
Report of the Head of Strategic Investment

STRATEGIC PLANNING COMMITTEE

Date: 02-Nov-2017

Subject: Planning Application 2017/92923 Formation of temporary car park (retrospective) Land off Gasworks Street, Huddersfield

APPLICANT

KSDL, C/O Agent

DATE VALID

21-Aug-2017

TARGET DATE

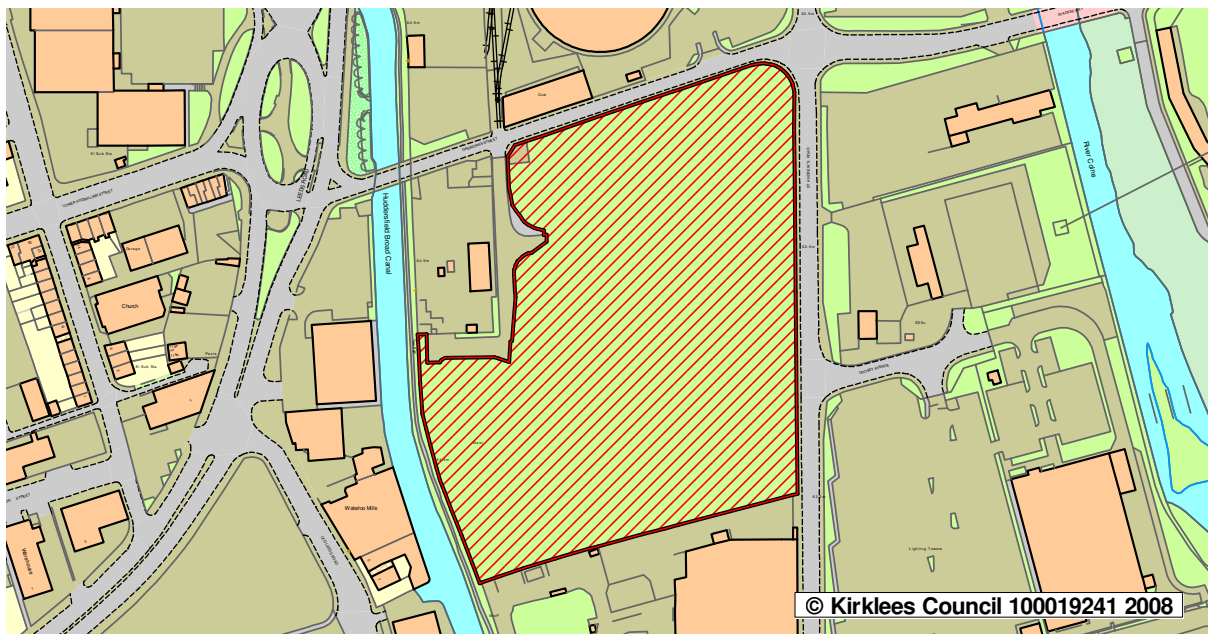
20-Nov-2017

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: Dalton

Yes

Ward Members consulted
(referred to in report)

RECOMMENDATION:

DELEGATE approval of 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 contained within this report.

1.0 INTRODUCTION:

1.1 The application is presented to Strategic Planning Committee as it involves development on a site which is in excess of 0.5 hectares in area.

2.0 SITE AND SURROUNDINGS:

2.1 The site is roughly rectangular and lies outside the ring road on a parcel of land which is bounded by a high stone boundary wall. Gasworks Street is one of the main routes to the John Smith's Stadium which lies approximately 320m to the north east of the site.

2.2 The site covers an area of approximately 2.9 hectares and according to the applicant; the site has previously been remediated by National Grid when a large number of buildings and infrastructure were removed from the site. The site is currently vacant and comprises brownfield land. The site falls from west to east towards St Andrew's Road. To the east of the site lies a towpath and Huddersfield Broad Canal. Manufacturing works lie to the south.

2.3 There is an existing access to the site off Gasworks Street which is where access to the site would be taken. There is a further existing access in the south eastern corner of the site which leads to St Andrew's Road.

3.0 PROPOSAL:

3.1 It is proposed to use Gasworks Street as a surface level car park for a temporary period of no more than two years. It is proposed that the site be used for the following:

Phase 1

3.2 The site will be used to accommodate match day parking (football and rugby league) along with some contract parking. The site will also be used for car storage for nearby car showrooms.

3.3 The Gasworks Street entrance will be used on normal days (not match days) for all visitors. On match days the existing Gasworks Street gate will be used for pedestrians only (entrance and exit). The entrance on St Andrew's Road

will be used for vehicles only (entrance and exit). For any use of the car park during match days, there will be no permit parking and marshals will be in attendance to ensure the car park is properly utilised – a key requirement of the Stadium's Car Park Management Plan.

- 3.4 The surface of the car park would be a temporary porous surface of 100mm road planings separated from the existing surface by a geotextile layer.

Phase 2

- 3.5 This involves the closing of the existing St Andrew's Road gated access and the construction of a new vehicle access a short distance further along St Andrew's Road. This will require part of the wall to be removed to allow for adequate visibility splays. The site gradient at the point of the new access may also need to be 'adjusted'. However, the details of these works have yet to be finalised.
- 3.6 In the long term it is the intention of the applicants to provide a permanent car park that will function as the key visitor car park for those drawn to the HDOne development scheme. The applicant has indicated that this will be submitted within the next 18 months, hence the temporary nature of the application hereby proposed.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 2007/94438 - Outline application for erection of mixed use development comprising retail (Use Class A1) and/or leisure (Use Class D2) (alternative proposals), offices (Use Class B1) and residential (Use Class C3) with associated access, landscaping, servicing, car parking, pedestrian link over canal and relocation of telecommunication towers – Approved.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The scheme has been through a formal pre-application process. A response to the pre-application request was made on 17th July 2017.

Kirklees Highways DM initially commented on the proposal and requested additional detail and clarification from the applicant. Following the submission of further information, there are now no objections from Highways DM.

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 Examination in Public began in October 2017. 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. 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. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

D2 – Site without notation
BE1/2 - Design and the Built Environment
BE23 - Crime Prevention Measures
EP10 - Energy Efficiency
EP11 - Landscaping
T1 - Sustainable Transport Strategy
T10 - Highways Safety / Environmental Problems
T16 - Pedestrian Routes
T19 - Off Street Parking
G6 - Contaminated Land

Kirklees Draft Local Plan Strategies and Policies (2017):

PLP3 – Location of New Development
PLP7 – Efficient and effective use of land and buildings
PLP20 – Sustainable Travel
PLP21 – Highway safety and access
PLP22 – Parking
PLP24 – Design
PLP27 – Flood Risk
PLP28 – Drainage
PLP30 – Biodiversity and Geodiversity
PLP32 – Landscape

6.2 Supplementary Planning Guidance:

- Planning Practice Guidance

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised on site and in the local press. No representations have been received.

8.0 CONSULTATION RESPONSES:

Statutory

Highways Development Management – No objections. Full details outlined in the remainder of this report.

Environment Agency – No objection. It is noted that the existing car park egress (as shown on drawings 14597-042-D and 14597-SK042-A) which is to be used during phase 1 of the works) lies within flood zone 3, and the proposed new access gate being created as part of the phase 2 works (shown on drawing 14597-043-B) lies within flood zone 2. You should satisfy yourselves that the risk to the development, and to others, has been appropriately considered and mitigated. You may need to consider the implications of this on evacuation of the site in the event of a flood.

Canal and Rivers Trust – The proposals include the introduction of stockpiled material within proximity to the canal. There is potential that these stockpiles, if not adequately controlled, could degrade the appearance of the site as viewed from the canal, which would be contrary to the aims of saved policy BE1 from the Kirklees UDP.

At present, the site is mainly screened from the waterway by a brick wall, which we believe is to remain in situ. As a result, if the stockpiles do not exceed the height of the wall (or the Heras fencing proposed around them, which is of similar height), then they should not result in any significant impact on the visual appearance of the waterway.

Non Statutory

Biodiversity Officer – No objection. As the site is currently used for car parking for a limited number of days under permitted development rights, this indicated the likely low value of the habitats present. As the present proposals are for continued use of the site for parking, but for a limited duration, I am satisfied that the potential for significant ecological impacts is limited. I have no objection provided any consent does not last beyond 18 months.

Health and Safety Executive – Does not advise against granting planning permission.

Environmental Health – No objection. We have reviewed the Ashton Bennett report dated June 2016, report reference 3263 and the supporting planning information. We accept the proposal for the site to be used for a maximum of 2 years with a geotextile membrane and hardcore surface provided that the surface is maintained to a good standard.

Recommend one charging point per 10 parking spaces.

Police Architectural Liaison Officer - I would ask that a suitable condition be included to secure adequate CCTV and lighting which would address the operational security needs of the car park.

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Highway issues
- Drainage issues
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 The sites comprises unallocated land on the Unitary Development Plan. It lies to the east of the ring road and outside Huddersfield town centre and in an area characterised by a mix of mainly commercial and industrial uses.
- 10.2 The site historically contained a car park, buildings and other infrastructure used in association with National Grid operations. All buildings and infrastructure have been removed from the site. The site now comprises brownfield land.

- 10.3 Outline planning permission was granted in July 2010 for a multi-use leisure and entertainment development adjacent to the John Smith Stadium (2008/92864). This is known as HDOne. Since then, considerable progress has been made on this scheme, but due to the passage of time an application was submitted in June 2016 to renew the earlier planning permission, thus allowing additional time to submit Reserved Matters (application reference number 2016/92122). Kirklees Council's Strategic Planning Committee granted planning permission in November 2016 for an extension of time allowing an additional three years. The applicant states that the development scheme is now moving forward at a rapid pace and they intend to submit Reserved Matters details in respect of scale, appearance, access, layout and landscaping in due course.
- 10.4 One of the key changes to HDOne as time has progressed has been the need to reduce the number of car park spaces within the site. The only other way of accommodating the parking spaces required would be to provide large multi-storey structures within the HDOne scheme which may render the scheme unviable. Therefore, the current proposal is to transfer some of the parking to the current application site. The applicant states that the medium/long-term objective is to create a permanent car park on the site to support HDOne.
- 10.5 The applicant states that there is an urgent and pressing need to ensure that there is adequate car parking available for events and activities at John Smith stadium, particularly on football match days. Therefore, the current application is considered acceptable in principle for a temporary period in order to address the immediate shortfall in car parking.

Urban Design issues

- 10.6 Paragraph 58 of the NPPF states that planning decisions should ensure that developments respond to local character and history, and reflects the identity of local surroundings and materials. Policies BE1 and BE2 of the UDP reiterate considerations in relation to design, materials and layout.
- 10.7 It is acknowledged that the proposed development does little to alter the existing character and appearance of the site. However, to a large extent visibility of the site is limited by a prominent boundary wall which surrounds the site. The site has limited visibility with obtainable viewpoints of the site when viewed from the site entrance and the existing point of access off St Andrews Road.
- 10.8 Given that this is a prominent site which forms a gateway to the stadium and future HDOne proposals, officers are of the view that in the long-term it is important that the site functions as a component part of HDOne and includes elements which make a positive contribution to the area. However, on the basis of the temporary nature of the proposal, and the fact that the proposal has a limited impact on the character and appearance of the locality, the proposed development is considered to represent an acceptable design.

Highway issues

- 10.9 Policy T10 of the Kirklees UDP states that new development will not normally be permitted if it will create or materially add to highway safety issues. Policy PLP21 of the PDLP aims to ensure that new developments do not materially

add to existing highway problems or undermine the safety of all users of the network. Para 32 of the NPPF states:

Plans and decisions should take account of whether:

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
 - *safe and suitable access to the site can be achieved for all people; and*
 - *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*
- 10.10 Phase one of the car park works would allow up to 970 car parking spaces. Phase two would involve the closing of the existing St Andrew's Road gated access and the construction of a new vehicular access further to the north on St Andrew's Road. The car parking capacity would increase to approximately 1067 spaces.
- 10.11 In terms of phase 2, there are no substantial alterations to the points of access as access from Gasworks Street would still be closed off prior to kick off.
- 10.12 The applicant has stated that the purpose of the car park is to reallocate spaces during the construction of the HDOne development. However, in the short term and to address existing on street parking issues on match days, the proposed development also allows match day use.
- 10.13 As the site is to be used as a car parking facility on match days (particularly associated with Huddersfield Town FC), it is understood that this would potentially create significant vehicular movements over a relatively short period of time. The access point off Gasworks Street would not be available for vehicles on match days; instead vehicles would have to use the access off St Andrew's Road. In addition, a pass would have to be purchased prior to arrival, and entry would be restricted to home fans only. At present permits are only issued to home fans and are sold through the club prior to kick off. The car park would be supervised at all times by stewards both prior to and during matches.
- 10.14 Highways DM have assessed the supervision and as the car park is already operating, they have visited the site on a match day. On 21st October 2017 they observed the operation of the car park when the stadium was at full capacity. In this instance 271 spaces of the 470 allocated were occupied. The company that manages the car park provides 400 contract car parking spaces available 7 days per week, 470 match day spaces available on a pre-booked basis by home fans, and 100 spaces available for the parking and storage of new cars associated with the adjacent showrooms.
- 10.15 Consultation with Kirklees Parking Services suggests that the demand for parking at this north eastern side of the town centre is limited (as evidenced by the daily spare capacity that exists in the Cambridge Street car park) and that it is unlikely that the full quota of 400 spaces will be occupied in the short term. However, the medium term need for this parking is to accommodate existing parking that will be displaced around the stadium when the

construction of the HD One development commences. It is expected therefore that these spaces will be fully utilised in the medium term.

- 10.16 On match days, the site has capacity to accommodate 470 pre-booked home fans vehicles. Based on the arrival and departure pattern at the other match day permit parking areas, 51% of arrivals are expected in the hour before kick-off and 60% of departures are expected in the hour after the final whistle. Assignment to the network is controlled by temporary match day signage and traffic management procedures. This involves holding all vehicular movements out of Stadium Way until approximately 30 minutes after the final whistle to give time for pedestrians to clear the immediate area of the stadium. When vehicle movements are permitted, these are temporarily managed to allow vehicles exiting Stadium Way to use Gasworks Street (westbound only) and St. Andrews Road (northbound only). St Andrews Road south of Gasworks Street is temporarily made southbound only and thus is only used during this period by cars parked on-street and those using the Gasworks Street car park (the subject of this application).
- 10.17 The internal layout of the car park has paid special attention to getting cars off the public highway by providing a long internal access lane for the checking of passes. A steady arrival and departure rate over the weekday AM and PM Peak periods for contract parking is not considered to be a concern in highway capacity terms as it is also noted that a car park is not a generator of trips in its own right with those trips already on the network and parking elsewhere, primarily on Stadium Way in this case. Congestion is expected and is evident on match days, particularly after the event. However, traffic management is in place and in the medium term, no net increase in parking is expected therefore the general impacts will not worsen over the existing.
- 10.18 In conclusion, the likely transport impacts of the proposal temporary car park at Gasworks Street have been investigated. In the short term, additional limited car parking and associated traffic generation will be introduced into this area. In the medium term, the proposal is a replacement of existing facilities which will be displaced by the construction of the HD One development. The Match Day Traffic Management Plan is tried and tested and is effective in managing both pedestrians and vehicles. On this basis, Kirklees Highways consider the proposals acceptable, subject to suitable conditions.
- 10.19 Overall there are no objections to the scheme from a highways perspective and subject to conditions detailed in this report the application is considered to comply with policy T10 of the UDP.

Drainage issues

- 10.20 Para 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Due to the proximity to the River Colne, the site is under fluvial flood risk with areas of the lower site lying in Flood Zone 2 and Flood Zone 3a.
- 10.21 The submitted Flood Risk Assessment (FRA) considers the risk of flooding from various sources including rivers, groundwater, artificial sources and surface water. The FRA reveals that there are small areas of surface water

flooding and a flood management plan is therefore, recommended. The applicant states that the flood management plan would cover the following:

- Signing up to the EA Flood Alerts and Warning information service.
- Upon receiving a flood alert or warning, close the entire temporary car park to the public, ensuring persons in the site leave.
- Use the Gasworks Street exit only as egress from the site as it lies in Flood Zone 1.
- If it is safe to do so, place information boards at the entrance point informing unaware public of the closure due to a flood alert or warning.
- Not opening the car park again until all flood alerts or warnings are lifted.

10.22 The Environment Agency has assessed the application and raises no objection subject to a suitable flood management/evacuation plan. The Council's drainage engineer is assessing the FRA and full comments will be reported to Strategic Planning Committee as an update.

Other Matters

10.23 The applicant has submitted contaminated land assessment information and Environmental Protection are satisfied with the proposals on the basis that the stated material is used on site.

10.24 Environmental Health has requested that electric charging points are included for every 10 spaces provided. However, the applicant states that the cost of providing this on a temporary basis would not be sustainable. It is therefore, considered that this could be a requirement of a permanent consent, but it would be unreasonable to request expensive infrastructure as part of a temporary planning permission.

10.25 The applicant has stated that CCTV will be provided on site and this information accompanies the planning application. There are no objections from the Police Architectural Liaison Officer subject to the imposition of an appropriate planning condition.

11.0 CONCLUSION

11.1 The proposed development involves a change of use of the land to a large surface car park for a temporary period. Following an assessment of the proposal and the impact on the highway network, particularly when Huddersfield Town FC play at home, the proposed development is considered acceptable with regard to highway and pedestrian safety. All other matters have been adequately addressed on the basis that the scheme is for a temporary period.

11.2 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 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 Strategic Investment)

- 1. Approved plans**
- 2. Use to cease 2 years from the date of decision notice.**
- 3. Highways conditions relating to the phasing of development and management**
- 4. Development to be carried out in full accordance with Flood Risk Assessment**
- 5. Details of CCTV**

Background Papers:

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92923+>

Certificate of Ownership – Notice served on National Grid

