
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 16-Dec-2020

Subject: Planning Application 2020/92657 Erection of 10 classroom teaching block and formation of car parking area with associated engineering and landscape works (within a Conservation Area) King James School, St Helen's Gate, Almondbury, Huddersfield, HD4 6SG

APPLICANT

King James School

DATE VALID

01-Sep-2020

TARGET DATE

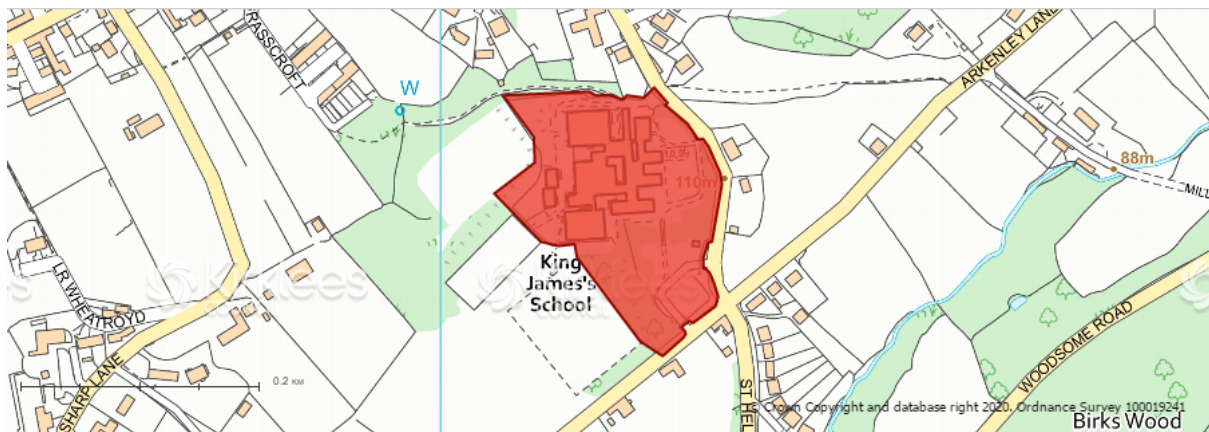
01-Dec-2020

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: Almondbury Ward

Ward Councillors consulted: Yes

Public or private: Public

RECOMMENDATION

DELEGATE to the Head of Planning and Development to notify the Secretary of State of the Local Planning Authority's intention to approve the application, to give the Secretary of State the opportunity to consider whether to exercise their 'call in' powers. Subject to the response from the Secretary of State, progress to approving the application and the issuing of the decision notice and completion of the list of conditions, including those contained within this report.

1.0 INTRODUCTION

- 1.1 This application seeks full planning permission at King James's School, Almondbury for the erection of a 10-classroom block, the formation of a car park and associated engineering and landscape works.
- 1.2 The application is brought to the Strategic Planning Committee because the proposal seeks a departure from the Local Plan, in accordance with the requirements of the Scheme of Delegation to Officers.
- 1.3 The application was initially presented to the Strategic Planning Committee on the 17th of November, where members resolved to defer the application. This was to allow for further assessment and negotiations on highway issues, specifically; further estimate the number of students walking to the school and the impacts walking may have, progress the drafting of a school wide travel plan, and review potential improvements to the local highway network.
- 1.4 Officers and Highways colleagues have continued discussions with the applicant, which has resulted in:
- An additional technical note reviewing student travel survey data from January and October 2020, to inform an assessment on estimated student walking.
 - Confirmation on aspects to feature within the Travel Plan and a commitment to work towards and retain a Modeshift STARS bronze accreditation.
 - Clarification and confirmation on local highway improvements. These are to include seeking a Puffin Crossing on Fenay Lane, pavement and crossing plateau on St Helen's Gate, and changing St Helen's Gate to a 20mph road (from Fenay Lane to Arkenley Lane). These would be subject to separate Traffic Regulation Orders (TROs) post determination, where they would be subject to public representation.

The above points are assessed and elaborated upon within this assessment.

- 1.5 As the proposal includes a new building with a floor area exceeding 1000sqm which represents inappropriate development within the Green Belt, under The Town and Country Planning (Consultation) (England) Direction 2009, if the Strategic Planning Committee resolves to grant permission, the Local Planning Authority is required to consult the Secretary of State as to whether they wish to 'call in' the application for determination.

2.0 SITE AND SURROUNDINGS

- 2.1 King James's School is in Almondbury, off St Helen's Gate Road. The school site comprises a Grade II Listed entrance building attached to several buildings which were constructed over numerous decades in a mixture of architectural styles. Materials are prominently natural stone.
- 2.2 This application relates to land to the rear (west) of the existing buildings, adjacent to school pitches. Two modular buildings are located to the east of the site. They are grey in colour and are designed with flat roof forms. To the immediate south of the buildings is a small area of woodland and a car park on a lower level, accessed from St Helen's Gate and Arkenley Lane, which borders the school to the south.
- 2.3 The site is in the Green Belt and within the Almondbury Conservation Area. To the west of the built campus are associated playing pitches / facilities, with open country to the south and east. To the north is Almondbury centre. PROW Hud/146/10 runs along the site's northern boundary.

3.0 PROPOSAL

- 3.1 This application seeks full planning permission for the erection of a detached teaching block to provide 10 classrooms with ancillary rooms over two floors (1074sqm floorspace total). Each classroom would accommodate up to 30 students, for a combined total of 300 students.
- 3.2 The proposal is to enable King James's School to accommodate an additional 150 students across its five-year groups. This would result in an increase from a total of 900 to 1,050 student places across the entire school. It is anticipated that 12 staff places would be created, increasing from 95 staff to 107.
- 3.3 King James's School currently has two temporary modular buildings that host 120 teaching spaces in 4 classrooms (on-site since 2004). These would be removed as part of the proposal, with their teaching space incorporated into the new building. Taking these modular buildings into account, the proposal would result in a net of six new classrooms.
- 3.4 The new building's footprint would be mostly rectangular, with a maximum width of 34.3m and depth of 18.6m. The roof would be flat with a parapet, having a maximum height of 9.0m. Solar PV panels are proposed on the roof. Entrances would be located on the north and east elevations. Window openings are proposed on each elevation. The Design and Access Statement indicates that the elevations would be constructed in a natural stone external cladding system.

- 3.5 Excavations are required to form a level area. A retaining wall would be erected to the rear, with a maximum height of 3m, and the front, with a maximum height of 1.6m.
- 3.6 The existing modular buildings on site, housing 4 classrooms (up to 120 students) would be removed as part of the development. The site's existing palisade fence would be set back to enable the development.
- 3.7 The new building is to be built partly upon 5 parking bays. A new parking area is to be formed off the main car park. An area of 300sqm is to be surfaced to provide 16 spaces (net 11). The land would be cut and regraded to form a level surface, without the need for retaining structures.
- 3.8 During the course of the application the applicant has worked with K.C. Highway Safety to review opportunities to mitigate the proposal's impact upon the local highway network. These works fall outside of the application's redline, so do not form a direct part of the application. Each would also be subject to its own Traffic Regulation Order assessment (TRO), which is open to public representations. The intended TROs are:
- Puffin Crossing on Fenay Lane, to include pavement and crossing plateau on St Helen's Gate,
 - changing St Helen's Gate to a 20mph road (from Fenay Lane to Arkenley Lane).

4.0 RELEVANT PLANNING HISTORY (including enforcement history)

4.1 Application Site

77/03824: Extensions and alterations to and listed building consent for works for the partial demolition of King James's college, Almondbury, Huddersfield – Approved subject to condition (via the Secretary of State).

93/05860: Erection of 5 bay modular laboratory accommodation – Granted under reg.3 General Regulations

96/90804: Roofing over courtyard to form extension – Conditional Full Permission

2001/90751: Erection of music room and laboratory extensions and internal alterations – Granted under reg.3 General Regulations

2001/90752: Listed Building Consent for erection of music room and laboratory extensions and internal alterations – Consent Granted

2003/93941: Erection of fencing (within the curtilage of a listed building) – Conditional Full Permission

2004/93203: Erection of temporary mobile double classroom with ramped access and escape stairs (within the curtilage of a listed building) – Conditional Full Permission

2005/92492: Erection of temporary school unit (within a Conservation Area) – Granted under reg.3 General Regulations

2005/93191: Listed building consent for installation of 6 no. solar photovoltaic panels onto the pitched roof of lab 6 (within a conservation area) – Consent Granted

2006/90572: Renewal of previous permission for erection of temporary mobile double classroom with ramped access and escape stairs (within the curtilage of a listed building, within a Conservation Area) – Granted under reg.3 General Regulations

2006/90573: Renewal of previous permission for erection of temporary school unit (within the curtilage of a listed building) (within a Conservation Area) – Granted under reg.3 General Regulations

2007/92847: Erection of metal security fencing and gate (within a Conservation Area) – Conditional Full Permission

2008/91773: Erection of classrooms and provision of new parking – Granted under reg.3 General Regulations

2013/91392: Variation of condition 1 on previous permission 2008/91773 for erection of classrooms and provision of new parking – Removal / Variation of Condition Approved

2013/94051: Formation of extension of existing carpark (within a Conservation Area) – Conditional Full Permission

2014/93065: Discharge of condition 4 (landscaping scheme) on previous permission 2013/94051 for formation of extension of existing carpark (within a Conservation Area) – DOC Approved

2018/90817: Formation of 3G sports pitch including 4m high rebound fencing (within a Conservation Area) – Conditional Full Permission

2018/90957: Variation condition 1 (time scale) on previous permission 2013/91392 for variation of condition 1 (time scale) on previous permission 2008/91773 for erection of classrooms and provision of new parking – Removal / Variation of Condition Approved

2019/90685: Erection of first floor extension over existing school block, removal of two temporary classrooms and formation of car parking area (within a Conservation Area) – Withdrawn (along with allied LBC 2019/90686)

2020/90986: Relocation of temporary modular buildings (Within a Conservation Area) – Conditional Full Permission

2020/93801: Listed Building Consent for the erection of plaque (Within a Conservation Area) – Ongoing

2020/94079: Remodelling works to existing school buildings providing dining hall extension with external canopy/covered eating area, conversion of existing Yr 11 dining hall into science lab with additional external access steps to rear of stable block – Ongoing

2020/94081: Listed Building Consent for Remodelling works to existing school buildings providing dining hall extension with external canopy/covered eating area, conversion of existing Yr 11 dining hall into science lab with additional external access steps to rear of stable block – Ongoing

4.2 Surrounding Area

None are relevant to the current proposal.

4.3 Enforcement

COMP/14/0019: Alleged Breach of Condition – Breach Regularised

5.0 HISTORY OF NEGOTIATIONS

5.1 The application was subject to a pre-application enquiry where officers outlined that robust 'Very Special Circumstances' would be required to justify the proposal within the Green Belt. Furthermore, officers provided feedback on the initial design and provided advice on supporting documents.

5.2 Further information has been sought as part of this application regarding the Green Belt, ecology, drainage and securing highway enhancement funding. These issues have been satisfactorily addressed through amendments and further details, as set out in this report.

5.3 Since the Strategic committee on the 17th of November where the application was deferred, discussions have continued between the applicant, planners, Highways Development Management and Highways Safety. These revolved around addressing members given reasons for deferral. The results are detailed within paragraph 1.4.

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 Green Belt on the LP Policies Map. The site is within Almondbury Conservation Area.

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP7** – Efficient and effective use of land and buildings
- **LP21** – Highway safety and access
- **LP22** – Parking
- **LP24** – Design
- **LP27** – Flood risk
- **LP28** – Drainage
- **LP30** – Biodiversity and geodiversity

- **LP33** – Trees
- **LP35** – Historic environment
- **LP38** – Mineral safeguarding
- **LP47** – Healthy, active and safe lifestyles
- **LP49** – Educational and health care needs
- **LP51** – Protection and improvement of local air quality
- **LP52** – Protection and improvement of environmental air quality
- **LP53** – Contaminated and unstable land
- **Chapter 19** – Green belt and open space

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
- 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 4** – Decision-making
- **Chapter 9** – Promoting sustainable transport
- **Chapter 11** – Making effective use of land
- **Chapter 12** – Achieving well-designed places
- **Chapter 13** – Protecting Green Belt land
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 15** – Conserving and enhancing the natural environment
- **Chapter 16** – Conserving and enhancing the historic environment

7.0 PUBLIC/LOCAL RESPONSE

Statement of community involvement

7.1 The application is supported by a Statement of Community Involvement. This included a letter drop to local residents and ward councillors, which directed them to an online consultation (or how to request a hard copy). The school was also provided with a letter to distribute to parents of pupils. A public meeting was not arranged due to COVID-19 restrictions.

7.2 The website was reviewed 679 times over a two-week period. Seventeen people provided written feedback, three in support and the remainder raising concerns. The following issues were raised:

- Increased congestion along St Helen's Gate at drop and pick up times

- Potential for increased roadside parking on St Helen's Gate and surrounding roads
- The possibility of road traffic accidents due to the narrow nature of the road and increased pupil numbers
- Poor vehicle access from St Helen's Gate as the road is narrow

Public representation

7.3 The application has been advertised via site notice and through neighbour letters to addresses bordering the site, along with being advertised within a local newspaper. This is in line with the Council's adopted Statement of Community Involvement.

7.4 The final public representation period for the application expired on Tuesday the 13th of October 2020. Seventeen representations have been received. Three are in support, the others raising objections. The following is a summary of the comments made:

Support

- Being built into the hill reduces the visual impact and the new structure is more attractive than the temporary classrooms and the sports hall. It would be more attractive and in keeping if built in stone.
- Additional staff parking is welcomed. Objections on highways noted. However, it is assumed parking would be improved through more students walking in the future due to new catchment.
- Highway issues take place over two very short periods of the day and is a pre-existing issue. The school offering a travel plan and post completion assessments is welcomed.
- Year 7 students being taught at a separate site is not ideal, being harmful to education and welcome. The proposal would enhance education for future generations.

Object

- The increased number of students would result in traffic issues, noise and air pollution, pedestrian safety, and community disruption. More littering and after school activities would take place.
- The submitted Transport Assessment is inadequate and fails to appropriately capture the restrictive nature of the surrounding highway network and access to the site. For example, the site's car park is access via a sharp bends adjacent a busy junction. Narrow roads are often blocked by buses. Specific concern raised over the junction between St Helen's Gate and Fenay Lane.
- Pavements along St Helen's Gate are narrow and not suitable for large volumes of students walking. Questions of the validity of the Transport Assessment. Insufficient traffic surveys have been undertaken or enhancements to local roads, including St Helen's Gate, Dark Road and Birks Lane. Traffic calming, CCTV and yellow lines should be placed along St Helen's Gate (bar resident's parking). A dedicated drop off zone should be provided. Staff / teachers intended to manage children outside of the school are unable to control and manage them.

- The new building is pedestrian in design and related matters. The design should be less mundane and look to innovate. The use of brick would not replicate the host structures. Flat roofs are unattractive.
- Question why development is being considered within a Conservation Area.
- King James's School is currently teaching out of Almondbury Community School's building; why can this not be continued or why cannot Almondbury Community School stay open? Various queries relating to Almondbury Community School.
- Anecdotal commentary of traffic incidents, including damage to walls.
- Queries regarding the new PAN for the school; how many new students can be expected each year?
- How would local ecology be protected and impact upon by the development.
- The proposed development is detrimental to the openness of the Green Belt and is inappropriate development. There are no exception circumstances.
- Planting should be used to lessen the visual impact of the building. The structure would be dominant from Arkenley Lane
- Querying why the application is being submitted by Kirklees Council's Economy, skills, and capital delivery team and not by King James's School. Question how Kirklees Planning can be impartial and whether anyone on the Planning Committee is a member of Kirklees Council's Economy, skills, and capital delivery team.
- Queries relating to the funding of the development, where the money would come from, maintenance costs and who would own the building.
- The building has no first-floor fire exit.
- Question the building's hours of opening.
- Insufficient details on cycle storage and how many students access the site via cycling.
- Anti-social behaviour, such as vandalism, shouting, swearing and trespass would increase due to greater student numbers. Pupils should be monitored for further.
- A substantial and robust travel plan is needed for any hope to address the site's current and proposed issues.
- Parents park on St Helen's gate to pick up children. This narrows the road and exacerbates all highway issues. Despite this, drivers speed.
- Emergency service access is limited along St Helen's Gate.

Huddersfield Civic Society: The Society echoes the concerns raised within the objections. The application's travel and sustainability documents are inadequate. There is a risk to cyclists and access to the site is via sharp bends, near junctions. The design is basic and unattractive. These cumulative concerns raise the question whether King James's School is the correct location for new facilities.

Local ward member interest

- 7.5 As major development, local ward members were notified of the application. The site is within Almondbury Ward, with the members being Cllr Alison Munro, Cllr Bernard McGuin and Cllr Paola Davies.
- 7.6 Cllr Munro expressed initial concerns at pre-application stage over the highway impact of the proposal, particularly at the junction between Fenay Lane and St Helen's Gate, where students would be crossing.
- 7.7 The Councillors have queried whether the puffin crossing could be extended onto St Helen's Gate, to allow crossing at the bottom of the existing stairs. Safety have stated this, or another appropriate method of assisted crossing, is being considered. However, the full extent of the proposal is subject to detailed design and review, to be secured via condition on this application.
- 7.8 Cllr Munro has forwarded on the following comment from a constituent and asked that it be noted:

'On the basis that 2-year groups are operating on a different site and proposed expansion of at least 150 more students, the census needs flagging to the planning committee as an under call of reality'

8.0 CONSULTATION RESPONSES

8.1 Statutory

Sport England: No objection.

K.C. Highways: No objection subject to conditions and S106 to secure financial contribution for highway improvements.

Yorkshire Water: No objection subject to conditions.

Historic England: No objection.

K.C. Lead Local Flood Authority: No objection subject to condition.

8.2 Non-statutory

K.C. Conservation and Design: No objection subject to use of appropriate materials.

K.C. Crime Prevention (including Counter Terrorism): Advice and recommendations provided to application to consider incorporating.

K.C. Environmental Health: No objection subject to conditions.

K.C. Trees: No objection.

K.C. PROW: No comments received.

9.0 MAIN ISSUES

- Principle of development
- Urban design
- Residential amenity
- Highways
- Other matters
- Representations

10.0 APPRAISAL

Principle of development

Sustainable development

- 10.1 NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation. The dimensions of sustainable development would be considered throughout the proposal.

Land allocation – Green Belt

- 10.2 The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the categories set out in paragraph 145 or 146 of the NPPF.

Whether the proposal is inappropriate development in the Green Belt

- 10.3 Paragraph 145 of the NPPF and Policy LP59 of the Kirklees Local Plan state that other than for limited exceptions, the construction of new buildings in the Green Belt is inappropriate. Paragraph 146 of the NPPF advises that certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purpose of including land within it. The proposed new building does not fall within any of the exceptions listed in Paragraphs 145 or 146. It therefore represents inappropriate development in the Green Belt that, in accordance with Paragraph 143 of the Framework, should not be approved except in 'very special circumstances'.
- 10.4 In this regard, Paragraph 144 of the NPPF confirms that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' would not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. This is assessed below.

- 10.5 Turning to the formation of the car park, this is considered to be an 'engineering operation' for planning purposes. Paragraph 146 (b) allows engineering operations to be appropriate within the Green Belt, '*provided they preserve its openness and do not conflict with the purposes of including land within it*'. Given the limited nature of the proposed car park and that it is within the defined curtilage of the school, officers consider this to be the case. Therefore, the car park is not inappropriate development within the Green Belt.

Impact upon the openness of the Green Belt

- 10.6 The application site consists of the school's main campus, hosting several attached buildings, enclosed by a perimeter fence / walling, and adjacent associated playing pitches. Due to the surrounding open land, there is a visible open character associated with the school.
- 10.7 The proposal would introduce new built development within the Green Belt, which would be visible from within and outside the site, albeit from limited viewpoints. There would inevitably be a permanent change to the amount of development and the greater density of development would be both spatially and visually perceptible.
- 10.8 However, the proposed building would be located predominantly within the campus, which is already a visually built up cluster of development. All views of the new building would place it within the setting of the existing campus, which the new building would harmonise with. Furthermore, by virtue of the building being partly cut into the existing hillside, its prominence within the landscape would be reduced through being set against the raising ground.
- 10.9 Consequently, given the scale of the proposed development and its favourable location set against existing buildings and raising ground, officers conclude that there would be a moderate loss of openness. Paragraph 144 of the NPPF states that the LPA should ensure 'that substantial weight is given to any harm to the Green Belt'. This would be additional to the harm by reason of its inappropriateness. It is therefore weighed against the very special circumstances below.

Impact upon the purpose of including land within the Green Belt

- 10.10 Paragraph 134 of the NPPF states that the Green Belt serves five purposes. The proposal's interaction with each of these purposes is considered below.
- 10.11 The first and second purposes are:

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another.*

The site is south of Almondbury's main built-up area. The school is connected to this area by residential ribbon development along St Helen's Gate where the dwellings are predominantly large in spacious curtilages, leading to an increasing open character on the approach to the school. There are open fields to the east, south and west, of the site. Development in these directions is predominantly limited to more residential ribbon development. The proposed structure would be sited adjacent to the existing

school complex, predominantly within the already defined boundary (by fencing). The fields, hosting the school's outdoor sports facilities, would remain and these form an open buffer to the nearest road (Arkenley Lane). The nearest settlements to the south of Almondbury are Farnley Tyas and Highburton. These settlements are circa 2km and 1.8km from the site, with the intervening land being fields and woodland.

10.12 The proposal would introduce new built form on the site, which would increase development in the area. Nonetheless, considering the characteristics of the site and surrounding area note above, it would be contained, and officers are satisfied that the proposal would not prejudice either of the first two purposes of the Green Belt.

10.13 The third purpose is to:

- *to assist in safeguarding the countryside from encroachment;*

The site and its associated playing fields to the west are in an educational use. This is visually evident by the form of the buildings and sports paraphernalia within the fields (goal posts, track markings etc.). Roads with ribbon development are sited to the immediate east and south of the school, with no immediate visual features of the countryside (agricultural fields) being visually associated with the site. Within this context, the site is not considered to form part of the countryside, either visually or spatially. While the proposal would result in additional urban form and development at the site, it is not considered to encroach upon the countryside.

10.14 The fourth purpose of the Green Belt is to:

- *to preserve the setting and special character of historic towns; and*

The site is within the Almondbury Conservation Area and the school's entrance building is Grade II Listed. Notwithstanding this, the site is not considered to form part of a historic town, being detached from Almondbury's historic core. This aspect of a Green Belt's function is therefore not directly relevant to the consideration of this proposal. Its impact on the Conservation Area is assessed separately below.

10.15 The fifth and final purpose is to:

- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

The applicant has established that the facilities required must be provided within the grounds of King James's School. This is detailed below. Officers accept the applicant's reasoning and are satisfied that it would be unreasonable and impractical to site the building elsewhere.

10.16 Taking the above into account, officers conclude that the proposed development would not directly harm the five purposes of including land within the Green Belt.

Other Considerations

- 10.17 The applicant contends that the need to provide educational facilities may be considered a Very Special Circumstance, which clearly outweighs the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal. The applicant's case is considered below.

Justifying the specific need for a new education building at King James's School

- 10.18 The justification begins by highlighting the Council's statutory duty to ensure enough school places for resident children (S14 of the Education Act, 1996). The Council's ability to deliver this has been impacted upon through the neighbouring Almondbury Community School (ACS) being changed from ages 3 to 16 to ages 3 to 11. The reasoning for this can be attributed to numerous factors, notably due to the school being undersubscribed (between 40 – 60% occupancy per year group). This substantially limited school funding, which is based on pupil numbers.
- 10.19 Excluding year 11's, who would naturally progress, of ACS's current 151 students at least 113 have been relocated to King James's School. The remainder have been accommodated by Netherhall Learning Campus High School and to Newsome High. These students have already moved to King James's School. However, without the proposed building, King James's School is having to teach from the ACS building. Whilst a short-term solution, this is not considered viable in the long term due to being ineffective and financially unsustainable.
- 10.20 Whilst the alternative schools do not fall within the Green Belt, King James's School has been identified by K.C. Education as the most appropriate location for most former ACS students. This is principally due to the where the student's live and their existing proximity to the King James's School. Historically King James's School was outside of its own Priority Admission Areas (PAA). The closure of ACS has required the PAA of the surrounding schools to be changed. As a result, King James's is now within its own PAA, with the former ACS students reassigned to King James predominantly living near to the school.
- 10.21 The proposed PAA re-arrangement would lead to King James's School being allocated two more feeder schools. Therefore, the current students from ACS is not a 'one-off', and King James's can expect larger annual cohorts moving forward (30 additional students per cohort from now on).
- 10.22 The need to accommodate the existing students of ACS and the agreed amendments to the PAA of nearby primary schools resulted in the Kirklees Cabinet's decision to create an additional 150 secondary places at the King James's School, based on 30 additional pupils per 5 school years.

- 10.23 Considering the above through the planning policy context, the applicant highlights the national 'Policy Statement – Planning for school development', which states that:

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- *There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.*
- *Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.*

- 10.24 Turning to the National Planning Policy Framework, Paragraph 94 requires LPAs to give greater weight to creating, expanding and altering schools. It requires LPAs to be proactive, positive and collaborative to enable appropriate educational facilities are available. LP49 of the Local Plan expands on this, stating:

Proposals for new or enhanced education facilities would be permitted where:

- a. they would meet an identified deficiency in provision;*
- b. the scale, range, quality and accessibility of education facilities are improved;*
- c. they are well related to the catchment they are intended to serve to minimise the need to travel or they can be made accessible by walking, cycling and public transport.*

- 10.25 As has been outlined, the proposed building would address an identified deficiency in provision. Given the factors which led to the closure of ACS, enhancements to King James's School would provide a net improvement to the scale, range, quality and accessibility of education facilities in the area. On the matter of the catchment, as has been outlined the closure of ACS has led to a change to the PAA of the area: the new students to be accommodated at King James would be those in the closest PAA's to the school, therefore being well related to the new catchment. As is considered within Paragraph 10.60 of the highway assessment below, a closer catchment and the submitted Travel Plan support sustainable methods of travel for students.

- 10.26 Further to the above, the school already has two modular buildings, on site since 2004, providing 4 classrooms. The new building would end the reliance of modular buildings through incorporating their teaching space into a modern structure. Limited weight is given to the presence of the temporary buildings, in so far as they impact upon the Green Belt, as they are temporary and their temporary planning permissions require the structures to be removed after a given date. However, officers acknowledge that this history, being on-site since 2004, clearly demonstrates a prolonged reliance on over-flow facilities.

- 10.27 Assessing the above considerations, officers are satisfied that the applicant's justification has demonstrated a clear need for a new educational building at King James's School. The submitted justification then proceeds to explain the reasoning for the proposed location and the size and design of the proposal, as set out below.

Justify the location within King James's grounds

- 10.28 In reaching the proposed siting for the building, the applicant has excluded several other possible locations. These have been discounted for a variety of reasons.
- 10.29 Positioning the building to the east of the existing school has been discounted on the grounds that any building in this location would be highly prominent, by virtue of the raised land level above St Helen's Gate. It would also interfere with the school's established frontage. Officers therefore consider that discounting this area is reasonable.
- 10.30 Four options have been explored to the west; two extensions and two detached structures. The extensions would obviously be limited to upward extensions of existing buildings. These have been discounted due to the limited structural capacity of the existing school buildings, the fact that they would be more prominent within the Green Belt and construction issues, with risk to students from overhead work. The other possible siting for a detached structure is too small to fit all required facilities and it would be a difficult shape. Furthermore, it would result in a greater loss of parking facilities and harm pedestrian circulation.
- 10.31 The final option for a detached structure is that proposed. Officers consider the details and assessment provided, including the reasons for discounting three of the options, to be logical and comprehensive. Accordingly, officers accept that the proposed siting is that most feasible and appropriate to the site.

Justify the size and design of the building

- 10.32 The submitted details have demonstrated the need for a building at King James's and identified the most preferable location for it. Consideration has also been given to whether the scale would be commensurate and not excessive for the identified need. Based on the statutory maximum class size of 30 students per class, the new building's 10 classrooms could accommodate up to 300 additional students.
- 10.33 The submitted details outline that a minimum of 113 would transfer from ACS. However, Kirklees' Cabinet's decision was to create an additional 150 secondary places. Future cohorts are to be increased by 30 per year following the closure of ACS and the initial 113 would grow to 150 eventually. The new building would incorporate the 4 classrooms within the existing modular buildings. These 4 classrooms, with 30 students each, accommodate 120 students.
- 10.34 The above amounts to 270 students, or 9 classrooms worth. Providing a tenth classroom would give flexibility to the school and, being two storeys, allows for a simplified layout and design of the building. Turning to the floor area, the applicant has stated the following:

The building has been designed to comply with the spatial standards as set out in the Government's Building Bulletin 103 (BB103) – Area guidelines for mainstream schools. These standards set out minimum room areas for all spaces within schools based on the number of pupils it would serve. Kirklees Council also have their own guidance in terms of best practice for circulation, safety etc. which have been essential when considering that up to 300 pupils could be moving around the building at any one time (up to 150 pupils arriving and 150 departing). The building has been designed to be self-sufficient and to maximise operational efficiency for the school. As such additional spaces such as toilets, SEN rooms, plant are also accommodated within the building.

- 10.35 Officers have reviewed the abovementioned documents and are satisfied that room sizes, circulation spaces and ancillary rooms as proposed are reasonably sized and not excessive. Furthermore, the LPA acknowledge that the proposal has been reviewed by King James's School and K.C. Education prior to submission. The building therefore is presumed to satisfy each of these group's requirements.

Whether any Very Special Circumstances exist which clearly outweigh the identified harm to the Green Belt

- 10.36 To summarise, the proposed education building is inappropriate development in the Green Belt. Furthermore, through introducing new development on open land the proposal would cause moderate harm to the Green Belt's openness. In accordance with the NPPF, harm to the Green Belt should carry substantial weight. The proposal would not, however, conflict with the purposes of the Green Belt.
- 10.37 Following the closure of Almondbury Community School, there is an identified deficiency of education provision within the area. The proposal would also replace sub-optimal temporary teaching accommodation that the school has been required to rely upon for an extended period. The applicant has demonstrated the need for these facilities, why they must be sited at King James's School and how the proposal's impact upon the Green Belt has been minimised through considered siting and scale.
- 10.38 Taking all these factors into account and carefully weighing the above considerations, it is considered that the proposal's substantial harm to the Green Belt, by reason of inappropriateness and the effect on openness, would be clearly outweighed by the proposal's benefits to local education provision. Accordingly, it is concluded 'very special circumstances' exist to justify the proposed development within the Green Belt.

Principle of development, conclusion

- 10.39 The principle of development within the Green Belt has been found to be acceptable. However, consideration must also be given to the proposal's local impact and other material planning considerations. These are addressed below.

Urban design and the historic environment

- 10.40 Good design should be at the core of all proposals in the district. Furthermore, LP24(a) states that '*Proposals should promote good design by ensuring: a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape*'.
- 10.41 The entrance block to King James's School is Grade II Listed and the site is located within the Almondbury Conservation Area. Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of listed buildings and conservation areas respectively. Special attention shall be paid to the desirability of preserving or enhancing the heritage value of these heritage assets. Additionally, LP35 and NPPF Chapter 16 outline the principle of development and restrictions for development in the historic environment.
- 10.42 K.C. Conservation and Design have offered the following advice regarding the heritage value of the listed portion of the school:

King James School is one of the oldest schools in West Yorkshire, receiving its charter in 1608 and is pre-dated by Heath Grammar, Halifax (1585) and Queen Elizabeth Grammar School, Wakefield (1591). The school originated in the north-east corner of the present school site, the earliest remaining building (the entrance block) dates from the mid-18th century with mid-19th century additions, this part of the building is listed grade II. The school was expanded to the south in the late 19th century in an Old English Revival style by W Swinden Barber, an accomplished architect from Halifax whose work includes many listed churches. The 18th and 19th century buildings make a positive contribution to the character of the conservation area.

Further expansion took place to the west of the site in the 20th century and more recently, including the technology block, which is the subject of this application. The 20th century buildings are of a utilitarian design and constructed of local stone. They make a neutral contribution to the character of the conservation area.

- 10.43 Almondbury Conservation Area does not benefit from an area appraisal. The following is a concise understanding of its heritage value:

Large stone built historic village of mediaeval origin, now part of the Huddersfield urban area. Mainly aligned along central shopping streets, and dominated by All Hallows Church. Buildings are largely nineteenth century, but some, including parts of the Church and the historic Grammar School, are considerably older.

- 10.44 Having regard to the visual impact of the proposal, it would be sited close to the existing school buildings. It would therefore appear as a continuation of the existing built form and would predominantly be sited within the school's perimeter. The proposed layout would not correspond to the existing rectilinear layout of the school campus; instead, it would be angled to follow the contours of the hillside behind. Subject to appropriate architectural detailing, scale and materials (considered below) however, this divergent

layout is not deemed unduly harmful. It is considered logical to follow the contours of the hillside, minimising required cutting and allowing the building to sit into the hill, thereby reducing its visual prominence. The linear form of the building conforms to that of other structures on the site.

- 10.45 Turning to the building's scale, the applicant has demonstrated that the structure's floorspace complies with the minimum required standards to fulfil its intended purpose. The new teaching block would be comparable in scale, both in footprint and height, to the other individual blocks of the school. In this respect, it would harmonise well.
- 10.46 Regarding architectural detailing, the building has a utilitarian design. This was a conscious design choice, to mimic the later extensions to the school which also have a utilitarian appearance. The fenestration would replicate that on adjacent buildings. The roof is to be flat, set below a parapet. The roof forms of the other blocks are varied, although flat / shallow pitched roofs are notable. Solar panels upon the roof would be below the parapet, obscuring views of them from most viewpoints. Through mimicking the simple architectural design prominent upon the site, the building's appearance would blend into the established character of the area.
- 10.47 With regard to materials, natural stone walling is proposed. This is welcomed and would replicate the predominant materials of the other buildings on site. Some feature ashlar stone is proposed around the entrance ways. This minor design detail would not detract from the building's appearance nor cause it to appear incongruous within its setting. Nonetheless, a condition is to be imposed requiring samples of the facing stone to be submitted for approval. This is to ensure that it suitably matches the stone of neighbouring buildings, along with details of the size and coursing. The roof is to be flat, set well below the parapet detailing such that material samples are not required for this part.
- 10.48 To form a level surface for the building, with external circulation, the lower portion of the hillside is to be excavated and a stone retaining wall to be erected. The height of the wall varies, with a maximum height of 3.0m. This would be to the rear of the building, which would screen much of it. Subject to the wall being faced in a suitable natural stone, as per the proposed building, it is not anticipated to appear visually unattractive. The site's existing steel palisade fence would be re-positioned, set back from its current route, to facilitate the development. The minor relocation of the existing fence does not raise concerns.
- 10.49 The proposed car park would be a minor extension to the existing much larger car park. It would be simply laid out and marked. Limited excavation would be required to facilitate a level surface, the surrounding land to be re-graded as opposed to retained. It is neither considered detrimental to visual amenity or harmful to the historic environment.
- 10.50 Taking all these factors into account, it is considered that the proposal would not impact upon the setting of the Listed Building, due to the intervening structures and separation distance. However, by introducing a large modern building into the Almondbury Conservation Area (CA), which is defined by its historic architecture, a level of harm would be caused to the heritage value of the CA. However, the site is outside the main historic core and, despite the historic entrance building, the school is predominantly modern structures.

This, and the unobtrusive design, which harmonizes with the established character, limits the harm caused, with KC Conservation and Design considering it to be 'slight'. The Local Plan and National Planning Policy require harm to heritage assets to be categorized and in this case, the level of harm caused is the lesser end of 'less than substantial harm'. Paragraph 196 of the NPPF states:

Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 10.51 The public benefits of the proposal have previously been outlined within Paragraphs 10.18 to 10.27 above. In summary, the proposal would address an identified shortfall in education provision and enhance King James's School's current education offer. Other public benefits include short-term economic activity during the construction period, and the application securing a pedestrian crossing on Fenay Lane, detailed in the Highways Section below. Officers are satisfied that these public benefits outweigh the proposal's less than substantial harm to the heritage value of the Almondbury CA.
- 10.52 In conclusion, the proposed building is considered visually attractive and would harmonise with the character of the area. Furthermore, the public benefits of the proposal would outweigh the less than substantial harm identified to the historic environment. Subject to the given conditions, the proposal is deemed to comply with Policies LP24 and LP35 of the Kirklees Local Plan.

Residential Amenity

- 10.53 The proposed building is in excess of 120m from the nearest 3rd party dwelling. This separation distance prevents concerns of overbearing, overshadowing and overlooking.
- 10.54 Representations have raised concerns over noise pollution from the school. The proposed increase in students is not anticipated to materially increase the existing noise level, which is limited to school hours. General disruption as students arrive and leave is likewise limited to short periods and is not deemed to be a material consideration. K.C. Environmental Health concur with this assessment.
- 10.55 Officers are satisfied that the proposed development would not cause material harm to the amenity of neighbouring residents, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.

Highways

- 10.56 The applicant undertook public consultation prior to the submission of the application (detailed within paragraphs 7.1 – 7.2). The received representations focused on the proposal's impact upon the local highway. In response to these concerns, the applicant highlighted the following within their Transport Statement:

The Transport Statement concludes that the increase in number of pupils, which could be accommodated should the development be granted planning permission, would not have a detrimental impact on the operation of the highway network in the vicinity of the site. There have been no recorded accidents within the vicinity of the site in the past 5 years and therefore the Transport Statement concluded that there are no existing road safety issues associated with the road network in the vicinity of the site. In terms of parking, the proposed development would result in the need for an additional 11 spaces in order to cater for the parking needs of new staff. These are to be provided within the proposed expansion to the existing car park within the south east corner of the site. This would reduce the need for any additional parking on the highway

Planning and Highway Development Management (HDM) officers' assessment of the proposal is as follows:

- 10.57 The school's access, from St Helen's Gate and Arkenley Lane are not changed by the proposal. The new structure is removed from the highway and would not interfere with established sightlines, nor distract passing drivers. The Transport Assessment identifies that there have been no personal injury collisions recorded in the last 5 years. This demonstrates that there are no existing road safety issues associated with the road network in the vicinity of the site. The Transport Assessment also considers the proposal's anticipated impact upon the local network and required parking facilities.
- 10.58 Consideration is first given to the movements of students. A travel survey by existing students (undertaken March 2018) was used to project vehicle movements of the proposed development, with Office of National Statistics data on multiple dependants to calculate shared journeys. The Transport Assessment identified that the proposal would result in 35 additional vehicle movements in the morning and 19 when the school closes. For the morning movements, 35 vehicle movements can be equated to approximately two additional car trips per minute between 8.15 (when school opens) and 8.30 (registration). These movements were not considered by the LPA to be detrimental, either individually or cumulative with existing vehicle movements, to highway safety or efficiency. It was also assumed that these numbers would be lower in practice, as the new students live closer to the school given the Priority Admissions Area (PAA) changes.
- 10.59 At the committee meeting held on the 17th of November 2020 members requested that a more thorough assessment be undertaken on estimated modes of transport and consideration on likely increase in students walking due to the changed PPA. Following this request updated travel survey data for the School has been submitted that was undertaken in January 2020 and October 2020, along with a supporting assessment of the data.

- 10.60 The January 2020 School travel survey data was undertaken prior to the introduction of the increased PAA. This data allows for a comparison between the travel patterns for pupils at the School in the most recent academic year, before the PAA was increased 2019/2020 and prior to the Coronavirus pandemic, against the October 2020 data, which was after the PAA was extended for the 2020 / 2021 intake and during the Coronavirus pandemic.
- 10.61 The supporting assessment acknowledges that the October 2020 surveys were undertaken during the Coronavirus pandemic, and that travel patterns have likely been affected. For example, the raw data does show that in the October 2020 survey car travel has increased by 9%. The survey also shows that car-sharing fell 0% (previously 6% / 47 students), with both private and school bus use also decreasing. Therefore, the analysis includes an estimate of travel patterns for pupils with the increased PAA in place, but without the effects of Coronavirus. It does this by predicting that bus and car sharing levels will return to pre-Coronavirus pandemic levels (using the levels from the January 2020 survey), as the modes of transport most impacted via the pandemic. These numbers are taken from private car use, where it is reasonably deduced that the majority of students will have migrated to in the short term, explaining the 9% increase. Planning officers and HDM consider this methodology acceptable.
- 10.62 Comparison of the results of the January 2020 and October 2020 travel surveys, with post-Coronavirus pandemic predictions, shows that there will be a percentage increase in the proportion of pupils walking to School of 7.2%, (an additional 91 pupils), which equates to a modal share of 30.6% of all students. This provides evidence to the assumption that the introduction of the new PAA, to include the area of Almondbury surrounding the school, would result in a positive mode shift towards walking to the school. The results show that there has also been a slight increase in pupils cycling to school.
- 10.63 Assuming that once the effects of the Coronavirus pandemic subside modes of travel for car sharing, public transport, school bus and walking bus trips return to levels similar to the pre-Coronavirus levels seen in January 2020, with a corresponding reduction in single pupil car trips it is estimated that single pupil car trips modal share will decrease by 1.3%. With increased student numbers, this equates to an additional 19 car trips when compared to the pre-Coronavirus January 2020 surveys before the PAA was increased.
- 10.64 Comparison of the March 2018 and 2020 survey data show broadly similar results. Closer examination of the March 2018 data shows that more pupils walk home from school than walk to school. This suggests that there could be a proportion of pupils who live within the extents of the old PAA who are currently driven to school but walk home and who could potentially be encouraged to walk to school also. This is considered further within the travel plan assessment of paragraphs 10.75.

- 10.65 In conclusion; review of the additional survey data suggests that, assuming travel patterns return to pre-Coronavirus levels, the introduction of the new PAA will result in an increase in the proportion of walking trips and slight decrease in the proportion of single pupil car trips. It is estimated that the proposed school expansion proposals will, post the Coronavirus pandemic, result in an additional 19 car trips to school. This is not considered to have a material impact on the operation or safety of the local highway network.
- 10.66 Progressing to the impact of staff, the proposed development is anticipated to create 12 new staff positions. Based on undertaken staff travel surveys, where 90% arrived by vehicle, the proposal would create 11 additional two-way vehicle movements. Notably however, staff arrive prior to students and depart afterwards. Therefore, it is reasonable for these movements to not be considered cumulative with existing or proposed student movements. 11 additional two-way vehicle movements would have a minimal impact and is not considered detrimental to the safety and efficacy of the highway network.
- 10.67 Regarding staff parking, while five parking spaces would be lost to facilitate the development, sixteen are to be sited within a car park extension elsewhere on the site. This net increase of 11 parking spaces would provide sufficient parking for the identified increase in vehicle movements attributed to staff.
- 10.68 Further to the request for further assessment on modes of transport, at the committee on the 17th of November members requested that an assessment on walking routes be undertaken. This has been undertaken and three primary routes from Almondbury centre were identified: St Helen's Gate, Grasscroft, and Dark Lane.
- 10.69 For St Helen's Gate, a footway is provided to the western side of the carriageway along the length of the road. The footway is generally around 1.3 metres to 1.4 metres wide, narrowing in places to around 1 metre for a short distance. Street lighting is in place along with a speed limit of 30mph, although vehicle speeds are restricted due to the presence of narrow sections of carriageway, bends in the road and some on-street parking. St Helen's Gate meets Fenay Lane by way of a priority junction located around 300 metres to the north of the School entrance, where the speed limit reduces to 20mph. The footway on the western side of St Helen's Gate continues onto Fenay Lane, and there are some steps located around 40 metres back from the junction on the opposite side of the carriageway, which provides access from St Helen's Gate to an area which is shared between pedestrians and parked vehicles on the southern side of Fenay Lane. At present there is no formal pedestrian crossing facility to the footway provision on the northern side of Fenay Lane here.

- 10.70 The Grasscroft route consists of PROWs HUD/146/10 and HUD/141/20. HUD/146/10 is identified as a narrow and unmade track. At the time of the visit, it was muddy and difficult to walk. HUD/141/20 is Grasscroft road itself, which is a narrow two-way road with no footway provision, providing access to residential properties. Grasscroft narrows to 2.5 metres wide in places but is generally around 3.1 metres wide as it passes through an “S” bend arrangement with limited visibility.
- 10.71 Dark Lane forms a priority junction with St Helen’s Gate approximately 150 metres to the north of the School entrance. There is no footway provision at the junction, although a short length of footway is provided along the southern side of Dark Lane, which begins around 20 metres to the east of the junction with St Helen’s Gate, and terminates after approximately 70 metres. To the east of this point, Dark Lane has no footway provision and is mostly a 3m wide single-track road. Dark Lane becomes Birks Lane as it bends through 90 degrees to the north and meets Fenay Lane at a priority junction located around 350 metres to the north-east of the Dark Lane/St Helen’s Gate junction. There is no footway provision on Birks Lane and there is no pedestrian crossing point over Fenay Lane in the vicinity of the junction with Birks Lane.
- 10.72 St Helen’s Gate is identified as the preferred route for students to take. Grasscroft and Dark Lane should not be promoted as walking routes, with the following assessment extracted from the submitted report:

St Helen’s Gate is the best route for pupils to take when walking to and from School and the areas of Almondbury to the north. This provides a link to the existing footway provision to both sides of Northgate through the centre of Almondbury, where there is traffic calming and a number of well-located zebra crossings on Northgate within the 20mph zone. The pedestrian environment through the residential estate area to the north of the School is also good, with footway provision to both sides of the carriageway and traffic calming measures, including speed humps and build outs with priority working, on both Southfield Road and Fernside Avenue.

Whilst the walking route to King James’ School via Grasscroft is a Public Right of Way and so must remain open for use by pedestrians, it is a much less suitable route for pupils walking to School than St Helen’s Gate when considering the lack of footway provision, narrow road and poor visibility around the bends along Grasscroft. Therefore, the Grasscroft route is not a route which pupils are encouraged to use when walking to and from School. Due to the narrow nature of Grasscroft, there is no scope to provide a footway.

Given the narrow nature of Dark Lane, there is also no scope to provide a footway here. The use of Dark Lane would only theoretically be of benefit to those pupils who live in the area of Almondbury to the north-east of the School, mainly those areas accessed from Fleminghouse Lane which forms a junction with Fenay Lane approximately 260 metres to the east of the junction with Birks Lane. Whilst there is a footway along the northern side of Fenay Lane between these points, Fleminghouse Lane does not have footway

provision for a distance of around 200 metres to the north of Fenay Lane, and so is not suitable for pedestrian access. The more suitable route to access the north-eastern areas of Almondbury would be via St Helen's Gate, Fenay Lane and Jessops Avenue, as illustrated on the plan at Appendix BGH1.

- 10.73 Planning and HDM officers concur with the above assessment. The primary use of St Helen's Gate is to be encouraged via the travel plan, considered in paragraphs 10.75. Furthermore, to promote St Helen's Gate as the primary walking route for students, and enhance its safety and efficiency for users, the applicant has proposed two improvements to the St Helen's Gate's pedestrian provision.
- 10.74 Currently there is no crossing assistance on Fenay Lane to St Helen's Gate, with there being limited pedestrian sightlines at the identified main crossing point. This crossing, which leads to stairs onto St Helen's Gate, is anticipated to be the primary walking route to King James's School for new students. An increased use of this crossing was a concern raised by local ward members. The applicant is to contribute towards crossing enhancements, to be delivered by K.C. Highways. This is to take the form of a puffin crossing on Fenay Lane, leading to existing stairs onto St Helen's Gate. Currently the stairs lead onto St Helen's Gate carriageway. A footway is to be constructed at the foot of the stairs, to allow a safe place at the foot of the stairs. Furthermore, a crossing plateau will be formed between the new footway and to St Helen's Gate's existing footway. Post the committee held on the 17th of November, further discussions between the applicant, planners and K.C. Highways have taken place. The applicant has reviewed traffic speed data and is now proposing to convert St Helen's Gate, between the Fenay Lane junction and Arkenley Lane crossing, to a 20mph zone. This would help to keep vehicle speeds along St Helen's Gate low and improve the safety of the environment for pupils who walk. The provision of the crossing and 20mph zone are to be secured via condition. However, it should be noted that each will be subject to separate Traffic Regulation Order applications, which are subject to public consultation and assessment.
- 10.75 Progressing to the Travel Plan, members requested elaboration on the indicative details provided previous for their consideration. The Travel Plan is to be submitted as a 'Modeshift STARS' scheme. Modeshift STARS, which is supported by the Department for Transport, is a national school's awards scheme that was established to recognise schools that have demonstrated excellence in supporting cycling, walking and other forms of sustainable travel. The STARS system has levels of accreditation, which is an ongoing and iterative process. The applicant has committed to maintain a 'bronze' accreditation, with the following initiatives proposed at this time:

Travel Initiatives

1. Cycle purchase scheme for staff
2. Permission to cycle to school forms in place
3. Thrive activity – building and maintaining a bike session tailored to individual pupils
4. School policy promotes responsible behaviour on public transport
5. School actively promotes public transport
6. School provides bike ability road cycle training which also aids with route planning to school
7. Cycle parking is installed
8. Walking map promoting walking routes
9. Walking map to include drop off locations away from school to promote Park and Stride and Park away days
10. Walking map to include car free zone which will encourage parents to not use at least a portion of St. Helens Gate

Supporting Initiatives

1. School engages with Local Authority regards implementing School Travel Plan and Modeshift Stars
2. In depth pupil survey
3. School teaches environmental benefits of active travel
4. The school travel plan is discussed and tailored to development plans
5. Travel information is displayed on notice boards around the school

10.76 A full and detailed travel plan, elaborating on each of these points, is to be secured via condition. However, at this time the proposed initiatives are welcomed and considered appropriate by HDM. Furthermore, the condition is to require the school retains its Bronze Modeshift STARS accreditation.

10.77 In addition to the survey work undertaken, enhancements to St Helen's Gate and Travel Plan, a condition is also to be imposed to require a post completion review of highway safety. This would include an assessment on how the proposed school expansion has affected the level of traffic and parking in the vicinity of the school. The post completion review would be a key indicator as to the success of the road enhancements and Travel Plan. Should the review highlight that the Travel Plan measures alone are not sufficiently reducing car usage, further measures may be identified, discussed, and agreed with the LPA as part of the review.

10.78 A detailed Construction Management Plan is to be secured via condition. However, at this stage, the applicant has confirmed that construction access will not be via Almondbury Centre (Fenay Lane / St Helen's Gate junction), with construction traffic approaching from the south.

10.79 Public Right of Way HUD/146/10 runs along the site's north boundary, with HUD/146/20 being opposite the reception access. HUD/146/10 is more than 60m from the building, with HUD/146/20 being over 100m away. Views of the building from the PROWs would be limited due to the topography, existing

structures, and vegetated boundary. Officers are satisfied that the proposal would not prejudice the use of either PROW.

- 10.80 In summary, subject to conditions, officers are satisfied that the proposal would not harm the safe and efficient operation of the local and wider highway network. Sufficient on-site parking is to be provided by the proposal and the proposal would not materially increase vehicle movements on the wider network. The improvement works to St Helen's Gate and STARS Travel Plan (maintained at a Bronze Accreditation) is anticipated to support methods of sustainable travel. Accordingly, the proposal is considered to comply with Policies LP20, LP21 and LP22 of the Kirklees Local Plan.

Other Matters

Air quality

- 10.81 Given the scale of the development an Air Quality Impact Assessment is not required.
- 10.82 Notwithstanding this, the LPA would require EV charging points to be provided for new development. Typically, officers seek 10% of new parking spaces to include charging points (rounded up). Therefore 2 are to be sought via condition. This is to ensure the application complies with government guidance on air quality mitigation, outlined within the NPPG and Chapter 15 of the NPPF, and local policy contained within LP24 and LP51 and the West Yorkshire Low Emission Strategy Planning Guidance seeks to mitigate Air Quality harm. The applicant has requested that the charging points do not have to be within the new car parking area. Officers consider this reasonable, as long as two are provided within the campus.

Climate Change

- 10.83 On 12th November 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 pre-dates 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 would use the relevant Local Plan policies and guidance documents to embed the climate change agenda.
- 10.84 The proposed building is to include solar panels and electric vehicle charging points are to be secured via condition. The extension would enable local students to walk to the school, with walking to be promoted with then travel plan and the provision of a crossing on Fenay Lane. Given these considerations, officers are satisfied that the proposal would not harm the climate change agenda.

Contaminated Land

- 10.85 The site has been a school since c.1854. However, the use of the surrounding land has changed with industrialisation, mills and dye works known to be situated within a 150m radius. These are believed to present a source of potential contamination
- 10.86 The application is supported by a Phase 1 and 2 Ground Investigation report (plus gas monitoring supplement). These have been reviewed by K.C. Environmental Health and accepted. The reports conclude that remediation is required, with a strategy to be secured via condition. Further conditions requiring the implementation of the strategy followed by a validation report are also required. Subject to these requirements, the proposal is considered to comply with LP53 of the Kirklees Local Plan.

Drainage and Flood Risk

- 10.87 The site is within Flood Zone 1 and the building's footprint is small in scale. A site-specific Flood Risk Assessment has not been required and there are no flood risk concerns. The proposal is considered to comply with LP28.
- 10.88 The applicant has submitted a drainage strategy which has been reviewed by K.C. Lead Local Flood Authority. Beneficial enhancements to the scheme have been identified by the LLFA via modest alterations. The applicant has agreed to undertake these alterations. The updated plans have been received and are currently being reviewed by the LLFA. While this is pending, the plans provided to date demonstrate that an acceptable drainage layout is feasible. An update on the LLFA's assessment shall be provided within the update, with officers proposing a condition to secure either the previous scheme or the current one under consideration. Details of ongoing management and maintenance of the drainage system are also to be secured via condition.
- 10.89 The original drainage layout was not opposed by the LLFA, but recommendations have been made for enhancements which would benefit the applicant. Therefore, the proposal is deemed to comply with LP27 of the Kirklees Local Plan.

Ecology

- 10.90 The proposal is supported by an Ecological Impact Assessment which has been reviewed and accepted by K.C. Ecology. Subject to the mitigation and recommendations outlined within the report, securable via condition, the proposal is not considered detrimental to local ecology.
- 10.91 Notwithstanding the above, major applications are expected to demonstrate a 10% Ecological Net Gain betterment. The applicant has submitted a DEFRA Biodiversity Metric to demonstrate that 10% net gain is feasible on site. An Ecological Design Strategy is to be secured via condition so that the 10% net gain can be secured, implemented and retained.
- 10.92 Subject to the given conditions, officers are satisfied that the proposal complies with the aims and objectives of LP33.

Mineral extraction

- 10.93 The application site falls within an area designed as a Mineral Safeguarded Area (sandstone) in the Local Plan. This allocation indicates that there is the potential for these mineral resources to be underlying this site. However, officers consider as the proposal seeks to development land predominantly within the school's existing compound, along with local constraints, mineral extraction in this location would not be feasible. It is therefore considered that this proposal accords with Kirklees Local plan policy LP38 with regards to minerals safeguarding.

Impact on adjacent sport pitches

- 10.94 The proposed building is to be built upon land technically identified as a playing pitch for planning purposes, therefore having the potential to harm the function of the wider sports facility. This triggered a statutory consultation requirement with Sport England. Furthermore, LP47 of the Local Plan looks to protect the function and availability of sports pitches.
- 10.95 Sports England have reviewed the proposal and offer no objection. They are satisfied that the site itself is not part of the pitch and would not impact on the function of the adjacent pitches. Officers concur with this assessment. Notably the neighbouring pitches are within the ownership King James' School, preventing concerns of conflict (i.e. ball strike).
- 10.96 Officers are satisfied that the proposed development complies with LP47 of the Kirklees Local Plan.

Representations

10.97 *Support*

- Being built into the hill reduces the visual impact and the new structure is more attractive than the temporary classrooms and the sports all. It would be more attractive and in keeping if built in stone, however.
- Additional staff parking is welcomed. Objections on highways noted, however it is assumed parking would be improved through more students walking in the future due to new catchment.
- Highway issues take place over two very short periods of the day and is a pre-existing issue. The school offering a travel plan and post completion assessments is welcomed.
- Year 7 students being taught at a separate site is not ideal, being harmful to education and welcome. The proposal would enhance education for future generations.

Response: Comments in support are noted and align with officers' considerations.

10.98 *Object*

- The increased number of students would result in noise and air pollution, and community disruption. More littering and after school activities would take place.
- Question the building's hours of opening.

Response: Environmental Health initially considered the proposal to require an Air Quality Impact Assessment. This was reviewed and concluded not to be necessary. The impact upon air quality would be negligible given the scale of the development and would be mitigated through two electric vehicle charging points being imposed via condition.

The increase in students is not anticipation to materially increase noise pollution from the site. A level of noise pollution and disruption is caused at peak times at a school, such as student arrival and departure, but the proposal would not materially change the existing impacts which are expected from a school.

No opening hours have been given. It is not considered reasonable or necessary to limit this single building's opening hours, with this application having no control over the school's other buildings.

- The submitted Transport Assessment is inadequate and fails to appropriately capture the restrictive nature of the surrounding highway network and access to the site. For example, the site's car park is access via a sharp bends adjacent a busy junction. Narrow roads are often blocked by busses. Specific concern raised over the junction between St Helen's Gate and Fenay Lane.
- Pavements along St Helen's Gate are narrow and not suitable for large volumes of students walking. Questions of the validity of the Transport Assessment. Insufficient traffic surveys have been undertaken or enhancements to local roads, including St Helen's Gate, Dark Road and Birks Lane. Traffic calming, CCTV and yellow lines should be placed along St Helen's Gate (bar resident's parking). A dedicated drop off zone should be provided. Staff / teachers intended to manage children outside of the school are unable to control and manage them.
- Anecdotal commentary of traffic incidents, including damage to walls and that emergency service access is limited along St Helen's Gate.
- A substantial and robust travel plan is needed for any hope to address the site's current and proposed issues.
- Parents park on St Helen's gate to pick up children. This narrows the road and exacerbates all highway issues. Despite this, drivers speed.
- Insufficient details on cycle storage and how many students access the site via cycling.

Response: Officers and HDM consider the Transport Assessment to be acceptable for planning purposes and representative of the proposal.

The proposal's impact upon the local highway has been considered within the report above.

On cycling, the transport survey identified that only 0.4% of students cycled to the school. Currently there are two student bike racks and one for staff, totalling 19 spaces. While the school was not within its previous PAA, most students still lived within an acceptable typical cycle distances (5 miles or less). Therefore, distance is not considered to be a primary factor for this low figure. Within the Transport Assessment, this low level is attributed to the area's topography. Officers and HDM accept this and do not consider cycling a dependable method of travel for the site. Nonetheless the travel plan,

secured via condition, is to consider in more detail whether cycle facilities being improved could attribute to reduced reliance on private car movements.

The Transport Assessment identifies that the proposal would not attribute to a materially significant increase in transport movements, while also proposing that a higher number of students would walk due to living closer due to the new PAA. The nature of St Helen's Gate pedestrian offer is noted, but with enhanced crossing from Fenay Lane, officers and Highways DM consider its continued use acceptable. While officers anticipate that the proposal, implemented with appropriate travel plan measures, would not cause harm to the highway, pre and post completion traffic surveys are to be secured via condition. The results of these surveys would inform whether further traffic management / mitigation measures are required. This method ensures that the surveys would fully understand the impacts of the proposal and can mitigate accordingly, if found to be necessary. This includes the proposal's impact upon parking on St Helen's Gate and its implications.

- The new building is pedestrian in design and related matters. The design should be less mundane and look to innovate. The use of brick would not replicate the host structures. Flat roofs are unattractive.
- Question why development is being considered within a Conservation Area.
- Planting should be used to lessen the visual impact of the building. The structure would be dominant from Arkenley Lane.

Response: The design of the building was a conscious choice to minimise its prominence within the landscape, to reduce the impact upon the Green Belt and Conservation Area. It has been designed to replicate the architectural form of the school's existing western buildings, including the use of a flat roof. While a more engaging design could have been proposed, it would have appeared incongruous adjacent neighbouring buildings and been more prominent within the setting.

Being within a Conservation Area does not prevent new development, although new development should not unduly harm the special character of the Conservation Area. This has been assessed within Paragraphs 10.50 to 10.52 of this report. Officers do not consider that the building's appearance warrants a planted screen.

- King James's School is currently teaching out of Almondbury Community School's building; why can this not be continued or why cannot Almondbury Community School stay open? Various queries relating to Almondbury Community School.
- Queries regarding the new PAN for the school; how many new students can be expected each year?

Response: Currently King James's School's year 7 group are taught at the Almondbury Community School (ACS). This puts an undue financial and operational burden upon the school, while adding additional stress upon staff who are required to navigate the two sites. Furthermore, having a single school year separate is detrimental to school cohesion.

The decision to change ACS from age 3 to 16 to age 3 to 11 has been made and goes beyond the scope of this application, with the students having already been re-allocated to King James's School.

The PAN would increase by up to 30 students per year moving forward.

- How would local ecology be protected and impact upon by the development, notably within the woodland to the north.

Response: The development site is removed from the woodland to the north and would not directly impact upon it. An ecological appraisal has been submitted and accepted by Kirklees Ecology. Mitigation measures to minimise impacts upon local ecology re detailed within the document and are to be secured via condition. The habitat loss of the proposal is minimal and would be mitigated through 10% net enhancement gain elsewhere within the site, to be secured via condition.

- The proposed development is detrimental to the openness of the Green Belt and is inappropriate development. There are no exception circumstances.

Response: The impact upon the Green Belt is addressed in the report above.

- Querying why the application is being submitted by Kirklees Council's Economy, skills, and capital delivery team and not by King James's School. Question how Kirklees Planning can be impartial and whether anyone on the Panning Committee is a member of Kirklees Council's Economy, skills, and capital delivery team.
- Queries relating to the funding of the development, where the money would come from, maintenance costs and who would own the building.

Response: The submitted planning statement outlines that Kirklees Council have submitted the application as part of their statutory duty to ensure the district has sufficient education facilities '*in number, character and equipment to provide for all pupils the opportunity of appropriate education*'. This is a requirement of S14 of the Education Act 1996. Kirklees Council's Economy, skills, and capital delivery team does not consist of elected members.

Financial arrangements for the management and construction of the building do not form material planning considerations.

- The building has no first-floor fire exit.

Response: Fire exists are not a material planning consideration and would be assessed at Building Regulations stage.

- Anti-social behaviour, such as vandalism, shouting, swearing and trespass would increase due to greater student numbers. Pupils should be monitored for further.

Response: This concern is considered to fall outside the scope of the planning process and is a matter which should be addressed by King James's School.

Huddersfield Civic Society: The Society echoes the concerns raised within the objections. The application's travel and sustainability documents are inadequate. There is a risk to cyclists and access to the site is via sharp bends, near junctions. The design is basic and unattractive. These cumulative concerns raise the question whether King James's School is the correct location for new facilities.

Response: Officers consider that the points raised by the Huddersfield Civic Society have been addressed elsewhere within the report and representation responses.

Cllr Munro has forwarded on the following comment from a constituent and asked that it be noted;

'On the basis that 2 year groups are operating on a different site and proposed expansion of at least 150 more students, the census needs flagging to the planning committee as an under call of reality'

Response: The proposed extension is to accommodate the students being taught on the ACS at this site, while replacing the facilities offered by the two modular buildings. Officers consider the submitted evidence to be representative of this.

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.
- 11.2 The proposal represents inappropriate development within the Green Belt and would cause some harm to openness. However, it has been assessed that the proposal would directly address issues relating to education within the area. This consideration has been concluded to amount to 'Very Special Circumstances' which clearly outweighs the identified harm to the Green Belt.
- 11.3 With regard to local impact, subject to conditions, there are no concerns regarding visual amenity, the historic environment or residential amenity. Officers are satisfied that the proposed car park enlargement would accommodate the proposal's increase in demand for parking while student movements would not harm the safe and efficient operation of the highway. However, enhancements for a crossing adjacent to the St Helen's Gate and Fenay Lane junction and a reduction in the speed limit have been secured, as well as a travel plan via condition to proposed sustainable methods of movement for the whole school.

11.4 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.

11.5 Due to the scale of the development within the Green Belt and the proposal representing inappropriate development, while Very Special Circumstances are considered to exist by officers, there is a statutory requirement for the LPA to notify the Secretary of State as to whether they wish to exercise their power to 'call-in' the proposal for determination.

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

1. Time limit to commence (three years)
2. Development to be done in accordance with plans
3. Modular buildings to be removed within 6 months of new building being used
4. Details of facing stone to be provided prior to use
5. Electric vehicle charging points (x2)
6. Contaminated land (Remediation and implementation)
7. Contaminated land (Validation)
8. Development done in accordance with Ecological Impact Assessment
9. Submission of Ecological Design Strategy
10. Provision of crossing point on Fenay Lane to St Helen's Gate.
11. Provision and implementation of 20mph reduction on St Helen's Gate (Fenay lane to Arkenley Road).
12. Submission of detailed travel plan, to be in accordance with details provided
13. Post completion review of highway safety
14. Submission of updated drainage strategy / Implementation of submitted drainage scheme
15. Management maintenance of drainage strategy

Background Papers

Application and history files

Available at:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020/92657>

Certificate of Ownership

Certificate B signed. Notice served on:

- King James' Foundation Trust
- King James' School