
Report of the Head of Strategic Investment**HUDDERSFIELD PLANNING SUB-COMMITTEE****Date: 17-May-2018****Subject: Planning Application 2017/94302 Erection of veterinary hospital Land at, Somerset Road, Almondbury, Huddersfield, HD5 8HN****APPLICANT**

Donaldson And Partners

DATE VALID

18-Dec-2017

TARGET DATE

19-Mar-2018

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

Yes

Ward Members consulted

RECOMMENDATION:

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

1.0 INTRODUCTION:

1.1 The application is brought to the Huddersfield Sub Committee at the request of Councillor McGuin. Councillor McGuin has stated that *"the reasons for referral of the application are threefold:*

1. *The impact of the development on the area*
 - *Highway safety, noise and disturbance*
 - *Hazardous materials*
2. *Effect on the natural environment*
 - *Loss of trees*
 - *Loss of wildlife*
3. *The building itself*
 - *Poor design, appearance and visual amenity*
 - *Overdevelopment of the area concerned"*

1.2 The Chair of the Committee has confirmed that Councillor McGuin's reasons are valid having regard to Councillor's Protocol for Planning Committees.

2.0 SITE AND SURROUNDINGS:

2.1 The application site is an area of land adjacent to Somerset Road, Almondbury. It has been an unused and overgrown garage site for a considerable number of years but the land has recently been cleared with the exception of a number of protected trees towards the north western and south western boundaries.

2.2 The site is surrounded on three sides by a small area of woodland, some of which is subject to a Tree Preservation Order. To the west and south west of the site is residential development that lies on the opposite side of Somerset Road. There are playing fields a short distance away to the south east.

2.3 Part of Kidroyd Lane falls within the site and carries public footpath HUD/115/20. This links Somerset Road and Almondbury Bank.

3.0 PROPOSAL:

- 3.1 The application is for the erection of veterinary hospital.
- 3.2 The building is mainly two storeys in height with one side of the building being 3 storeys to include a partial basement level. The ground floor contains the main medical facilities such as theatres and consultation rooms along with kennels and a small ancillary retail sales area. The upper floor has offices, training room, meeting rooms, laboratory and staff facilities including 3 en-suite bedrooms. The basement would be used for storage/filing, a morgue and plant room.
- 3.3 It is proposed to face the building in grey brick with grey concrete tiles to the roof.
- 3.4 Access to the development is via a new arm off an existing mini roundabout. A 39 space car park is to be provided to the front of the building.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

2018/90022 – Erection of illuminated signs – Undetermined

2013/93174 – Outline application for the erection of residential development – Approved 26th February 2014

2005/94339 – Outline application for residential development – Approved 7th December 2005

2005/90522 – Outline application for residential development – Refused 5th April 2005

97/90934 – Erection of four lock-up garages – Approved 11th September 1997

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

- 5.1 Additional information has been requested in relation to highway safety, ecological, drainage and residential amenity matters. Further information is contained within the appraisal, where appropriate.

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased

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

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- 6.2 The site is unallocated on the UDP Proposals Map with the exception of the easternmost part of the site which is shown as Urban Greenspace.

BE1 – Design principles
BE2 – Quality of design
BE11 – Materials
BE23 – Crime prevention
T10 – Highway safety
T19 – Parking standards
B1 – Employment needs of district
G6 – Land contamination
NE9 – Retention of mature trees
EP4 – Development and noise
EP6 – Development and noise
EP11 – Landscaping and ecology

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

- 6.3 The site does not have any specific land allocation in the emerging Local Plan with the exception of the visibility splay to Somerset Road which cuts across an area of Urban Greenspace. Parts of the site are designated as Wildlife Habitat Networks.

PLP1 Presumption in favour of sustainable development
PLP3 Location of new development
PLP7 Efficient and effective use of land and buildings
PLP21 Highway safety and access
PLP22 Parking
PLP24 Design
PLP28 Drainage
PLP30 Biodiversity and geodiversity
PLP33 Trees
PLP51 Protection and improvement of air quality
PLP52 Protection and improvement of environmental quality
PLP 53 Contaminated and unstable land

National Planning Guidance:

- 6.4 The following parts of the National Planning Policy Framework are relevant:

Paragraph 14 – Presumption in favour of sustainable development
Core Planning Principles
Chapter 1 Building a strong, competitive economy
Chapter 4 Promoting sustainable transport
Chapter 7 Requiring good design
Chapter 8 Promoting healthy communities
Chapter 11 Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application was advertised by site notice, press advert and neighbour notification letters.
- 7.2 In response a total of 4 representations have been received. These are summarised as follows;

General principle

- Site falls within Urban Greenspace
- Veterinary hospital more suited to commercial areas with better transport connections

Highway matters:

- Somerset Road is busy with traffic speeds in excess of 30 mph
- Concerns with traffic generation and access
- Additional access off the roundabout will slow traffic, worsen congestion and harm highway safety
- Poor visibility at the access
- A previous application on the site for housing was refused on highway safety grounds with particular reference to visibility onto Somerset Road; nothing has changed since then
- Concerns with the accuracy of the submitted Transport Statement
- Potential impact on public footpath
- Previous accidents in the vicinity of the site

Amenity:

- Noise nuisance/disturbance and obtrusive lighting associated with the proposed 24 hour operation
- Noise from barking dogs
- Change the character of the area; materials not in keeping with the surroundings (which are natural stone to Somerset Road)
- Uninspiring design
- Building unusually large for the area and would be visible even with the proposed planting
- Concerns raised with signage

Environment/Ecology:

- Impact on plants and wildlife
- Site surrounded by woodland and protected trees
- Works already taken place on the site; potential loss of protected trees
- Remediation of Japanese knotweed required
- Impact of lighting on wildlife
- Loss of land which had returned to nature
- Lack of consideration of impact on nearby watercourses
- Various bat and bird species use this area

Health:

- Concerns raised with asbestos on the site and how it has been dealt with

Councillor Cooper – “There seems to be some conflicting views as to whether the application falls within the Newsome or Almondbury Ward. If it falls within the Newsome Ward and you are minded to recommend approval of the application I would like to refer the matter to Planning Committee for consideration”.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways Development Management: No objection subject to conditions.

Kirklees Lead Local Flood Authority: No objections raised to additional drainage information

8.2 Non-statutory:

KC Environmental Services – No objection subject to conditions

KC Ecology Unit – No objection subject to conditions

KC Arboricultural Officer - No objection subject to conditions

KC Public Rights of Way – Concerns raised with proposed width of the footpath within the site and the proposed boundary fencing which appears to obstruct an adjacent footpath. Lack of information provided in relation to the interface between the footpath within the site and an adjoining footpath. Amended/additional information required in order to address these matters or alternatively a suitably worded condition may be appropriate.

Police Architectural Liaison Officer – No objection

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Drainage issues
- Ecology issues
- Representations
- Other matters

10.0 APPRAISAL

Procedural Matter:

- 10.1 On the Unitary Development Plan Proposals Map the easternmost part of the site falls within an area allocated as Urban Greenspace. There is however a clear anomaly between the application site boundary and the UDP Proposals Map which results in this part of the site falling within the Urban Greenspace. Within the emerging Local Plan the eastern part of the site does not fall within the Urban Greenspace, with the site forming the boundary with the surrounding Urban Greenspace. The digitised map produced for the emerging Local Plan is deemed to be a much more accurate representation of the extent of the Urban Greenspace and as such officers have assessed the application on the basis of the boundary within the Publication Draft Local Plan Map.
- 10.2 The application site is therefore unallocated land with the exception of a narrow visibility splay adjacent to the proposed access which cuts across the front part of the Urban Greenspace to the north. The application does not include any development within the visibility splay.

Principle of development

- 10.3 The National Planning Policy Framework has introduced a presumption in favour of sustainable development.
- 10.4 Chapter 1 of the NPPF seeks to promote sustainable economic growth. It states that *“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century”*.
- 10.5 The proposal is for a purpose-built veterinary hospital for an established local business. Supporting information indicates that the business has outgrown its main practice at Aspley where it has been based since the 1950s. The business has expanded over the years through the provision of satellite surgeries within Kirklees and more recently Calderdale but the applicant now requires larger facilities to serve as its main operational and administrative centre. The new facility will improve and expand on the range of care that can be provided and will enable the business to create an additional 8 full-time and 4 part-time jobs.
- 10.6 The proposal would support the expansion and development of an existing business and would result in increased employment opportunities, as well as providing economic benefits through the construction of the building. The supporting statement states that local tradesmen and suppliers would be used for this wherever possible. The proposal is therefore considered to be consistent with chapter 1 of the NPPF.
- 10.7 The site is previously developed brownfield land and the development therefore represents an efficient use of land. This accords with guidance in the NPPF and PLP7 of the emerging Local Plan.

- 10.8 Policy D2 of the UDP relates to unallocated land on the UDP Proposals Map. This states that development will normally be permitted subject to a specific set of considerations; these considerations include visual amenity, residential amenity, highway safety and the avoidance of overdevelopment. Such matters are addressed later within this appraisal.

Urban Design issues

- 10.9 Policies BE1, BE2 and BE11 of the UDP and Policy PLP24 of the emerging Local Plan relate to the design and appearance of new development. Policy D2 of the UDP seeks to protect visual amenity and ensure development respects the character of an area. Chapter 7 of the NPPF promotes good design.
- 10.10 The building has a functional design which has been influenced by the need to provide the required facilities inside the veterinary practice. Design features include first floor windows that create a continuous band around the building and two large areas of glazing to the frontage that break up the expanse of walling. There is a single storey projection to the front that provides some depth and visual interest to this elevation.
- 10.11 The proposal will be a prominent addition to the streetscene because of its size. The building would however be set down within the site, particularly in relation to the south eastern boundary, and the hipped roof helps to mitigate the massing of the building. A two storey side wall will face onto Somerset Road and would be separated by a landscaped buffer that includes a row of existing trees, new tree planting, shrub bed and a 900mm high boundary hedge. This landscaped area will help to soften the appearance of the building when viewed from Somerset Road. New and existing tree planting to the north western and south eastern boundaries will also provide some screening from these directions.
- 10.12 It is proposed to face the building in a pale grey brick. Surrounding development on Somerset Road is constructed of natural stone and so the proposal would introduce a new material to the locale. Officers have some reservations about the use of grey brick, particularly considering the building's size, as there are concerns that this material may appear as an incongruous addition. The applicant has confirmed that they are willing to use an alternative facing material. Officers consider that a mixture of stone and render would be an acceptable alternative. There are no concerns with the proposed grey roofing tile.
- 10.13 Boundary treatment to the car park and rear of the building is 1.8m high metal security fencing coloured green.
- 10.14 Subject to approval of samples of the facing materials officers consider the design of the development to be acceptable and in accordance with the aforementioned policies and guidance.

Residential Amenity

- 10.15 The practice would operate 24 hours a day in order to provide emergency care. Environmental Health do not have any significant concerns with this provided that the core customer hours are restricted to 07:30 to 1900 Monday to Friday and 0900 to 1500 on Saturdays – in line with the existing main practice at Maple Street, Aspley. Outside of these times the use of the facility should be in cases of emergency only. It is considered that the level of activity associated with the emergency care is unlikely to result in any undue disturbance to nearby residents.
- 10.16 An outdoor exercise area for dogs is to be provided at the rear of the building. There are no significant concerns with this from a noise point of view provided that animals are not left unsupervised.
- 10.17 The building is well separated from the nearest houses and as such the development would not have an overbearing or overshadowing effect on neighbouring residential development. There would also not be any close or direct overlooking of adjacent property, including from the proposed staff room and staff sleeping facilities.
- 10.18 A condition regarding details of external plant is recommended in the interests of protecting nearby property from noise. A condition is also recommended to mitigate glare from external lighting affecting nearby property.
- 10.19 Subject to conditions it is considered that the residential amenity impacts of the development are acceptable and the application accords with Policies BE1, D2 and EP6 of the UDP, PLP24 of the emerging Local Plan and guidance in the NPPF.

Highway issues

- 10.20 The proposed veterinary hospital is located on the site of two demolished garage blocks. A new access is proposed off an existing mini-roundabout on C997 Somerset Road. This is a 30mph single carriageway, two lane distributor road with footways on both sides and street lighting present.
- 10.21 The access to the proposal site is via an existing mini roundabout with the formation of a formalised fourth arm (currently the arm is a track and contains a PROW, HUD/115/20).
- 10.22 Somerset Road is a public transport route with 3 bus stops within 100m of the site and daytime bus services of at least 30 minute intervals.
- 10.23 A number of accident injuries were recorded at the junction prior to 2006, around this time a local safety scheme was carried out creating the mini-roundabout and enhancing the markings and surface with the result that recorded collisions have reduced since this time. There are no records of any collisions since 2013.

- 10.24 The application site is located just over 750m south east from the existing vet's site along Somerset Road. The two sites are on the same bus route with services running between 06:30 and 21:45 during the week with a reduced service on Sundays. These show that sustainable options to travel to the new site are still available to staff.
- 10.25 A Transport Statement was submitted with the application and a further Technical Note and amended site layout submitted following initial comments from Highways Development Management.
- 10.26 Highways Development Management accept the trip generation data and the capacity modelling for the existing mini roundabout as put forward within the application. It is considered that the mini roundabout would continue to operate within practical capacity limits. The visibility splays at the access as demonstrated within the application are acceptable.
- 10.27 An 11.85m refuse vehicle can access/egress the site in forward gear but to achieve the required manoeuvring space within the car park it requires the use of 12 car parking spaces. To ensure that these spaces are kept free to allow for the manoeuvring of a refuse vehicle (expected early Monday mornings), it is proposed that the spaces will be cordoned off from general use until after the servicing has taken place and that this should be included in a car park and servicing management plan. The plan would also include the reservation of 5 spaces to the south east end of the car park for trailers during the lambing season. This car park and servicing management plan can be conditioned.
- 10.28 The amount of car parking space for staff and visitors is deemed to be adequate.
- 10.29 The PROW team have raised concerns with the layout and interactions with PROWs 115/10 and 115/20, both of which run within or adjacent to the site. Further details will be required on the work to the PROWs and officers are satisfied that this can be addressed through a condition.
- 10.30 Based on the above the application is considered to comply with Policies T10, T19, D2 and BE1 of the UDP and PLP21 and PLP22 of the emerging Local Plan.

Flood risk and drainage issues

- 10.31 The site lies within Flood Zone 1. Such sites are classified as being at the lowest risk of flooding.
- 10.32 It proposed for surface water to predominantly drain via infiltration. The car park is to be constructed of permeable paving with a combination of rainwater harvesting and infiltration to ground used for the building. Information to demonstrate that ground conditions are suitable for infiltration has been provided and no objections have been received from the Lead Local Flood Authority in response to this. The applicant acknowledges that separate consent from the Environment Agency may be necessary in relation to potential contamination of an underlying secondary aquifer and adjacent watercourse (Penny Spring Beck) however as the site currently drains via infiltration there is unlikely to be any significant change in circumstances. A condition for detailed drainage design is recommended.

Ecology Issues

- 10.33 Following the submission of further information the Ecology Unit is satisfied that the development would not result in any significant harm to biodiversity subject to a condition for the external lighting of the site in order to protect the use of this area by nocturnal wildlife and in particular use by bats. Some replacement planting is also proposed within the site that mitigates the impact of the development on biodiversity to an extent.

Trees

- 10.34 There are areas of protected trees within and immediately adjacent to the site. The arboricultural officer accepts the tree loss as proposed within the application as the trees are of poor quality and some compensatory planting is to be provided. The application does not indicate any loss of trees within the visibility splay to the right of the access (when exiting the site) but further information has been requested in relation to this and an update on this issue will be provided to the Committee.
- 10.35 A condition requiring an arboricultural method statement to ensure that development is carried out without harming the trees to be retained and adjacent woodland is necessary.

Other Matters

- 10.36 Information has been submitted that confirms that there is contamination on the site including Japanese Knotweed and asbestos. It is understood that some works to remediate the Japanese Knotweed have already been undertaken. Conditions relating to site remediation are recommended.
- 10.37 A condition requiring a scheme for the provision of electric vehicle charge points to serve the development is recommended. This is to accord with the West Yorkshire Low Emission Strategy Planning Guidance, PLP24 of the emerging Local Plan and guidance in the NPPF.

Representations

- 10.38 Four representations have been received and the comments received have been summarised at section 7. All of the matters raised have been addressed through the assessment of the application as set out in this report.

11.0 CONCLUSION

- 11.1 The development will help to support the growth of a successful local business on a brownfield site that has previously had permission for residential development. It is considered that the design of the building is of an acceptable standard subject to agreement on the external walling material. The development would not result in any significant harm to residential amenity, highway safety, drainage and ecology subject to conditions. The impact on protected trees is accepted subject to consideration of the additional information referred to within this report.

- 11.2 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.
- 11.3 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

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

1. 3 year Time limit
2. Development in accordance with approved plans
3. Approval of samples of materials
4. Site remediation and validation report (includes asbestos and Japanese knotweed)
5. Detailed drainage design
6. Restriction on hours of use to those set out within this report
7. Details of fixed plant
8. Restriction on outdoor animal exercise area (no unsupervised animals)
9. Details of external lighting to protect residential amenity and biodiversity
10. Electric vehicle charging scheme
11. Arboricultural method statement
12. Landscaping scheme to be provided
13. Provision of visibility splay
14. Surfacing of car park
15. Car park and servicing management plan
16. Construction management plan
17. Detailed scheme for improvement works to Kidroyd Lane (PROW HUD/115/20)
18. Detailed design for proposed access off the mini roundabout

Background Papers:

Application and history files.

Website link

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f94302>

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