
Report of the Head of Planning and Development

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 07-Oct-2020

Subject: Planning Application 2019/93950 Erection of 21 dwellings and associated access works land at, former St Luke's Hospital, Blackmoorfoot Road, Crosland Moor, Huddersfield, HD4 5RQ

APPLICANT

Richard Beavers, Avant
Homes (Yorkshire)

DATE VALID

12-Dec-2019

TARGET DATE

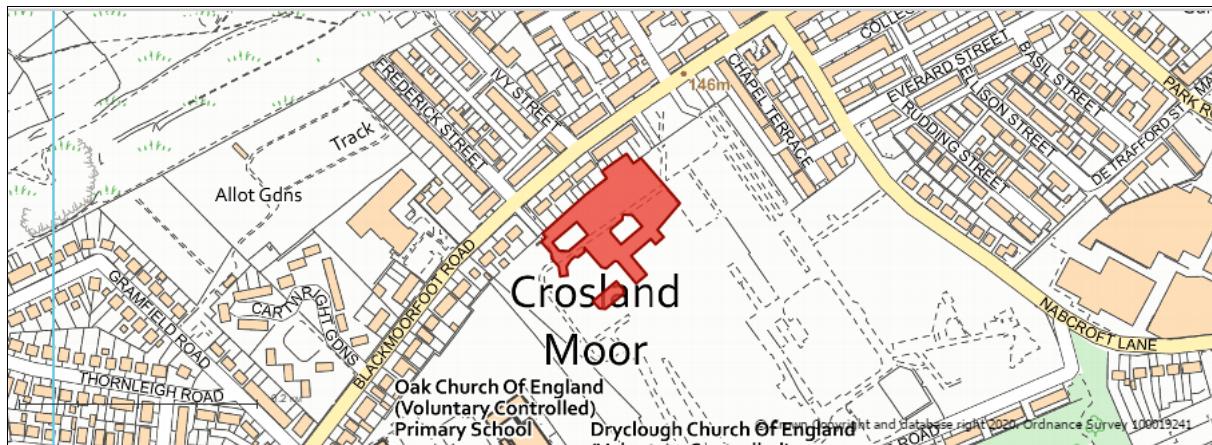
12-Mar-2020

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: Crosland Moor and Netherton

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 and to secure a S106 agreement to cover the following matters:

Secure a S106 Deed of Variation to retain all previously agreed planning contributions granted under planning permissions 2018/93200 and 2018/93098:

1. The provision of on-site POS and subsequent maintenance
2. The provision of an Education contribution of £171,000
3. £17,000 towards the provision of a pedestrian/ cycle route within the development
4. Contributions to provide signal equipment to the site access site access onto Blackmoorfoot Road as per 2018/93098.
5. The Council can require the developer to submit a viability re-appraisal in the event of non-lawful implementation on the site after 12 months from the date of the permission being granted pursuant to the last Reserved matters approval of Outline application 2018/93098.

In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

1.0 INTRODUCTION

1.1 The former St Luke's hospital site has received planning permission for the erection of 226 dwellings across two permissions. This application relates to the St Luke's north-west corner, which was previously granted full planning permission for 26 dwelling under application 2018/93200. Outline Application 2018/93098 and Reserved Matters application 2018/93201 granted the other 200 dwellings within the site.

1.2 This proposal seeks permission for a re-plan of the smaller part of the site. The re-plan would have a higher density compared to that previously approved, resulting in the previous 26 dwellings becoming 31. A similar re-plan is sought on the neighbouring site, via ongoing reserved matters application 2019/93902, which would result in a layout of 195 dwellings. Therefore, across the two re-plans, the same number of units would be kept.

- 1.3 This application is brought to the Huddersfield Planning Sub-Committee in accordance with the Kirklees Delegation Agreement as the site has an area exceeding 0.5ha and seeks less than 61 units.

2.0 SITE AND SURROUNDINGS

- 2.1 The former St Lukes Hospital site comprises 9 hectares of land approximately 2km to the south west of Huddersfield. It formerly accommodated the St. Luke's hospital buildings, which closed in 2011 and with demolition starting early 2015.
- 2.2 Remnants of the buildings and access roads remain in the form of hardstanding and the site is now partially overgrown with grassed areas. Development has commenced on site for the previously approved residential developments. The site slopes upwards from east to west, following the incline of Blackmoorfoot Road.
- 2.3 The surrounding area is predominantly residential in nature with dwellings bordering the site to the north (Blackmoorfoot Road), east (Nabcroft Lane) and the south (Sunningdale Road). To the west of the site is Dryclough C of E Infant School.
- 2.4 The site contains a significant number of protected trees. These are mostly individual orders, with group orders to part of the eastern, southern and north western boundaries. There are no public rights of way through the site, but there is a public footpath close to the south western boundary.
- 2.5 This application relates to a portion of the site located in the north-west corner of the former St Luke's grounds. It is to the rear of dwellings on Blackmoorfoot Road to the north and the boundary with the school playing fields to the west.

3.0 PROPOSAL

- 3.1 The proposal has the same layout and road arrangement approved via the previous planning permission 2018/93200. However, of the 26 dwellings approved by 2018/93200, 16 of the plots are to be modified. The modifications sought include changing house types as well as subdividing several detached dwellings into semi-detached. As a result of the re-plan, the 16 plots to be modified will become 21 dwellings (which, plus the 10 unaffected from 2018/93200, will give a combined total of 31 within this part of the site).
- 3.2 The housing mixture, as previously approved and now sought, is as follows:

Previously Approved

3-bed = 10

4-bed = 16

Across 7 house types

Proposed (excluding unaffected)

2-bed = 4
3-bed = 8
4-bed = 9

Across 12 house types

Combined (proposed plus unaffected from previously approved)

2-bed = 4
3-bed = 14
4-bed = 13

Across 17 house types

3.3 The 12 new house types are new to the site. Nonetheless they have a consistent architectural style and form to the original designs.

3.4 All other elements of the proposal are to remain as previously approved.

4.0 RELEVANT PLANNING HISTORY (including enforcement history)

4.1 Application Site (including the whole of the former St Luke's grounds)

Whole site

2013/90248: Prior notification for demolition of existing buildings – Prior Notification Approved

2014/93099 - Outline planning permission for development comprising up to 200 dwellings with associated infrastructure and open space; retail units (open use class A1); accommodation for potential neighborhood uses (use class A2/D1/D2/sui generis); restaurant/public house (use class A3/A4); and petrol filling station (sui generis) – Conditional Outline Approval

2016/91337: Variation of conditions for 2014/93099 – Variation / Removal Granted

2018/93098- Section 73 Variation/ removal of conditions 28,32,33,34 &35 of Outline approval 2016/91337.

Note: Plus, various discharge of conditions

North-west of the site (this application site)

2018/93200: Erection of 26 dwellings – S106 Conditional Full Permission

Note: The base application which the proposal seeks a re-plan of.

Rest of site

2018/93201: Reserved Matters application for 200 dwellings pursuant to Outline approval 2018/91337 – S106 Reserved Matters Granted

2019/93902: Reserved Matters for 195 units (variation to 2018/93201 above)
– Ongoing

Note: The ongoing re-plan of the neighboring site, which reduces the numbers by 5 to off-set the increase proposed within this application.

4.2 Surrounding Area

Land to rear of, 60 to 78, Nabcroft Lane

2020/91203: Reserved matters application pursuant to outline permission 2017/91273 for erection of residential development (19 dwellings) – Ongoing

Moor End Academy, Dryclough Road

2017/90155: Erection of school, formation of outdoor play areas and fenced MUGA and alterations to existing site access and parking – Conditional Full Permission

4.3 Enforcement

COMP/20/0256: Major site monitoring – Ongoing

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme)

5.1 Discussions took place between the LPA and the new site owners (Avant) about the submission of 2 updated schemes to deliver the scheme they intend to build out for the whole site. This resulted in the current application and the ongoing amended reserved matters ref. 2019/93902.

5.2 Negotiations have included securing a S106 Deed of Variation to tie all previously approved planning contributions.

6.0 PLANNING POLICY

Kirklees Local Plan (2019)

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 27th February 2019).

6.2 The site is part (0.6ha) of mixed-use allocation MXS1 (9ha, net area 4.49ha) on the LP Policies Map.

- **LP1** – Presumption in favour of sustainable development
- **LP3** – Location of new development
- **LP5** – Master planning sites
- **LP7** – Efficient use of land and buildings
- **LP11** – Housing mix and affordable housing
- **LP13** – Town Centre uses
- **LP20** – Sustainable travel

- **LP21** – Highway safety and access
- **LP22** – Parking
- **LP23** – Core Walking and cycling network
- **LP28** – Drainage
- **LP30** – Biodiversity and geodiversity
- **LP32** – Trees
- **LP49** – Education and health care needs
- **LP53** – Contaminated and unstable land

Supplementary Planning Guidance / Documents

6.3 The following are relevant Supplementary Planning Guidance / Documents published by Kirklees Council or national government.

- MHCLG: National Design Guide
- MHCLG: Technical Housing Standards
- Kirklees Local Plan Supplementary Planning Document – Highways Design Guide

National Planning Guidance

6.4 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF), published 19th February 2019, and the Planning Practice Guidance Suite (PPGS), first launched 6th March 2014, together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications

- **Chapter 2:** Achieving sustainable development.
- **Chapter 5:** Delivering a sufficient supply of homes
- **Chapter 7:** Ensuring the vitality of town centres
- **Chapter 8:** Promoting healthy and safe communities
- **Chapter 9:** Promoting sustainable transport
- **Chapter 11:** Making effective use of land
- **Chapter 12:** Achieving well designed places
- **Chapter 14:** Meeting the challenge of climate change, flooding and coastal change
- **Chapter 15:** Conserving the natural environment

7.0 PUBLIC/LOCAL RESPONSE

7.1 This application has been advertised by site notices, neighbour letters and within the local paper.

7.2 No representations received.

8.0 CONSULTATION RESPONSES

8.1 Statutory

KC Highways Development Management: Given the limited nature of the changes recommend the same conditions be applied as on the original approval 2018/93200.

8.2 Non-statutory

Given the limited extent of the changes within the proposal no further consultations were considered necessary.

9.0 MAIN ISSUES

- Principle of development
- Urban design
- Residential amenity
- Highways
- Landscape issues
- Representations

10.0 APPRAISAL

10.1. This is technically a stand-alone full application for 21 dwellings. However, it needs to be considered in relation to the extant permissions on this site, and in addition to the approval the agreed contributions across the entire site need to be secured by a Variation to the original Section 106.

10.2. The result of the proposed layout change, along with those proposed in 2019/93902, are as follows:

- Numbers across the whole site to remain at 226 (31 within the north-west corner, increased from 26. 195 on the remainder of the site, decreased from 200)
- Due to the changes in house type, the housing mixture has changed as follows:
 - The number of 2 no bedroom dwellings has increased by 6, from 20 to 26
 - The number of 3 no bedroom dwellings has decreased by 7, from 104 to 97
 - The number of 4 no bedroom houses has increased by 1, from 102 to 103

10.3 The only issues that are affected from the existing approval is the layout and urban design issue / residential amenity and landscape. The road layout is unaffected, as is the amount and disposition of the Public Open Space (POS). The overall density and mix of housing are only marginally altered on this site, while remaining consistent across this application and the neighbouring re-plan. Regardless, that proposed specific to this application is not considered to conflict with either policy or the previously approved principle for development at the site.

Planning contributions

10.4 2018/93200 (26 dwellings) and 2018/93201 (reserved matters for 200) has a shared S106 for their planning contributions. The previously secured Section 106 contributions, consisted of the following and the details are included within the recommendation above.

- affordable housing
- education
- POS provision and maintenance
- sustainable travel plan contributions

The need for these contributions and the level sought is unaltered. As the site will not have a net increase in development through the two re-plan applications, it is proposed that these contributions will be re-secured in a new S106 Deed of Variation (simply tying the new proposal to the previously agreed document). The affordable housing on the site, as noted, remains as agreed: 11 discount sales properties. The plot locations are to change due to the re-plan, however the house type has remained the same and are satisfactory spread out across the site.

10.5 Accordingly, the principle of development and the planning contributions remains unaffected via the proposed re-plan. Consideration must be given to the local impact of the proposed re-plan, considered below.

Urban Design

10.6 The site is flanked by dwellings to the north fronting onto Blackmoorfoot Road. The existing units on Blackmoorfoot screen the site. The amended house types are predominantly two-storeys but do include some two and a half and three storey units. Nonetheless, all of the proposed new house types are similar to the house types already agreed across site, and the increase in numbers does not materially, or adversely affect the street scenes within the site, or the relationship of any houses adjacent the site, for which are part of the Reserved Matters permission.

10.7 All of the dwellings remain set around a shared surface access way. The dwellings face onto the access way, thus providing an active frontage. The dwellings to the west face onto the area of open space, which is an attractive arrangement. Materials have been previously agreed and their use is to be controlled via a condition.

10.8 Landscaping arrangements remain as previously approved. The pedestrian link from the former hospital to Blackmoorfoot Road, as previously approved, is to be reinstated to provide pedestrian permeability across this site.

10.9 In summary, officers consider the re-plan to not materially impact upon visual amenity. The development remains attractive within itself and will not appear incongruous within the wider area. The proposal is deemed to comply with LP24 of the Kirklees Local Plan.

- 10.10 In regard to the historic environment, the site does not fall within a Conservation Area. There are noted to be several listed buildings fronting onto Blackmoorfoot Road near to the former St Luke's grounds. Nonetheless these are a sufficient distance away from the site and the proposed works would not impact upon their setting: The proposal is not considered to conflict with LP35 of the Kirklees Local Plan.

Residential Amenity

- 10.11 The amended layout satisfies the Councils space about buildings policy; both within the scheme and also in relation to the dwellings backing onto the site from Blackmoorfoot Road, where the distances are in excess of the Councils standards. There are no levels issues on this part of the site, so whilst located to the south of the Blackmoorfoot Road dwellings it is not considered there will be any adverse impact such as overbearing, overshadowing or overlooking.
- 10.12 The dwellings to the eastern edge of this site (and some within the reserved matters scheme) back onto the remaining commercial area and its service yard. The scheme provides for a planted buffer area along that point that should provide a satisfactory visual screen, however given the potential future use it is considered that a noise report should be conditioned providing appropriate mitigation, which may take the form of an acoustic fence.
- 10.13 The proposed re-plan is not considered to have any material impact upon residential amenity and remains in accordance with policies LP24 and LP52 of the Kirklees Local Plan.

Highways Issues

- 10.14 This scheme and the accompanying Reserved Matters proposal are both served off the new principle access from Blackmoorfoot Road. The proposal does not impact upon the previously approved access, being set within the site: details of the access and other highway improvement works within the area are secured via condition and the S106 to be signed, as per the previous approvals.
- 10.15 The changes to house types will not interfere with the approved road layout, such as interfering with sightlines or distracting drivers. All units have an acceptable level of on-site parking. With regards to traffic generation, while five additional dwellings are proposed on this site, the increase will be off-set by the neighbour site's decrease in 5. Regardless, an increase in 5 dwellings will not materially impact upon traffic generation which use the same access point for access onto Blackmoorfoot Road.
- 10.16 The amended plan is acceptable Highways Development Management, who subject to their previously requested conditions be applied to this approval as were placed on 2018/93200. Subject to this, the proposal is deemed to comply with LP21 of the Kirklees Local Plan.

Conditions and other material planning considerations

- 10.17 All other material planning considerations, including but not limited to; landscaping, drainage, ecology, crime prevention, noise pollution, are unaffected by the proposed re-plan. Subject to the same conditions being imposed as the original application (ref. 2018/93200) officers raise no objections.
- 10.18 The conditions previously attached to 2018/93200, and now being re-proposed, may be found in section 12 of this report.

Representations

- 10.19 No public representations have been received.

11.0 CONCLUSION

- 11.1. The site is a brownfield site in an area surrounded by residential properties and which has the benefit of an existing planning permission. Furthermore, the dwellings make a welcome contribution towards the housing needs of the district as well as representing the development of a 'stalled site'.
- 11.2 The amended layout and density are acceptable to officers, detailed changes, and the technical issues of remediation and drainage have been resolved or can be dealt with by condition.
- 11.3 Approval is recommended, subject to the signing of a variation of the existing Section 106 agreement to safeguard the already agreed obligations that relate to the whole site. These obligations, the levels or types of contributions and the trigger points are unaltered by this scheme.

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

- 12.1 The proposed conditions are a repeat of those proposed within 2018/93200. No additional conditions are considered necessary.
1. Time limit for commencement (3 years)
 2. Development to be done in accordance with plans
 3. Development to be done in accordance with previously approved material schedule
 4. Boundary treatment to be provided and retained
 5. Remediation strategy to be submitted
 6. Approved remediation strategy to be undertaken
 7. Validation report to be submitted
 8. Details of electric vehicle charging points to be submitted
 9. Acoustic barrier details to be submitted, approved, implemented, and retained.
 10. Ventilation scheme for plots referenced in Noise Impact Assessment
 11. Separate drainage and foul
 12. Surface water drainage to be detailed and implemented.
 13. Details of local highway improvement works (Park Road West / Blackmoorfoot / Nabcroft Lane) to be submitted, implemented, and retained.

14. Submission of access arrangements and plans, to be implemented and retained.
15. No residential development until scheme detailing construction and layout specification for the Nabcroft Lane/Blackmoorfoot Road junction
16. Travel Plan to be submitted
17. Construction management plan
18. Internal adoptable road details
19. Ecological enhancement details to be provided.
20. Landscape and ecological management plan to be submitted and approved.

Background Papers

Application and history files available at:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f93950>

Certificate of Ownership

Certificate A signed.