
Report of the Head of Strategic Investment**STRATEGIC PLANNING COMMITTEE****Date: 11-Apr-2019**

Subject: Planning Application 2018/93201 Reserved matters application for residential development pursuant to outline permission 2016/91337 land at, former St Luke's Hospital, Blackmoorfoot Road, Crosland Moor, Huddersfield, HD4 5RQ

APPLICANT

Pennine Property
Partnership & Avant
Homes

DATE VALID

01-Oct-2018

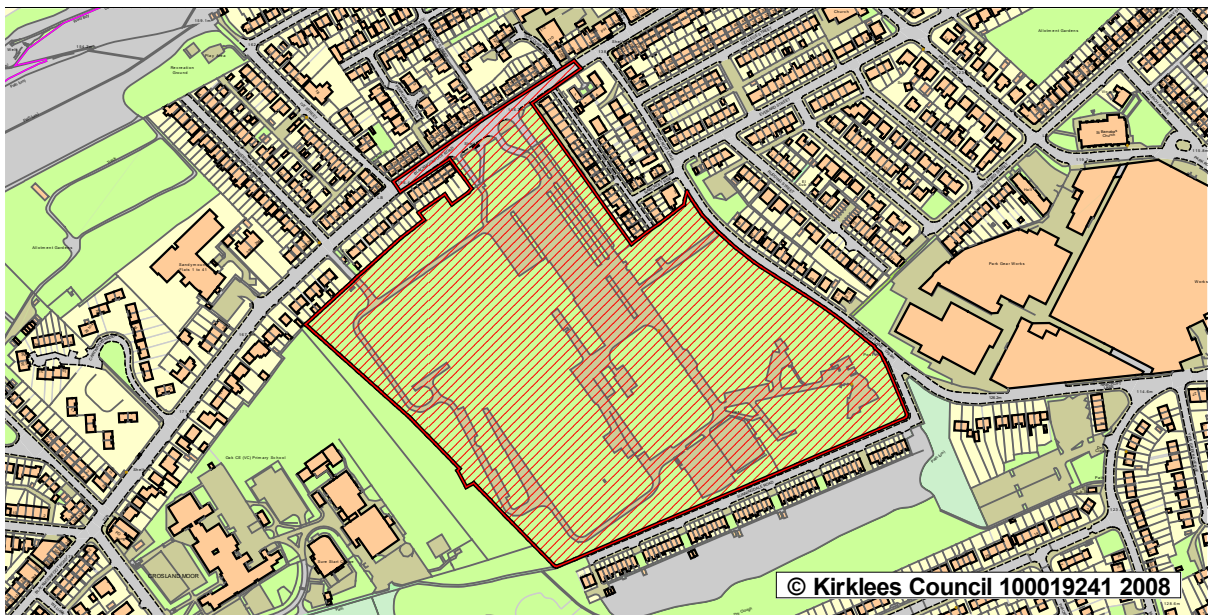
TARGET DATE

31-Dec-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: Crosland Moor and Netherton

Y

Ward Members consulted
(referred to in report)

RECOMMENDATION:

DELEGATE approval of the application to officers to secure minor amendments to the layout to resolve minor Highways issues and approval of the application and the issuing of the decision notice to the Head of Strategic Investment to complete the list of conditions including those contained within the report.

1.0 INTRODUCTION:

- 1.1 This application is brought to Committee, together with proposals; 2018/93098 and 2018/93200; given the scale of the development and the need that all 3 proposals need to be considered at the same time and in relation to each other.
- 1.2 This application seeks consent for the following reserved matters of appearance, landscaping, layout and scale pursuant to outline permission 2016/91337. The application is presented to Strategic Planning Committee for determination as it should be considered with the other two applications on the St Luke's site (2018/93098 & 2018/93200) that cumulatively propose a significant redevelopment of the St Luke's site. This is a significant change from the previous mixed use planning permission involving retail development on the site.
- 1.3 Members will recall that a pre-application submission (2018/20339) was previously brought to Strategic Planning Committee where Members requested that when the applications were received with the updated viability information and the justification for reducing the Section 106 contributions the applications would be brought to Strategic Committee.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site comprises 9 hectares of land approximately 2km to the south west of Huddersfield. It formerly accommodated the St. Luke's hospital buildings which were demolished last year. The site was closed as a hospital in 2011.
- 2.2 Remnants of the buildings and access roads remain in the form of hardstanding, and the site is now partially overgrown with grassed areas. The site slopes upwards from east to west, following the incline of Blackmoorfoot Road.
- 2.3 The area is predominantly residential in nature with dwellings bordering the site to the north (Blackmoorfoot Road), east (Nabcroft Lane) and the south (Sunningdale Road). To the west of the site is Dryclough C of E Infant School.

- 2.4 The site contains a significant number of protected trees. These are mostly individual orders, with group orders to part of the eastern, southern and north western boundaries. The tree issues are included at paragraph 10.8. There are no public rights of way through the site, but there is a public footpath close to the south western boundary.
- 2.5 This application for Reserved Matters relates to the following reserved matters of appearance, landscaping, layout and scale pursuant to outline permission 2016/91337.

3.0 PROPOSAL:

- 3.1 The proposal is a Reserved Matters submission for 200 no dwellings. The access is taken solely off Blackmoorfoot Road, and runs parallel to Chapel Terrace, as an estate road forming a loop and a series of cul- de- sacs.
- 3.2 The access extends to the west, were it eventually serves the 26 no dwellings applied for under 2018/93200. This area is in the North West area of the site and located to the rear of existing dwellings on Blackmoorfoot Road.
- 3.3 The dwellings proposed are a mixture of detached, semi-detached and terraced dwellings all of which face towards the highway. The mixture is of 2, 3 and 4 bedroom properties.
- 3.4 The materials to be uses are brick (buff and red brick) with grey roof tiles, and in some areas patches of render, on some upper floors.
- 3.5 Pedestrian access is maintained at the North West edge of the site, where the existing link from the site to Blackmoorfoot Road, is maintained, and to the SE corner where a flight of steps onto Nabcroft Lane is provided.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 2013/90248- Prior notification for the demolition of existing buildings- Approved
- 4.2 2014/93099- Outline planning permission for development comprising up to 200 dwellings with associated infrastructure and open space; retail units (open use class A1); accommodation for potential neighbourhood uses (use class A2/D1/D2 sui generis); restaurant/public house(use class A3/A4; and petrol filling station(sui generis)- Conditional Outline approval.
- 4.3 2016/91337- Variation of conditions for 2014/93099- Approved.
- 4.4 2018/93200- Reserved Matters application pursuant to approval 2016/91337 for 200 dwellings- Still to be determined, (on this agenda).
- 4.5 2018/93201-Full application for 26 dwellings-Still to be determined (on this agenda).

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

- 5.1 A pre application enquiry (2018/20339) was submitted regarding the alteration of the extant outline permission on the former St Luke's Hospital site:

From - Outline permission for up to 200 dwellings; retail units, accommodation for potential neighbourhood uses; restaurant/public house; and petrol filling station;

To - The erection of 226 dwellings, a significantly reduced commercial area, and associated car park. In addition the previous access arrangements which provided for access to the commercial uses from Blackmoorfoot Road and from Nabcroft Lane for the residential uses, to be altered to provide for one access off St Luke's Road to serve the whole development.

5.2 The enquiry also sought to discuss issues of viability and renegotiation of the Section 106, and the format of any future planning submission ie:

- A Section 73 application to vary the conditions that relate to affordable housing and restriction of the numbers of houses on the site;
- A reserved matters application for 200 dwellings; and
- A full application for the balance of houses ie in this case 26.

5.3 These applications have now been received and are on this agenda for determination.

5.4 Further / and updated viability information has been sought from the applicants regarding the justification for reducing the Section 106 contributions.

5.5 Additional highway modelling to justify the provision of a single access point from Blackmoorfoot Road, has been sought, this is also needed to justify the removal of some junction improvements detailed within the Section 106.

5.6 Some detailed alterations to the internal layout have been sought, and additional information regarding the protection of trees, and landscaping.

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 48 of the National Planning Policy Framework (2018). 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 (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan its published modifications and Inspector's final report dated 30 January 2019 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

- D2- Unallocated
- BE1- Quality of Design
- BE2- New Development in keeping with surroundings
- BE23- Crime Prevention
- T10- Highways Safety
- T16- pedestrian routes
- T17- Cycling provision
- T19- Parking standards
- EP4- Noise Sensitive development
- EP6- Noise levels
- EP1-1 Ecological landscaping
- G6- Contaminated land
- NE9- Tree
- H10-Affordable Housing

Supplementary Planning Guidance / Documents:

6.3

- Interim Affordable Housing Policy;
- Providing for education needs generate by new development (Kirklees Policy Guidance).

Emerging Local Plan

6.4. The site is allocated as a mixed use (allocation MX 1903).

- PLP1 Presumption in favour of sustainable development
- PLP3 Location of new development
- PLP7 Efficient use of land and buildings
- PLP11 Housing mix and affordable housing
- PLP13 Town Centre uses;
- PLP20 Sustainable travel;
- PLP21 Highway safety and access
- PLP22 Parking
- PLP23 Core Walking and cycling network
- PLP28 Drainage
- PLP30 Bio diversity and geodiversity
- PLP32 Trees
- PLP49 Education and health care needs
- PLP53 Contaminated and unstable land

National Planning Guidance:

6.5

- Part 2.Achieving sustainable development.(Development Contributions)
- Part 5. Delivering a sufficient supply of homes
- Part 7. Ensuring the vitality of town centres
- Part 8. Promoting healthy and safe communities
- Part 9. Promoting sustainable transport
- Part 11. Making effective use of land

- Part 12. Achieving well designed places
- Part 14 Meeting the challenge of climate change, flooding and coastal change
- Part 15. Conserving the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The site has been publicised by site notices and neighbour letters.

7.2 To date there has been only two response,

- one suggests that for the purposes of security and residential amenity a fence of at least 6 feet, should be located on the boundary of the site with Sunningdale Road;
- The second encourages the redevelopment of the site for housing, but only if the supporting road network is improved to accommodate the extra development.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways DM- The layout is generally acceptable. However there are a number of detailed amendments that are required. When these are received recommend conditions.

KC Lead Local Flood Authority- No objection however additional information has been requested, discussions are ongoing.

8.2 Non-statutory:

KC Trees- Concerns were raised by the tree officer regarding the removal of a large number of mature trees protected under Tree Preservation Order (TPO) and lack of justification presented by the applicants. Whilst other trees on the fringes of the site are to be retained this is clearly a harmful impact as a result of the layouts submitted. Additional tree planting within the street scenes would improve the scheme.

KC Landscape- The retention of the major trees and perimeter planting is welcome, also this scheme has easy access to the POS area provided as part of scheme for 26 dwellings 2018/93200 some additional tree planting within parts of the street scene would result in an improved and greener finished environment.

9.0 MAIN ISSUES

9.1 This proposal is a reserved matters application covering;

- layout,
- scale and appearance; and
- landscaping,

9.2 The matter of access which was originally agreed on the outline permission was to be shared ie: commercial development accessed off Blackmoorfoot Road, with the residential element taken off Nabcroft Lane. This element is dealt with under the Section 73 application (2018/930980) which seeks a significant change to

the previous permission and proposes a single access off Blackmoorfoot Road, serving both a reduced commercial element and the residential element of the scheme.

10.0 APPRAISAL

Layout

- 10.1 This layout for 200 dwellings needs to be considered in relation to the proposed layout for 26 no dwellings (2018/93200), which is also served by the single access off Blackmoorfoot Road, and also abuts the reserved matters site. Therefore if both applications are approved they would be one residential estate of 226 dwellings.
- 10.2 The layout delivers 200 dwellings at a density of approx. 23 per ha. Whilst this may seem a low density, there are significant areas within the site that are not capable of being developed, including extensive areas of protected trees. As such the density in this case is considered acceptable, and corresponds to the estimated capacity on the site allocation within the Emerging Local Plan.
- 10.3 The layout of the scheme relates well to the full application for 26 no dwellings on the adjoining site (2018/932000), and the orientation of the dwellings create a frontage and accessibility to the areas of open space within the scheme, and many have an attractive aspect onto the open space and retained tree belts. The sloping topography of the site has been accommodated satisfactorily, and given the omission of the previously approved vehicular access off Nabcroft Lane, the existing substantial stone retaining wall along the southern side of Nabcroft Lane is kept intact, and together with the trees adjacent the wall, within the site afford an effective and attractive screening of the site for existing residents on Nabcroft Road.
- 10.4 The highway network makes good use of the changes in the highway hierarchy to create a more attractive layout, and street planting can be accommodated improving the finished layout. There are pedestrian links cross the site including access points onto both Nabcroft Lane and Blackmoorfoot Road, with an option to link into the curtilage of the neighbouring school. Some detailed amendments are required to the highway layout, and some additional planting has been requested to improve the finished appearance on parts of the site. The applicants are aware of this and are preparing amendments. However should the amendments not be received before the Committee date, it is requested that these be delegated back to Officers to resolve these matters before issuing any decision notice.
- 10.5. The layout satisfies the Councils space about building standard, safeguarding future residential amenity/ privacy for residents, and no existing dwellings that abut the site are adversely affected

Scale and Appearance

- 10.6 The proposal includes a range of house types including detached, semi-detached and terraces, all 2 no storey. This is appropriate in scale for an area that includes the same mixture of houses. In addition the scheme is effectively screened from the major roads that surround it resulting in minimal impact upon existing street scenes

- 10.7 The dwellings are to be constructed of brick a mixed palette of buff and red brick with grey roof tiles, in some areas there will be part rendered elevations. The surrounding area contains a mix of materials including stone on the Blackmoorfoot Road frontage. However a state earlier this scheme will be largely self-contained and screened from Blackmoorfoot Road and Nabcroft Lane, and as such the use of a mix of brick colours and tile is considered acceptable.

Landscaping

- 10.8 The reserved matters application includes a landscaping plan. Concerns were raised by the tree officer regarding the removal of a large number of mature trees protected under Tree Preservation Order (TPO) and lack of justification presented by the applicants. Whilst other trees on the fringes of the site are to be retained this is clearly is a harmful impact as a result of the layouts submitted. This harm must be weighed in the planning balance and officers consider that the viability issues that surround developing this site give sufficient justification in increasing the number of dwellings on the whole of the site and in this instance the loss of protected trees is on balance acceptable.

- 10.9 The public open space is substantial and well located and accessible for future residents, and will be secured through a Section 106 on the outline approval. Within the scheme and the street scene there are a number of areas where new planting had been incorporated and this is welcomed, however there is the potential to improve the situation in parts of the site resulting in a better and greener finished layout. The applicants are aware of this requirement and are preparing amendments.

Other Matters

- 10.10 It is recommended that the identified mitigation and the provision of a scheme for the provision of electric charging points for low emission vehicles be conditioned on this application so that a holistic approach to the whole site redevelopment is undertaken.

11.0 CONCLUSION

- 11.1 The principle of residential development on this land has been established by the granting of previous planning permissions. It is considered that the reserved matters submitted deliver an efficient, and effective use of this brownfield site, respecting the difficult topography and any neighbouring dwellings privacy and amenity. The scheme is considered to deliver a positive layout and around the site, as well as access to open space, and pedestrian permeability across the development, that will enhance the area, and deliver 200 much needed dwellings on this stalled site.
- 11.2 As this proposal is for reserved matters, the Section 73 application (2018/930980) for variation of conditions, will effectively become the outline approval for this site, and all the conditions and obligations within the accompanying section 106 are secured through that permission.

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

1. Build in accordance with approved plans
2. Samples of materials
3. Boundary treatments
4. Tree protection during construction
5. Parking/highways laid out and maintained
6. Construction Management Plan
7. Implementation of noise mitigation on relevant plots
8. Implementation of air quality/dust suppression measures during construction
9. Electric Charging Points

Background Papers:

Application and history files.

Website link to be inserted here: <http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f93201>

Certificate of Ownership – Notice served on/ or Certificate A signed