues
- Highway issues including PROW
- Drainage issues
- Representations
- Other matters (coal, ecology & crime prevention)

10.0 APPRAISAL

10.1 Principle of development

- 10.2 The site is currently used as playing pitches and allotments. Other than the triangular part of the site to the south, the site is allocated as Urban Green Space (UGS) on the Unitary Development Plan (UDP) Proposals Map. On areas designated as UGS, policy D3 of the UDP applies. The community benefit element of the policy is not consistent with considerations of the National Planning Policy Framework (NPPF) particularly paragraph 74. However, the majority of the policy is in accordance with the NPPF. As such, policy D3 of the UDP should be afforded significant weight.
- 10.3 Policy D3 of the UDP stipulates that permission will not be granted unless the development proposed is necessary for the continuation or enhancement of established uses, or involves change of use to alternative open land uses, or would result in a specific community benefit, and in all cases will protect visual amenity, wildlife value and opportunities for sport and recreation, or that it includes alternative provision of urban greenspace equivalent in both quantitative and qualitative terms to that which would be developed and reasonably accessible to existing users.
- 10.4 The proposals to accommodate the provision of a new school building within Greenhead College grounds are considered to be necessary for the continuation and enhancement of the established educational use, for it to continue to serve the needs of Kirklees residents at a time where the need for additional primary schools places has clearly been identified. Therefore the principle of erecting the new primary school building is considered to be acceptable and in accordance with policy D3 of the UDP. The principle of a new school and reconfiguration of existing playing fields would also be consistent with Publication Draft Local Plan Policy PLP61 point b, in part & e, in that the proposals would provide a substantial community benefit that clearly outweighs the harm resulting from the loss of a small amount of land from the existing playing field.
- 10.5 It is acknowledged the proposals would result in a small quantitative loss of land allocated as playing fields. However, in terms of quality the proposals would result in the replacement of an existing playing pitch with an improved upgraded (i.e. levels and drainage) pitch which would be subject to a community use agreement. Furthermore and more importantly the factors set below in terms of paragraph 72 of the NPPF, the principle of the proposed development is considered acceptable.

Paragraph 72 of the NPPF states that:

“ ..the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand and alter schools; and
- Work with schools promoters to identify and resolve key planning issues before applications are submitted”.

- 10.6 As can be seen from the wording of paragraph 72, the NPPF gives great weight and importance to school based proposals. From a decision making perspective this should weigh considerably in favour of this proposal.
- 10.7 To summarise, as stated above a clear demand and need has been identified for a new school provision in the North Huddersfield Primary sub area by the Council’s School Organisation and Planning team. In light of this, the proposals are given considerable weight and acceptable in principle given that it would provide a sufficient choice of school places to meet the needs of existing and new communities thus according with the 12th core planning principle of the NPPF and paragraph 72 and provisions of Policies D3 and R7A of the UDP.
- 10.8 **Sport England comments on principle of development:**
Turning to the comments from Sport England it is understood that the site forms part of, or constitutes a playing field, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015. The consultation with Sport England is therefore a statutory requirement.
- 10.9 Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England’s Playing Fields Policy, which is presented within its Planning Policy Statement titled ‘A Sporting Future for the Playing Fields of England’
- 10.10 Sport England’s policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply. Sport England is of the opinion that the proposed development would lead to the loss of playing field resulting from the construction of the new school. The applicant has used allotment land adjacent to the application site to offer as replacement playing field land. Accordingly the application stands to be judged against exception E4. Exception E4 requires that;
- 10.11 *“The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development”*

- 10.12 Sport England advice is if exception E4 is not properly met and no other exception pertains to the proposed development, then Sport England should object to the application. Sport England has offered not to object to the application on the basis of the site's playing field being made formally available for community sport by way of a community use agreement condition. The reason for seeking this condition as an alternative to objecting is because of the serious shortage of playing pitches that are available for community sport in Kirklees as identified by the Kirklees Playing Pitch Strategy (PPS). The opening up of playing fields for community use is therefore a priority of the Kirklees Draft Local Plan and Policy PLP 50 of the Publication Draft Local Plan reflects this.
- 10.13 The applicant is agreeable for a condition to be imposed requiring a community use agreement (CUA) for the new replacement pitch as they will retain ownership of this area. In terms of quantity, the applicant's state the existing playing pitch area is 4.50ha and the new playing pitch area 4.38ha, resulting in a quantitative loss of 0.12ha of land allocated as playing field. On the basis of the insignificant area of playing field land to be lost, the applicants have requested this minimal loss be mitigated against by the replacement of a significantly upgraded pitch, which would be conditioned to be laid out to Sport England's standards and specifications and subject to a CUA.
- 10.14 With regards to the remaining three pitches the applicant has also approached Greenhead College the owners, seeking their agreement for a formal CUA on their pitches. The college have responded by stating they do not wish for a CUA on their pitches as "the pitches get very churned up with constant use and additional use would be of detriment to the college teams". Written confirmation is being sought from the college to confirm this.
- 10.15 In light of this, Sport England requested details from the applicant on how it is proposed to manage and maintain the community use of the new pitch along with maintaining the flexibility of use of the existing pitches. Officers are of the opinion this is an unreasonable request particularly as the applicants would have no control over the remaining three pitches and moreover maintaining the use of the existing pitches would not be enforceable given these pitches are not in control of the applicants. Furthermore, it is acknowledged that Greenhead College could at any time erect fencing up to a 2m in height on the perimeter of their pitches under permitted development rights, therefore removing any informal use of their three pitches.
- 10.16 Nevertheless the applicant has responded stating:

"The existing pitches will remain under the ownership of Greenhead College. The new pitch, located to the north of the proposed school building, will be owned by Kirklees Council.

In terms of access to the pitches, the existing pitches will be accessed via the existing access point off Clare Hill to the east of the playing fields. There will be no physical barrier erected between the existing pitches and the new proposed pitch and therefore people will be able to walk freely between the

two areas. Whilst the proposed school campus will be fenced for security purposes the proposed school drop off car park accessed from Cemetery Road will not be enclosed within this fenced area and therefore there is potential for this area to be utilised as parking for the new pitch.

In terms of the operation and use of the pitches, Greenhead will continue to operate and utilise the existing pitches. Kirklees Council will operate/manage the new playing pitch in the same manner as they operate all their other pitches within the district. The applicants are also willing to accept a planning condition requiring the provision of a community use agreement for the new playing pitch only. “

- 10.17 In light of this position Sport England have recently responded and withdrawn their objection subject to a condition to cover the design and construction of the new playing pitch and ensuring its use meets the Sport England Community Use Agreement requirements.

Allotments:

- 10.18 Turning to the allotments issue, Policy R9 of the UDP states “proposals involving development on allotments, or land last used as allotments, will not be permitted unless replacement allotments of equivalent community benefit are provided or it can be demonstrated that there is no unsatisfied local demand for allotments”
- 10.19 The proposals would result in the loss of a total of 34 allotments at the Cemetery Road site, 8 of which are already vacant. The submitted information states that there is sufficient capacity within 1km of the Cemetery Road to relocate all the 26 plot holders who would be displaced by the proposed development. The application/details have been considered by the Councils allotment manager, who advises that demand for plots fluctuates over the year and at the time of considering the application the demand was low. Furthermore, the willingness of the applicant to prepare currently unused plots (to be conditioned) adjacent to this site and those vacant with no awaiting list within 1km of the application site, to accommodate all plot holders that would be affected by the proposals is considered of equivalent community benefit. This would satisfy Policy R9 of the UDP and be consistent with the Publication Draft Local Plan Policy PLP47 point d.

Visual amenity issues

- 10.20 The proposed layout plan shows the school campus located within the western portion of the site and adjacent to the existing built forms of Highfields Day Centre and the adjacent Huddersfield Lawn, Tennis and Squash Club as well as a mature tree belt along the site’s western boundary. The proposed layout would also situate the main school building away from existing residential dwellings thus minimising the impact on these dwellings. Furthermore, in the layout shown the proposals would ensure that the proposed built forms have minimal take-up of the existing open space and sport pitch provision on this site. In light of this officers are of the opinion, the proposed site layout demonstrates that a new primary school building of

adequate scale can be situated on the site alongside a reconfigured sports pitch provision and ensure the development will not have a significant impact on the visual amenity of the immediate and wider site area. The proposals are considered to accord with the guidance set out within Policies D3, BE1 and BE2 of the Unitary Development Plan and government guidance contained within Part 7 of the NPPF.

Heritage issues

- 10.21 Turning to the impact on the nearby listed buildings and the character of the adjacent Conservation Areas, Section 66 (1) of the Listed Buildings Act states “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have 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 terms of conservation areas Section 72 (1) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 132 of the NPPF notes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 10.22 The applicant has provided a Heritage Impact Assessment as required by paragraph 128 of the NPPF to support the application, which the Conservation Officer is satisfied with and considers the proposals would lead to less than substantial harm to the significance to the nearby heritage assets at this stage. The harm could be from any resultant scale. This is a matter reserved at this stage.
- 10.23 The indicative drawings submitted demonstrate a two storey school building taking the same form and scale as that approved at the Royds Hall Community School. The applicants are anticipating that the same template will be used to inform the design and scale. Therefore, the harm to nearby heritage assets will again need to be evaluated on subsequent applications seeking consent for all matters reserved at this stage.
- 10.24 To summarise the harm caused by the proposals is less than substantial as defined by the NPPF. In such cases, where less than substantial harm occurs, paragraph 134 of the NPPF requires that this harm is weighed against the public benefit accrued by the proposal. In this case the public benefit is the proposals would not only meet all three strands of sustainable development but also provide and ensure that a sufficient choice of school places is available to meet the needs of existing and new communities. This would comply with the duty set out in S66 of the Listed Buildings and Conservation Areas Act and Chapter 12 of the NPPF.

10.25 Residential Amenity issues

10.26 The proposed layout of the school building would be sited an acceptable distance away from existing residential properties of the application site, so as not to adversely affect their residential amenities.

10.27 Environmental Health Officers were consulted on the proposals who have provided comments in relation to noise, odour, lighting amongst air quality issues covered further in the assessment. The application is submitted in outline seeking matters of access and layout, therefore it is considered necessary to condition such details with mitigation measures to ensure the impact on local amenity, especially nearby noise sensitive properties is not unduly compromised in accordance with paragraph 125 of the NPPF and UDP Policy EP4.

Landscape issues

10.28 Indicative landscape proposals are submitted which demonstrate the retention of trees along the boundaries of the site and the potential for further landscaping proposals. The Councils Arboricultural Officers supports the proposals subject to new tree planting and retention of some of the existing trees, which can be incorporated into any subsequent landscape proposals along with the requirement of ecological enhancement measures.

10.29 Highway issues

10.30 UDP Policy T10 states that “New development will not normally be permitted if it will create or materially add to highway safety or environmental problems or, in the case of development which will attract or generate a significant number of journeys, it cannot be served adequately by the existing highway network ...”. Policy T19 addresses car parking in relation to the maximum standards set out in Appendix 2 to the UDP.

10.31 Two vehicular access points and two car park/ drop off areas will be provided on site. The first will be taken off Cemetery Road from the north west which will be improved to adoptable highway standards as part of the proposed development. It is proposed that the existing access to Highfields Day centre be modified to allow use as access to the drop off car park. This car park will provide 30 spaces and be predominantly utilised for pupil pick up and drop off pupils. The second vehicular access point will be taken from Cambridge Road to the south leading to a car park area with 22 drop off spaces and 26 staff, visitor spaces (2 disabled) and 3 coach spaces. The main entrance of the school is anticipated to face the Cambridge Road access and car park. Consultations with DM Highway Services and the applicants have been on going with amended and additional details received during the course of the application.

10.32 The view of the DM Highway Officers is “the outline planning application is for a new two form entry primary school in North Huddersfield to accommodate circa 420 pupils and 40 staff (including support staff) and would have two vehicular/pedestrian accesses from Cambridge Road and Cemetery Road, together with public footpath routes connecting to the site.

10.33 The primary school would open in 2018 with a new intake of 60 pupils starting each year until a maximum capacity of 420 is reached in 2024.

- September 2018 – approximately 60 pupils;
- September 2018 – approximately 120 pupils;
- September 2019 – approximately 180 pupils;
- September 2020 – approximately 240 pupils;
- September 2021 – approximately 300 pupils;
- September 2022 – approximately 360 pupils;
- September 2023 – approximately 420 pupils;

Public Rights of Way:

10.34 Footway widths and street lighting on the surrounding roads within the vicinity of the site are considered to be acceptable.

10.35 There are a number of public footpaths located in the vicinity of the site including PROW HUD/344/40 to the north of the proposed school site linking Cemetery Road with Blacker Road, and PROW HUD/344/60 which links into St Johns Crescent. Both footpaths have a tarmac surface and are of a reasonable width.

10.36 However both footpaths are partly overgrown by vegetation in places reducing the footway width considerably. In addition both footpaths lack street lighting along their length. As such it is considered improvements (to be secured by condition) to these routes are required.

10.36 A third footpath route runs south from Cemetery Road along the boundary between the existing sports pitches and Highfields Day Centre providing a link to Cambridge Road, Highfields Road and New North Road. Again the footpath is overgrown in areas reducing its width and it has limited street lighting. Improvements to be secured by condition would also be required.

Public Transport:

10.37 The nearest bus stops in relation to the proposed school site are located on St John’s Road near to its junction with Clare Hill, approximately 300 metres to the east and New North Road near to its junction with Cemetery Road, approximately 400 metres to the west. In summary New North Road and St. Johns Road bus stops have frequencies of 10 and 30 minutes respectively.

Access Arrangement:

10.38 Vehicular and pedestrian access is proposed both from the west via Cemetery Road and from the east via Clare Hill and Cambridge Road.

Cemetery Road:

- 10.40 The improvement of Cemetery Road is proposed in redefining the road space, improving the current footway provision, and formalising parking arrangements. The access route also utilises the first 100 metres of the existing access road to the Highfields Day Centre before branching left into the newly formed 30 space school drop off / pick up car park.
- 10.39 Relative to the Cemetery Road works a pedestrian crossing facility in the form of a sizable central island will be provided on New Hey Road.
- 10.41 In addition to the new access off Cemetery Road, it is proposed that a change in the parking management along Cemetery Road is undertaken providing on-street parking bays and it is recommended that parking is restricted to no more than 4 hours. This is to be formally agreed.

Cambridge Road:

- 10.40 Cambridge Road would provide access to a 48 space (including 2 disabled spaces) school drop off / pick up space car park, and a combined coach /loading bay.
- 10.41 To accommodate the safe and efficient vehicular site access it proposed to remove the existing on-street parking bays on the south side of Cambridge Road west of its junction with Claremont Street.
- 10.42 Cambridge Road would be extended north eastwards to access the school drop off / pick up car park and would also facilitate coach/bus access and school servicing vehicles. Note: Coach/bus access is required for the occasional school trip and it is not anticipated that pupils will be bused in on a daily basis.

Parking Demand:

- 10.46 Aecom has carried out a forecast two-way pupil vehicle trip analysis. For robustness the analysis has not taken into account car sharing and has assumed that 1 pupil will occupy 1 car (a worst case scenario).
- 10.47 At full occupancy the 252 two-way pupil vehicle trips are forecast at the school start and finish times. As such the demand for parking space year on year until full occupation is forecast to be:
- 2018 - 36 spaces;
 - 2019 - 72 spaces;
 - 2020 - 108 spaces;
 - 2021 - 144 spaces;
 - 2022 - 180 spaces;
 - 2023 - 216 spaces; and
 - 2024 - 252 spaces;

- 10.48 The demand for parking if all parents / guardians actually park up and walk in to the school for the drop-off / pickup is estimated to be 252 spaces when all school years are present. In reality drop-off and, to a lesser extent, pick-up will be spread over a period of time rather than occurring all at the same time so this demand for parking is very much a worst case for assessment purposes only.
- 10.49 In addition to the 78 pick-up and drop off spaces within the site, Aecom have identified in the region of 220 on-street parking spaces within the vicinity of the site (not including Cambridge public car park).
- 10.50 To further manage the peak parking demand the school will consider the implementation of staggered start and finish times, and breakfast / school clubs to spread the arrival and departure pattern.

Junction Assessment:

- 10.51 In order to determine the scale of impacts on each access route, modelling has been undertaken at two key off-site junctions:
- New North Road / Cemetery Road / Ceder Avenue Crossroad Junction; and
 - Clare Hill / St Johns Road / Beck Road Staggered Crossroad Junction.
- 10.52 The modelling assigned year 2024 vehicle flows of:

	0800 – 0900hrs	14:30 – 1530hrs
Cemetery Road Access		
Arrival	115	103
Departure	93	103
Total	208	206
Cambridge Road Access		
Arrival	165	148
Departure	134	148
Total	299	296

- 10.53 Each junction is forecast to operate within or near to its operational capacity. Whilst the Cemetery Road arm exceeds its ultimate capacity for a short time period within the AM and PM Peak hours, maximum vehicle queues of circa 11 and 15 vehicles respectively are considered to be manageable given their short and temporary nature.
- 10.54 This type of vehicle queuing is considered a common issue experienced at most schools and HDM acknowledge that it would be unrealistic to resolve completely.

Travel Plan:

- 10.55 A travel plan has been submitted with the application which provides the necessary commitment to promoting sustainable travel characteristics.

10.56 The travel plan aims and objectives are to minimise staff and pupil single occupancy vehicle trips and to encourage travel by sustainable modes. The travel plan seeks to establish a culture of sustainable travel at the site from the outset by the implementation of the following Action Plan:

Action	Timescales
Appoint Travel Plan Coordinator	Prior to School Opening
Produce Travel Information	Prior to School Opening
Set up Liaison Group with	Prior to School Opening
Prepare Travel Information Notice Board	On School Opening
Distribute Travel Information Packs to staff members and pupils	On School Opening
Undertake baseline travel questionnaire surveys (staff / pupils)	Within 3 months of School Opening
Annual pupil / staff questionnaire	Annually
Analyse results of the survey and provide report to LPA and advise local residents through the Liaison Group process	Within 2/4 months of undertaking the hands-up and questionnaire surveys
Review compliance with targets and take appropriate action with respect to Travel Plan measures	Following annual surveys
Take part in walk to school week and run other school walking / cycling events	Annually and events throughout the year
Take part in National Cycle to work week (staff)	Annually
Identify cycle training courses for pupils	Annually
Set up 'Walking Buses' scheme for pupils	On School Opening
Seek information on road safety training for pupils and set up events	Annually
Encourage staff to cycle to school	Throughout year
Encourage car sharing and assist in identifying staff car share partners	Throughout year
Encourage car sharing for pupils and assist in identifying car share opportunities for parents	Throughout year

Conclusion on highway issues:

- 10.57 The likely transport impacts of the proposal to establish Clare Hill Primary School have been investigated. The measures proposed including staggered start and finish times; before and after school clubs; provision and management of a drop-off / pick-up facility; the improvement to the site access Cemetery Road junction and roads; the establishment / enhancement of pedestrian access points and PROWS; and the provision of a Travel Plan are all considered in the round to contributing to minimising as far as possible the impacts of the development. Highway concerns have been considered in detail by Highway Officers including consideration of longer parking time restrictions on Cemetery Road to ensure the operational requirements of the HLTSC are not unfairly restricted. Time restrictions are suggested to be no more than four hours. On this basis, Highways Development Management considers that the proposals acceptable, subject to suitable conditions

Drainage issues

- 10.58 The NPPF requires Local Planning Authorities to take account of climate change over the longer term, including factors such as flood risk and water supply. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.
- 10.59 The proposals have been considered by the council's Flood Management team who suggest a condition to ensure the provision of adequate and sustainable systems of drainage are employed in the interests of amenity environmental well- being.

Representations

- 10.60 Insofar as representations received that have not been addressed through the officer's assessment, these are responded to as follows:
- Request to remove the area of woodland and orchard from the application site
Response: this is not deemed necessary. Furthermore, the submitted plans do not indicate any development in these areas.
 - Request a site visit by Members of the committee along with users of the important and diverse open space requested by Chair of the Claytons Field Action Group
Response: A visit will be carried out by Members of the Strategic Committee prior to determination of the application. It is not normal practice for a site visit to be arranged for the public.

- Proposals to provide access from Cemetery Road is dangerous would cause gridlock for users of school, the cemetery and HLTSC (Huddersfield Lawn Tennis and Squash Club)
- Submitted traffic report does not reflect an accurate representation of the current use of roads or when funerals and specific types of events took place.
- Introduction of traffic regulations on Cemetery Road for 2 hours would not work for HLTSC as tournaments last over two hours.
- Loss of existing parking on Cambridge Road to existing neighbouring businesses
- Increase in highway safety concerns on an already very busy road

Response: Highway concerns have been considered in detail by Highway Officers including consideration of longer parking time restrictions on Cemetery Road to ensure the operational requirements of the HLTSC are not unfairly restricted.

- Access to HLTSC and Highfields Day Centre must remain open to emergency services

Response: Noted. The proposals would not result in blocking the access points for these neighbouring sites.

- No mention of concerns of allotments holders at consultation with local residents prior to application being submitted

Response: Submitted planning statement makes reference to a statement of community involvement. This is under section 7, page nos. 41 to 45.

- Replacement plots at Cemetery Road need substantial amount of upgrading works to bring them into use.

Response: Noted and addressed in assessment above.

- Remaining plot holders not offered anything

Response: Noted

- Alternatives brownfield site would be more appropriate than application site including allotment land

Response: The submitted documents state the applicants carried out a review of potential sites within the Council's ownership that may have fit the search criteria in terms of size and location that could potentially accommodate a new school building. The conclusion was this was the preferred location.

- Existing allotments could be utilised for outdoor studies/activities in association with the proposed school with existing plot holders. Potential for outdoor 'classroom'
- To share therapeutic garden of adjacent Highfields special needs centre for classes

Response: Noted. However, the operations and running of school activities is not a consideration to be made by through the remits of planning. This is a matter to be considered by relevant authorities of the school.

- No consultation with the any of the envisioned users of the proposed school.

Response: The applicant has submitted a statement of community involvement which states public consultation was carried out prior to the application being submitted. This included distribution of 6000 leaflets to surrounding residents and businesses as well as the local schools in the area. a public exhibition was held on 17th November.

- Consideration should be given to the concept of a footpath to run behind the proposed school for the continuation the “Betjeman Way” as promoted by the Clayton Fields Action Group

Response: This is not a necessary nor related to the proposals

Other Matters (Air Quality, ecology, coal & crime prevention)

Air Quality:

10.61 The application for a primary school at this site has been considered in accordance with West Yorkshire Low Emission Strategy Planning Guidance. This guidance categorises developments according to size and different air quality mitigation measures. An assessment is required when the application meets certain criteria.

10.62 The proposals are adjacent to an area of poor air quality. Based on the indicative floor plans, the development proposes more than 1000m² of floor space and will be between 2 areas of poor air quality. As such Environmental Health Officers have therefore classified this development as a Major Development in accordance with WYLES Planning Guidance. In view of this the applicant is agreeable for the imposition of a condition requiring an air quality assessment with mitigations in accordance with the comments of the Environmental Health Officers comments dated 27th January 2017.

Ecology:

10.63 Paragraph 118 of the NPPF states “when determining applications Local Planning Authorities should aim to conserve and enhance biodiversity by applying a number of principles”. These include the conservation and enhancement of biodiversity in and around developments.

10.64 UDP Policy EP11 requires that applications for planning permission should incorporate landscaping which protects/enhances the ecology of the site. The ecological report accompanying the application has identified the only habitats on site of ecological importance are the areas of scattered trees and scrub. The Councils Ecology Officer on assessment of the site states “there does not appear to be any protected species issues, other than the potential for foraging bats and breeding birds. These species are most likely to be associated with the scattered trees and scrub. Loss of some of these habitats will occur, however there is sufficient scope in the layout to provide a replacement area of similar habitat of equivalent size”. To conclude the site is of limited value and there are unlikely to be any significant ecological impacts. Furthermore, future landscape proposals can incorporate ecological and enhancement measures to accord with Chapter 11 of the NPPF and policy EP11 of the UDP.

Coal:

- 10.65 The application site falls within the defined Development High Risk Area, therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.
- 10.66 Information submitted during the course of the application includes full extent of the site investigations carried out within the application site boundary. The Coal Authority on assessment of this information confirms “whilst coal mine workings were found throughout the site, due to the depth of these workings, Section 6.1 states that these workings *are at a depth and overlain by a considerable thickness of clay and mudstones and will not affect surface stability* and Section 6.4 concludes that there is *adequate rock cover across the whole of the site*”. The report also confirms that following gas monitoring, there is no evidence of mine gas present on site. The Coal Authority has confirmed subject to the development being carried out in accordance with the recommendations in the Phase 2 Ground Investigation – Rotary Drilling Report (Report Number 3620) prepared by Michael D Joyce Associates LLP dated April 2016;no further mitigation measures are required. This can be addressed by condition.
- 10.67 Crime Prevention:
The West Yorkshire Police Architectural Liaison Officer advises “historically, this part of Huddersfield has suffered from high levels of crime and anti-social behaviour, and adequate crime prevention measures should be designed into the development”.
- 10.68 There is no mention within the planning application of intended crime prevention provision. On this basis it is deemed necessary to condition the development to incorporate measures to minimise the risk of crime. These will relate specifically to boundary treatment, number of access points to the site, surveillance of car park areas and for development to be built incorporating as far as possible the guidance of Secure by Design New Schools 2014. This matter can be addressed with the imposition of appropriately worded conditions and footnotes.

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.
- 11.2 The proposals represent a form of development which is afforded great weight and importance within the NPPF. In addition the proposals would continue to serve the needs of Kirklees residents at a time where the need for additional primary school places has clearly been identified. In the layout

shown the proposals are considered acceptable, sustainable and would improve the existing highway infrastructure on Cemetery and Cambridge Roads without resulting in any significant detrimental impact to local amenity, local ecology/biodiversity, and heritage assets in the immediate vicinity of the site.

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

1. Approval of details of the appearance, landscaping, and scale (standard O/L condition)
2. Plans and particulars of the reserved matters (standard O/L condition)
3. Application for approval of the reserved matters (standard O/L condition)
4. The timeframe for implementation of the development (Standard O/L condition)
5. All conditions required in association with highway works /parking areas/ access points
6. Improvement works to existing public rights of way
7. Ecological mitigation and enhancement measures
8. Community Use Agreement on Applicant owned pitch
9. Details of works required to replacement pitch in accordance with *Sport England's Design Guidance 'Natural Turf for Sport'*
10. Air Quality assessment
11. Lighting scheme
12. Details of extract ventilation systems
13. Contaminated land, remediation and validation conditions
14. Scheme for the suppression of dust emissions arising from development
15. Phase 2 Ground Investigation (Coal Authority)
16. Foul and surface water on and off site.
17. Surface water drainage
18. Rate of surface water discharge

19. Details and timescales of upgrading replacing allotments for existing plot holders
20. Secure By Design (crime prevention measures)
21. Travel Plan requirements condition

NOTE:

Food Safety Team of Environmental Services

Background Papers:

Application and history files.

Website link to be inserted here <https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2016%2f94285>

Certificates - Notice B served on:

Kirklees Highways, Flint Street, Fartown HD1 6LG
Kirklees Highways Department, Civic Centre 3, PO Box B93

28 Cambridge Road, Huddersfield HD1 5BU
Huddersfield Lawn Tennis & Squash Club, Cemetery Road, Edgerton, HD1 5NF
Jonathon Adamson Cemetery Road, Edgerton Huddersfield HD1 5NF
Jonathan Quarmby (Corporate Facilities Manager Kirklees Council), Queensgate
Market Office, Queensgate, Huddersfield HD1 2UJ
Julie Uttley (Service Manager, All Age Disability Services), Civic Centre 1, High
Street, Huddersfield HD1 2NF
John Blake Greenhead College, Greenhead Road Huddersfield
Jonathan Watson (Bereavement Services Kirklees council)Huddersfield
Crematorium, Fixby Road, Fixby HD2 2JF
22 Cambridge Road, Huddersfield HD1 5BU
24 Cambridge Road, Huddersfield HD1 5BU
26 Cambridge Road, Huddersfield HD1 5BU