
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 26-Aug-2020

Subject: Planning Application 2020/91629 Temporary use of site as a car park for a period of 3 years Land at, Southgate, Huddersfield, HD1 1TW

APPLICANT

Rob Dalby, Kirklees
Council

DATE VALID

11-Jun-2020

TARGET DATE

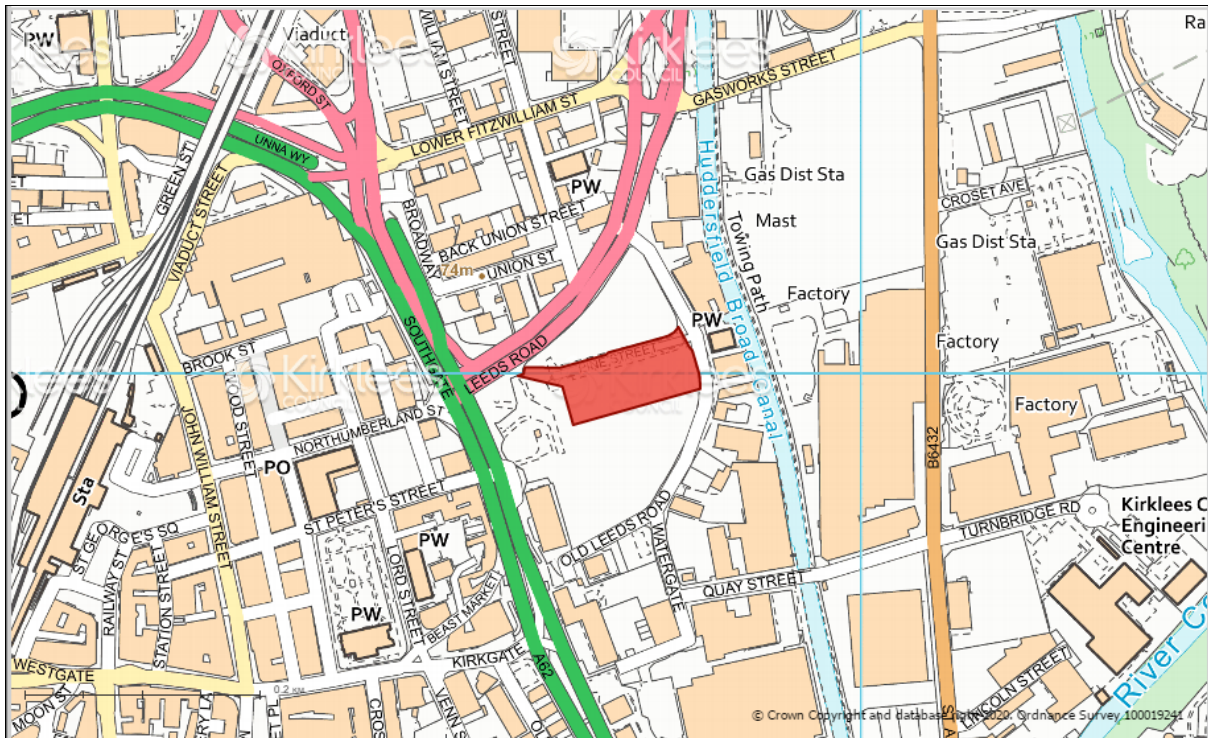
06-Aug-2020

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

Ward Councillors consulted: Yes

Public or private: Public

RECOMMENDATION:

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

1.0 INTRODUCTION:

- 1.1 In accordance with the Council's Scheme of Delegation, this application is brought to Committee on the grounds that it is a non-residential planning application where the site exceeds 0.5 hectares in size.
- 1.2 The application proposes the change of use of the land to a surface level car park for a temporary period of no more than three years to accommodate visitors and commuters to Huddersfield town centre. It would also provide match day car parking associated with football and rugby league events.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site extends to an area of 0.6 hectares. It is broadly rectangular in shape and incorporates Pine Street. It lies within part of a wider area known as the Southgate site, which surrounds it to the north, south and west. To the east, it is bounded directly by Old Leeds Road. Both the application site and the Southgate site are within the ownership of Kirklees Council.
- 2.2 The wider Southgate site was previously occupied by Huddersfield Sports Centre, a multi-storey car park and industrial uses. This adjoins the A62 Leeds Road to the North and Southgate to the east. However, all buildings have since been demolished and it is now a cleared site that is surrounded by timber hoardings. It should be acknowledged that due to timing constraints, groundworks and boundary treatments associated with this application have started on site and are largely complete. However, the proposed use has not commenced.
- 2.3 The surrounding area is predominantly commercial in character. Opposite the site, on Old Leeds Road, the buildings are principally in light industrial/business use within a variety of older Victorian mill buildings, as well as more recent 1970s business units. To the southeast of the site is Crown House, a vacant 1970s office block that fronts Southgate. Directly to the east of this building is a separate surface-level car park that would provide a further 85 spaces in the future to be accessed directly off Old Leeds Road. As a previous car park, this does not require planning permission for such a purpose and it does not form part of this planning application.

2.4 Huddersfield Town Centre lies to the west, with Huddersfield Railway Station situated at a distance of approximately 450m from the site at the closest point. The station can be accessed from the application site by crossing Southgate via Northumberland Street. This route also provides a pedestrian connection via Leeds Road to John Smith's Stadium, which is situated approximately 0.5 miles to the east of the application site. The Stadium hosts Huddersfield Giants Rugby League Club and Huddersfield Town Football Club.

2.5 Within the Kirklees Local Plan (KLP) (2019) the site is designated within a Principal Town Centre Boundary (Huddersfield). It is also part of a Mixed Use Allocation (MXS2 – Land east of Southgate, Huddersfield) within the KLP Allocations and Designations document (February 2019) for housing, employment and retail uses.

3.0 PROPOSAL:

3.1 This application proposes to change the use of the vacant brownfield site at Southgate to a surface level Council car park for a temporary period of no more than three years. It would provide 166 spaces in total. Approximately 16 of these would be parallel spaces along Pine Street and it would also include the provision of 8 accessible parking spaces for disabled badge holders. The car park would be open on a 24-hour basis.

3.2 The car park would provide for town centre car parking. Its initial purpose would be to provide for short-stay shoppers and long-stay commuter parking displaced by the closure of the Market Hall car park. It would allow for up to five hours parking or all-day provision. Parking for private non-residential or private residential uses would not be permitted. It would also be used to accommodate match day car parking requirements, as well as visitors associated with key events such as the Tour de Yorkshire, now postponed from 2020 to 2021.

3.3 Vehicular and pedestrian access into the car park would be provided via the existing entrance on Old Leeds Road. This would include a height barrier to restrict access to the car park by larger vehicles, including coaches. A pedestrian access would also be available from the car park heading north-west towards Leeds Road and connecting to Southgate. This would be in close proximity to a staggered signal-controlled pedestrian crossing that is currently on Southgate, which effectively connects Leeds Road to Northumberland Street in the direction of the railway station and wider town centre.

3.4 In terms of the appearance of the car park, the Pine Street carriageway would be re-surfaced. However, it would remain as a private road and would form part of the car park. The remainder of the car park would have a temporary porous surface with parking areas divided by timber post and rail fencing. The area of car parking would then be enclosed by temporary "heras" mesh panel fencing.

3.5 It is proposed that the area between Pine Street and Leeds Road that is not to be used for car parking would be landscaped with a combination of tree planting and wildflower planting. This is beyond the red line boundary of the site but lies within the blue line boundary (i.e. within the ownership of the applicant). Along the perimeter of the site, the application proposes to replace the existing timber hoarding along the northern boundary to Leeds Road and

part of Old Leeds Road with a welded mesh fence of approximately 2m in height. To the south of the site, the existing wooden hoarding would be retained.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 There is an extensive planning history to the site, the most relevant of which is detailed below:

2015/93322: Prior notification for demolition of buildings
Approved: 10 November 2015

2009/93675: Erection of replacement retail store (Class A1) with petrol filling station, car parking, landscaping and associated works.
Allowed on appeal: 7 February 2012 (expired)

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 There have been no amendments to the plans during the life of the planning application. Clarifications have been sought on some aspects of the proposal, including the use of temporary heras fencing and electric vehicle provision, and these are detailed in the report below.

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27/02/2019) (KLP).

Kirklees Local Plan (2019):

- 6.2 The following policies are most relevant to the consideration of this application:

Policy LP24 Design
Policy LP21 Highways and Access
Policy LP30 Biodiversity and Geodiversity
Policy LP32 Landscape
Policy LP33 Trees

Supplementary Planning Guidance / Documents:

- 6.3 The most relevant SPG/SPD document is the following:

Huddersfield Blueprint SPD (May 2020)

National Planning Guidance:

- 6.4 The following sections of the National Planning Policy Framework (NPPF) are most relevant to the consideration of this application:

Chapter 7: Requiring good design
Chapter 9: Promoting sustainable transport
Chapter 11: Conserving and enhancing the natural environment

Climate change

6.5 On 12/11/2019 the Council adopted a target for achieving “net zero” carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by means of a site notice and a press notice in the Huddersfield Examiner (published 24/07/2020) as a major application. It was also advertised by means of direct neighbour notification letters.

7.2 One representation has been received on behalf of Royal Mail in respect of the Huddersfield Delivery Office, which lies approximately 230m to the west of the site. Royal Mail supports the principle of the development, but they request that additional controls are put in place as a means to protect their existing interest in the site and at their Huddersfield Delivery Office. Royal Mail's concern is related to potential highways impacts as a result of the proposed works.

7.3 Royal Mail note that their office is accessed off Northumberland Road, which joins Leeds Road (A62). The Delivery Office is an important asset for Royal Mail, providing for collections, distribution and delivery services. Approximately 210 staff are employed at the site and cover a total of 140 different routes, delivering to over 74,000 properties. Royal Mail therefore needs to ensure uninterrupted access into and from its site at all times. Vehicles require access to the site at various times throughout the day and night. The Delivery Offices peak times are between 07.00 – 12.30 during the weekdays, between 07.00 and 14.00 on Saturdays, and although there are no deliveries on Sundays, the office is still operational between 11.00 and 15.00. A later peak is also necessary on Wednesdays until 20.00. The letter states that any obstructions to the routes risk significant disruptions to Royal Mail's operations and subsequent ability to meet statutory and regulatory requirements.

7.4 Royal Mail acknowledge that although the proposed development site and the Huddersfield Delivery Office do not share access, they consider that the proposal will increase the amount of vehicle movements within the existing highways network. In their view, this could impact on Royal Mail's ability to meet their statutory requirement to deliver post on time to the 74,000 properties serviced from this delivery office, six days a week in the UK. An improvement scheme for the A62 is proposed, which includes converting the A62 from two to one traffic lane. This would allow the inbound approach to be increased from two to three traffic lanes, providing two left turn lanes to Huddersfield Ring Road. These works and the proposed development are considered likely to result in a cumulative impact on Royal Mail. Even if for a

short term (a three year period) these impacts can result in significant fines for Royal Mail, if targets for delivery of post cannot be met. Royal Mail is therefore concerned about the impact of neighbouring development on the site, including on route availability and any potential highway impacts, such as a significant increase in traffic inside and outside of peak hours. The ability to operate outside of the normal working day is critical to Royal Mail's business.

7.5 Royal Mail note that the planning application records that consideration has been given to extending the Huddersfield Freetown Bus route to provide a pick up/drop off point at the temporary car park. However, Royal Mail would be concerned about the impact of a new pick up/drop off bus stop on their existing transport routes, on top of the additional vehicular movements within the highway network. They recognise that the level of impact is less than that previously approved at the site (ref: 2009/93675), for a retail (Class A1) store with a petrol filling station, car parking, landscaping and associated works, albeit that this application has now lapsed. It would also be less than that associated with the former Huddersfield Sports Centre, which closed in 2015. Nevertheless, Royal Mail are concerned that additional traffic created as a result of the development could result in delays to their fleet at peak times.

7.6 Finally, Royal Mail note that the application's accompanying information does not provide any details regarding the proposed operational hours or management of the temporary site. They therefore request that a Car Park Management Plan be conditioned to protect the surrounding highways network from any potential impact on the free movement of Royal Mail vehicles to and from their Delivery Office, in particular during the peak morning weekday hours and varied weekend peaks.

7.7 These matters are addressed in the report below.

Ward Members

7.8 Ward Members were consulted on the proposal by email dated 22/06/2020. Councillor Mather responded to confirm her agreement to the proposal.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways: No objection subject to conditions.

Lead Local Flood Authority: Support the application.

8.2 Non-statutory:

KC Crime Prevention: Provided general advice on site security and safety.

KC Landscape: Acceptable in principle subject to some clarification in relation to tree/plant species, fencing and watering systems/maintenance, which can be secured by condition.

KC Air Quality: Agree with the methodology of the Air Quality Assessment but do not agree with the recommendations or conclusions of the operational phase of the development and therefore recommend mitigation measures to comprise the installation of Electric Vehicle Charging Points to be secured by condition.

9.0 MAIN ISSUES

- Principle of development;
- Highway issues;
- Air Quality;
- Design, Landscaping, Biodiversity, Amenity and Safety;
- Flood Risk;
- Sustainability and climate change;
- Heritage;
- Response to representations.

10.0 APPRAISAL

Principle of development

- 10.1 This application is submitted by Kirklees Council and seeks full planning permission to change the use of the vacant land at Southgate to provide a surface level council car park with 166 spaces for a temporary period of no more than three years. At the end of the period, the site would be restored in accordance with a scheme to be agreed with the council, which can be secured by condition.
- 10.2 Within the KLP Allocations and Designations document (February 2019), the site is part of a Mixed-Use Allocation - MXS2 - Land east of Southgate, Huddersfield. In its entirety, the site extends to 2.67ha and it is identified in principle for mixed use development comprising housing, employment and retail, with an indicative capacity of 46 dwellings, 4,655sqm of employment space and retail subject to other policies in the plan. On the basis that this proposal is for a temporary period, it is not considered that it would preclude the future development of the site in accordance with Policy MXS2.
- 10.3 The Huddersfield Blueprint SPD, which is capable of being a material consideration in the determination of planning applications, identifies the wider Southgate site as being a cleared site that provides an opportunity for major mixed use development (potential residential/educational/commercial use development with car parking). This accords with the site allocation. The SPD states that it is well located with good access to the town centre and links to wider road networks via the Huddersfield ring road, and is a key priority for redevelopment in the short to medium term (three to five years). Again, the temporary use of the site as a car park does not preclude its future use for these purposes.
- 10.4 Furthermore, Policy LP22 of the KLP refers specifically to car parking. It advises that the provision of parking will be based on eight principles (a)-(h). As relevant to the application proposal, these include (a) that in town, district and local centres, car parks close to the main shopping area will be for short-stay use and peripheral car parks for long stay use and (b) that long stay parking in town centres will be reduced progressively in conjunction with improvement to sustainable transport opportunities.
- 10.5 In this case, the car park is intended to accommodate current parking needs within the Town Centre. The Council have been reviewing its provision in order to inform the objectives set out within the Huddersfield Blueprint SPD

and also, to support the town's regeneration. As part of that process, in light of the closure of Market Hall, it is acknowledged that there is a need for replacement provision to support the Town Centre.

- 10.6 This application site would therefore contribute to the parking needs whilst Market Hall is not in operation. It would provide for both short-term (up to five hours) and long-stay parking (all-day) throughout the day (24-hour operation). It is only proposed for a temporary period and it would therefore allow for future improvements to sustainable travel in determining its long term use.
- 10.7 For the reasons set out above, the proposal is considered acceptable in principle in accordance with Policy LP22 of the KLP, Site Allocation MXS2 of the KLP and guidance within the Huddersfield Blueprint SPD.

Highway issues

- 10.8 Policy LP21 of the Kirklees Local Plan advises that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. This reflects guidance within the National Planning Policy Framework (the Framework), which states at Paragraph 108 that in assessing applications for development, it should be ensured that there are appropriate opportunities to promote sustainable transport modes, safe and suitable access to the site can be achieved for all users, and any significant impacts from the development on the transport network can be viably and appropriately mitigated. Paragraph 109 confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.9 The applicant has submitted a Transport Statement to support the application. As its baseline, it considers the historic use of the site, having formerly been the site of Huddersfield Sports Centre, which closed in May 2015. At that time, the public car parking on the wider site extended to 267 spaces. This comprised 140 spaces in the Pine Street multi-storey car park, 30 on-street spaces on Pine Street, 27 spaces on Old Leeds Road and 70 spaces specifically at the Leisure Centre.
- 10.10 With regard to traffic generation, the unsurfaced car park would provide 166 spaces. This is a net reduction when compared to the previous Pine Street car park, which comprised 140 off-street spaces and 30 on-street spaces (170 spaces).
- 10.11 The Transport Statement has been undertaken on the basis of 168 spaces to allow for flexibility in the layout of the car park. It predicts that the temporary car park would generate 69 arrivals in the AM Peak hour (08:00 – 09:00) and 69 departures in the PM Peak hour (17:00 – 18:00). This equates to a vehicle arriving at the temporary car park on average every 50 seconds during the AM Peak hour and vice versa departing in the PM Peak hour. Prior to the AM Peak, it predicts approximately seven vehicles between 6am and 7am and 50 vehicles between 7am and 8am.
- 10.12 In terms of the impact on the highway network, the Transport Statement advises that analysis of the traffic count data shows that 251 vehicles currently turn right from Southgate into Leeds Road during the AM Peak hour. Once the temporary car park is open and operational, it is estimated that it

would result in an additional 28 vehicles turning right into Leeds Road during the AM Peak hour. This would increase the percentage of right turners by 11%. The applicant has liaised with the Kirklees Highways Signals Team who have confirmed that the addition of circa 30 additional trips to this turn during the AM Peak hour would not be a concern and could be accommodated.

- 10.13 In terms of the vehicles that currently turn right from Leeds Road into Old Leeds Road during the AM Peak hour, analysis of traffic data shows that it is typically 91 vehicles currently. This equates to one vehicle arriving at the junction and turning right into Old Leeds Road every 40 seconds on average. With the temporary car park open and operational, it is estimated that an additional 56 vehicles would turn right into Old Leeds Road during the AM Peak hour. This would equate to an additional vehicle arriving at the junction and turning right every minute on average. Whilst the proposal would increase the number of additional right turners by 62%, this figure looks high due to the current low number of right turners into Old Leeds Road.
- 10.14 Highways Development Management have considered the Transport Statement. They note that with regard to the base flows (existing traffic flows) on Leeds Road, a 12-hour traffic survey was carried out on 17/03/2020, counting 9,934 two-way vehicle movements (compared to 9,416 in 2015). It should be noted that the Covid-19 situation has had a possible effect on these recent figures, and as such a 7% TEMPRO growth rate has been factored in to enable a robust assessment. Taking into account the base flows and proposed traffic generation associated with this development, it is considered that the proposed development's traffic generation would not have a detrimental impact on the network, with the existing highway layout on Leeds Road/Old Leeds Road able to accommodate it satisfactorily
- 10.15 Vehicular access to the car park would be provided via the existing access from Pine Street. The applicant confirms that visibility splays of 2.4m x 43m can be achieved in both directions from the Pine Street arm at the junction with Old Leeds Road, which conforms to Manual for Streets Guidance. It is also noted that a vehicle height barrier would be provided at the entrance to mitigate any unauthorised use. A condition is proposed recommending that the visibility splays are provided in accordance with the approved plans and cleared of all obstructions. This would ensure safe access and egress into the site.
- 10.16 Pedestrian access would be provided to the A62 Leeds Road at the north west corner of the car park. This would provide a more direct route to the Town Centre. A pedestrian guardrail chicane and sandstone boulders would be provided where the new pedestrian connection meets the A62 Leeds Road in order to prevent motorcycle access.
- 10.17 During the life of the planning application, discussions were held with the applicant in relation to the Huddersfield Free Town Bus and the opportunity for the bus route to be extended to provide a pick up/drop off point close to the proposed temporary car park on Southgate. However, it has been determined that this additional stop would result in a substantial additional running cost to the council that is not viable. Furthermore, the bus can, in any event, be accessed from Northumberland Street, which is within close walking distance from the proposed car park. The new pedestrian route from the car park to the town centre would provide a reasonably direct and accessible route to it. The Free Town Bus would then connect the car park to key

destinations within the Town Centre including the bus and railway stations, the University of Huddersfield, the Kingsgate Centre and the indoor and outdoor markets. It runs Mondays to Saturdays every 20 minutes between 09:30 and 14:40.

10.18 With regard to the proposal to use the car park for match day car parking and other one-off events such as the Tour de Yorkshire, the application confirms that the details and nature of these parking arrangements are yet to be confirmed. However, it could be that car park passes would have to be purchased prior to arrival. In any event, the car park would be supervised at all times by stewards both prior to and during matches on these occasions. For occasions such as the Tour de Yorkshire, the applicant also anticipates that parking restrictions would have to be put in place on some streets in the town and the car park would be managed by stewards for the entirety of the event. It is considered appropriate that a condition be imposed requesting the submission of a car park management plan within one month of the permission or prior to its first use for match day/event parking, whichever is the sooner. This would require details of how such events would be managed to ensure the free flow of traffic and appropriate parking management.

10.19 Taking all the above matters into account, it is concluded that the proposal can be accessed effectively and safely by all users. It would provide appropriate opportunities to promote sustainable transport modes by being located within walking distance of the town centre and connected to the bus and railway station. It would also deliver a safe and suitable access and the traffic generated by it can be appropriately accommodated on the transport network. It is therefore in accordance with KLP Policy LP21 and guidance within the Framework.

Air Quality

10.20 Policy LP51 of the KLP relates specifically to Air Quality and advises, amongst other matters, that development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution that would cause unacceptable harm to the natural and built environment or to people. Where development introduces new receptors into Air Quality Management Areas, it must incorporate sustainable mitigation measures. This is reflected in other policies in the plan, which seek to ensure that current air quality is monitored and maintained, including LP22 (Parking), LP47 (Healthy, active and safe lifestyles) and LP20 (Sustainable travel) which encourages the use of low emission vehicles to improve areas with low levels of air quality.

10.21 This approach is also evident in guidance within the Framework, which states at Paragraph 170 that “planning policies and decisions should contribute to and enhance the natural and local environment by: e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality”. It is further supported by guidance within the West Yorkshire Low Emissions Strategy (2019), which sets out the region’s policies and principles on achieving and maintaining low emission rates.

- 10.22 In this case, the site is within a designated Air Quality Management Area (AQMA). Consequently, an Air Quality Impact Assessment (AQIA) was submitted with the application. This focuses on the impact upon the Huddersfield Town Centre AQMA, which is closest to the site boundary. There are 11 monitoring stations within 1km of the site boundary, of which six are within the Huddersfield Town Centre AQMA.
- 10.23 During the operational phase, the AQIA considers that annual mean concentrations of NO₂ (Nitrogen Dioxide) are such that there is no risk of an exceedance of the hourly mean NO₂ objective predicted to occur. This is based upon relevant research, which suggests that the hourly mean NO₂ Air Quality Objective (AQO) is only likely to be at risk where annual mean concentrations are 60 µg/m³ NO₂ or higher. The maximum in this case would be 39 µg/m³ at one of the five most sensitive receptors near the site. The AQIA also shows that the annual mean concentrations for particulate matter (PM₁₀ and PM_{2.5}) would be below the relevant national air quality objective in the operational scenario, as would be the number of exceedances of the 24-hour mean air quality objective for PM₁₀. Changes in particulate matter concentration would therefore be imperceptible and negligible in effect.
- 10.24 In summary, the AQIA concludes that during the operation of the car park, a risk of an exceedance of the annual mean AQO for NO₂ was identified. However, all impacts were considered to be imperceptible, with all effects considered negligible.
- 10.25 The AQIA has been reviewed by the council's officers (KC Air Quality) who have advised that in terms of air quality, the application is classified as a major development because it is located adjacent to the busy A62 Southgate and Leeds Road where air quality concentrations exceed the national air quality objectives for Nitrogen Dioxide (NO₂). Because of non-compliance with legally set health related objectives, the council declared the whole of Huddersfield Town Centre an Air Quality Management Area (AQMA) on 01/11/2017. Therefore, for an application of this kind a detailed air quality impact assessment was required to determine the impact of the development on the AQMA including cost damage calculations and mitigation schemes, the value of which should reflect the calculated damage costs.
- 10.26 KC Air Quality note that the applicant's report details an air quality assessment based on the potential air quality impacts during the construction and operational phases using approved techniques. The pollutants modelled are nitrogen dioxides and particulate matter using a baseline year of 2020 and a future year of 2020 because this is a short-term temporary development. Traffic data provided by the traffic consultants for the project was used for the model to predict the potential impact on air quality caused by existing and future traffic levels due to the development.
- 10.27 KC Air Quality agree with the applicant's methodology and find the approach satisfactory as it takes into account emissions associated with the site both during the construction and operational phases. However, they disagree with the recommendations and conclusions of the operational phase. KC Air Quality consider that any development of this nature within an AQMA will have a negative impact on the air quality, and mitigation measures should be implemented to off-set this impact. Appropriate mitigation measures should therefore be provided, including the provision of Electric Vehicle Charging Points (EVCPs).

- 10.28 Subject to appropriate conditions, it is considered that the proposal would be acceptable with regard to Air Quality and compliant with KLP Policies LP20, LP22, LP47 and LP51 as well guidance within the Framework.

Design, Landscaping, Biodiversity, Amenity and Safety

- 10.29 Policy LP24 of the Kirklees Local Plan advises that good design should be at the core of all proposals in the district. This is consistent with guidance at Paragraph 127 of the Framework, which states that development should provide a high standard of amenity for existing and future users. Paragraph 106 of the Framework also advises that in town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure. With specific regard to landscaping, Policy LP32 requires development proposals to take into account and seek to enhance the landscape character of the area. Policy LP30 of the KLP also states that the council will seek to enhance the biodiversity of Kirklees and development proposals will therefore be required to result in no significant loss or harm to biodiversity in Kirklees and to provide net biodiversity gains where opportunities exist.
- 10.30 In this case, the existing site is a vacant hard-surfaced plot of land that was previously enclosed by timber hoardings. With regard to the perimeter of the site, the application would result in the removal of a proportion of the hoardings and their replacement with welded mesh fencing. This will enable views into the car park from the surrounding area and a more open vista from Leeds Road and Old Leeds Road in particular.
- 10.31 In the course of the application, discussions were held about the extent to which the hoardings would be replaced given their functional appearance. The proposal put forward is considered to represent the most viable solution for the car park given the temporary nature of the proposal. However, on the basis that the remaining timber hoardings are relatively unsightly, a condition is proposed to require them to be painted to improve their appearance in the short-term.
- 10.32 This approach is considered reasonable in this instance on the basis that the application would also introduce new areas of landscaping to the vacant land, either side of the proposed car park. This would be beyond the red line boundary of the application site, but it would be within the blue line (i.e. it is within the ownership and control of the applicant (the council)).
- 10.33 The submitted layout plan indicates that between the car park and the A62 Leeds Road, the area would be sown with a wildflower mix and supplemented with trees planted in containers. Additionally, trees in containers would be placed either side of the pedestrian path connecting the car park towards Leeds Road/Southgate. Further trees in containers would be sited along the southern edge of the car park and beyond that, in the area extending up to Old Leeds Road, a further wildflower/grass mix would be sown.

- 10.34 Together, these measures would serve to soften and enhance the appearance of the car park for the temporary period of its proposed use. It would also improve its appearance for those mainly commercial occupiers that presently surround the site. Grampian conditions (recommended on the basis that the landscaping is beyond the red line) would be attached to secure further details of tree/plant species and temporary fencing measures, together with watering systems and maintenance to safeguard a satisfactory planting scheme. These would ensure that the landscaping of the car park is appropriate and would constitute sufficiently good design and an acceptable standard of amenity for existing and future users.
- 10.35 The introduction of a wildflower mix would also assist in enhancing the biodiversity value of the site. It is noted that there are no statutory designated sites within the red line boundary of the site. The closest is the Huddersfield Broad Canal which is approximately 50m to east. This is part of a wildlife habitat network, local wildlife site and strategic green network. However, the site is separated from the canal by the Old Leeds Road and built form along it. Furthermore, the ground within the application site has previously been cleared of most of its vegetation. Consequently, the introduction of new vegetation within the landscape scheme above would bring “prairie style grasslands” with an associated habitat for insects and small mammals and support for a wider range of species. Given the temporary nature of the car park, a specific 10% biodiversity net gain has not been sought in this instance but overall, it is considered that the proposal would result in the sufficient enhancement of biodiversity/habitat and would improve ecological links in comparison to the existing cleared site.
- 10.36 With regard to safety and security, on a daily basis, the car parking would not be supervised and users would pay for parking via the on-site pay and display machines. However, CCTV coverage would be provided. The two existing CCTV columns would be retained on Pine Street and these would become operational prior to commencement. In addition, beyond the Site, there is an existing CCTV column to the rear of Crown House, which the Council is seeking to bring back into use. In the absence of any buildings on site, this would ensure that CCTV coverage is sufficiently comprehensive. The application also states that six steel column streetlights are proposed throughout the site, one of which will be sited along the proposed pedestrian link onto Leeds Road to ensure that the site is appropriately and safely lit. These measures are considered sufficient in relation to car park safety, and a condition is proposed to require these measures to be in place prior to the first opening of the car park.
- 10.37 For the reasons set out above and subject to relevant conditions, it is concluded that the layout and appearance of the car park would result in a car park that would be sufficiently safe, secure and attractive to future users, and would improve the appearance of the site for the existing users that surround it. The proposed landscaping and boundary treatment would improve the visual aesthetics of the current site and the new planting would promote opportunities to enhance its biodiversity. The proposal is therefore considered to accord with Policies LP30 and LP32 of the KLP and guidance within the Framework.

Flood Risk

- 10.38 Policy LP27 of the Kirklees Local Plan relates to flood risk and principally where proposals require a Sequential Test. In this case, the application site lies within Flood Zone 1 with regard to flood risk, and it is therefore at a low risk of flooding. It is also considered to be a change of use and as such, a Sequential Test is not required. Furthermore, it is not considered that a car park would constitute a vulnerable use.
- 10.39 With regard to surface water drainage, the applicant confirms that water already infiltrates the ground given the existing surface of the site, and the situation would effectively be unchanged as a result of this proposal. The proposal is therefore considered acceptable with regard to flood risk. It is also noted that the Lead Local Flood Authority support the application.
- 10.40 It is therefore considered that the proposal is acceptable with regard to drainage and flood risk, and is in accordance with Policy LP27 of the KLP.

Sustainability and Climate Change

- 10.41 The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to provide commentary on the environmental, social and economic aspects of sustainable development, all of which are relevant to planning decisions.
- 10.42 It must be acknowledged that this application seeks to provide a car park for vehicles to access the town centre. However, cars clearly form one means of reaching the town centre and the provision proposed within this application would generally provide for short-stay shoppers and long-stay commuter parking displaced by the closure of the Market Hall car park, rather than creating additional capacity. Specific measures that could assist in respect of climate change, such as electric vehicle charging points, are being discussed with the applicant with regard to the viability of their installation for a temporary period. These details would be secured by condition.

Heritage

- 10.43 Policy LP24 of the KLP advises that proposals should promote good design by ensuring, amongst other matters that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape. Policy LP35 of the KLP relates more specifically to the historic environment where development proposals affect a designated heritage asset.
- 10.44 In this case, the application site does not lie within a designated Conservation Area nor does it include any Listed Buildings or other statutory heritage designations. There are, however, a number of Grade II Listed Buildings on the western side of Southgate, which is also the boundary of the Town Centre Conservation Area. In accordance with the statutory duties set out in Section 66(1) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively, the council has a duty to consider the impact of a proposal on the special architectural and historic interest of any listed buildings affected, and their settings and to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

- 10.45 It is considered that the proposal would be screened from the Listed Buildings and Conservation Area on the opposite side of Southgate by Crown House and the boundary treatment around the site, as well as being visually separated by the extent of the highway of Southgate itself. As a result, the application would have no perceivable effect on either the Listed Buildings or their setting, which would be preserved, nor would it detract from the character or appearance of the Conservation Area. It would therefore comply with the objectives of both Policy LP24 and LP35 of the KLP.

Response to Representations

- 10.46 The issues raised in the representation from Royal Mail received in connection with this proposal are addressed below:
- 10.47 Royal Mail have raised concerns about the impact of the car park on the operation of their delivery centre. However, as detailed in the Transport section above, it has been demonstrated that the additional trips generated by the proposal in the AM and PM Peak in particular could be accommodated on the highway network. Furthermore, the letter from Royal Mail also acknowledges that the level of impact of this proposal would be less than that previously approved at the site (ref: 2009/93675) for a retail (Class A1) development, albeit that permission has now lapsed. It would also be less than that associated with the former Huddersfield Sports Centre, which closed in 2015.
- 10.48 As noted in the report above, Paragraph 109 of the Framework confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case, it has been sufficiently demonstrated there would be no unacceptable impact on highway safety, nor would there be a severe cumulative impact given the modest size of the car park. Nevertheless, in acknowledgement of the concerns of Royal Mail and the need for the delivery office to operate within their identified constraints, it is proposed to attach a condition as per their request for a Car Park Management Plan.

11.0 CONCLUSION

- 11.1 This application seeks full planning permission to change the use of the vacant brownfield site at Southgate to a surface-level council car park for a temporary period of no more than three years. It would provide 166 spaces in total for the town centre for both short-stay shoppers and long-stay commuter parking and would accommodate, in the first instance, parking displaced by the closure of the Market Hall car park.
- 11.2 As set out in the report above, the proposal would not prejudice the long-term intentions for the mixed-use development of the site in accordance with Site Allocation MXS2. It has also been demonstrated that the proposal would be acceptable with regard to highway safety, air quality, design/landscaping/biodiversity and flood risk.

11.3 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 it 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 Planning and Development)

1. Temporary permission for three years.
2. Development carried out in accordance with the plans and specifications.
3. Details of a scheme of restoration to return the site to a condition to be agreed,
4. Car park management plan within one month of the permission or prior to its first use for match day/event parking, whichever is the sooner.
5. Provision and retention of visibility splays in accordance with the submitted plan.
6. Detailed landscape scheme within one month of the date of the permission.
7. Details of landscape management and maintenance within one month of the date of the permission, to include details of the watering system for the planters.
8. Details of measures to improve the appearance of the retained hoardings around the site within one month of the permission.
9. A scheme of Air Quality Mitigation Measures
10. A strategy for the provision of electric vehicle charging points.
11. Implementation of lighting and CCTV prior to the first use of the car park.

Background Papers:

Application and history files:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f91629>

Certificate of Ownership – Certificate B (Asset Management) signed on 03/06/2020.