KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

STRATEGIC PLANNING COMMITTEE

05 APRIL 2018

PLANNING APPLICATION - 2017/93886 ITEM 11 – PAGE 17

ERECTION OF EXTENSIONS AND ALTERATIONS TO CONVERT EXISTING BUILDING TO STUDENT ACCOMMODATION (WITHIN A CONSERVATION AREA) CO-OP BUILDING, 103, NEW STREET, HUDDERSFIELD

Viability

Further to the details contained in the officer report, the Council's viability assessors have concluded their final report. The conclusions of the viability report clearly demonstrate that the extensions as proposed are the minimum required to bring the building into a viable use. Even on the basis of a three storey extension, the scheme would generate a profit less than the industry standard for a developer and, therefore, the proposed development is considered to be marginally viable. Full details are set out in a confidential paper should members wish to interrogate the details any further.

Materials

The proposed extension would be clad. Further discussions have taken place between the applicant, Historic England and the Conservation and Design Officer. The applicant proposes an anodised aluminium product from a company based in Huddersfield. Officers have viewed the materials in situ on a recently built development in a Conservation Area in Sheffield and consider that it represents a high quality product.

In respect of the colour, it is considered necessary to ensure that there is a contrast between the existing stone work and the proposed cladding. There are a number of options but at this stage it is proposed that the material be a darker bronze cladding.

Based on the above, the proposed materials are considered to respond appropriately to local vernacular. Para 131 of the NPPF requires:

In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

- *the desirability of new development making a positive contribution to local character and distinctiveness.*

Subject to a further planning condition concerning the colour, panel size and installation/attachment method and detailing, the proposed development is considered to address the requirements of para131 of the NPPF as the viability appraisal has satisfied officers that the works are necessary to bring the building back into viable use.

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

1. 3 years
2. Approved Plans
3. Materials including method statement, details of windows
4. Materials – colour, cladding panel details, method of fixing.
5. Strategy for renovating existing building and details of all works including a phasing agreement.
6. Details of servicing and bin storage
7. Details of plant
8. Biodiversity enhancement
9. Crime Prevention
10. Occupation by students only
11. Construction Management Plan

PLANNING APPLICATION - 2018/90586 ITEM 12 – PAGE 31

ERECTION OF 160 RESIDENTIAL UNITS, INCLUDING A 50 UNIT EXTRA CARE FACILITY (C3), PROVISION OF PUBLIC OPEN SPACE AND ENGINEERING OPERATIONS LAND TO THE WEST OF ASHBROW INFANT AND NURSERY SCHOOL, ASHBROW ROAD, ASHBROW, HUDDERSFIELD.

Additional Consultee Responses

Yorkshire Water – no objection subject to condition

Lead Local Flood Authority – Further information required:

– Microdrainage Wizard Simulations to demonstrate that the site doesn't flood in a 1 in 100+ climate change (30%) critical storm event. In addition calculations clearly including defined flow controls and attenuation design performance in the 1 in 1 and 1 in 30 year return periods.

– Road Levels and levels around the attenuations structures (Engineering Layout) to demonstrate safe flood routing from blockage scenarios and exceedance events.

Strategic Housing - The Council has been in discussion with the applicant regarding affordable housing. The applicant has made an offer that exceeds 20% of units being allocated for affordable on-site housing.

West Yorkshire Archaeological Service - WYAAS' recommends that the site is subject to an archaeological evaluation prior determining the application. This advice is in keeping with both national and local guidance. Should this advice be ignored then the WYAAS recommend the following condition, in accordance with the Department of the Environment's Circular 11/95, is attached to any grant of planning permission awarded:

"*No development to take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.*"

Environmental Protection – No objection subject to conditions.

Public Rights Of Way

Comments from the PROW Officer - *Details of levels/sections of step link would have to be agreed later – to involve s38 and highways structures I imagine. On plan view it's not possible to see and consider whether or where, walls or graded slopes are proposed.*

Without the inter-PROW link, the path near the western boundary of the site becomes more important and improvement expected by PROW would be greater – either way a scheme should be required, agreed and implemented. With an inter-PROW link, then the standard of improvement expected of the boundary path would potentially be less, and could be limited to a walkable, trip-hazard free, easily drained route, clear of obstructions (including obstructing vegetation). Details to be submitted as part of the scheme required by condition. Without the link from the site extending to join the two PROWs, the boundary path works required should potentially include hard construction of a footpath to appropriate standards, at least to the southern part (Hud/382/20) otherwise the usefulness and functionality of the required 'steps' link route is reduced.

The application does not propose to divert any footpaths. Therefore, it is the intention that the PROW's would be retained along their current alignment. As detailed above, there is a lack of detail concerning the proposals for footpath HUD/382/20 in terms of improvement. Therefore, a condition is recommended requiring a scheme of improvement works to be submitted for agreement.

Crime Prevention

Comments from Police Architectural Liaison Officer (PALO) - *In respect of crime prevention concerns, having an isolated footpath running adjacent to the back of rear gardens is far from ideal, for a number of reasons, including*

the risk to the security of the rear of the houses, and the lack of surveillance of activity on the path which could adversely affect the safety of legitimate users of it. There is also the possibility of hidden loitering and anti-social behaviour occurring along the path.

In the event of a path being kept at this location, I would suggest that it is imperative that rear garden boundary treatments along the affected elevation are built higher than the standard 1.8m commonly used for garden fencing. I would suggest that the provision of 1.8m timber fencing topped with a trellis of 0.3m, so that the boundary is a minimum of 2.1m in height, would give a suitable fence height whilst also maintaining some surveillance from house windows of activity in the area around the path. The trellis can also be an effective deterrent to climbing.

If any new landscaping is proposed in the area immediately outside the line of the rear garden fencing, I would suggest that where possible there should be thorny defensive shrubbery along the fence line, forming a buffer area to protect the private garden space.

The current footpath HUD/382/20 is inconspicuous in places and it appears that a number of informal routes criss-cross the site. These appear to be well used by local people. As the development would take up a large proportion of the site, there is an opportunity to improve the usability of footpath HUD/382/20. This would be secured by condition (see PROW comments above). The consequence of improving accessibility means that the rear gardens of properties would be more accessible.

In response to the above, the applicant proposes defensive/thorny planting between the edge of plots 17 and 28 and has also amended the fence line so it is set back 2m from the footpath edge.

It is not feasible to set the fences of garden no's 31 – 42 back any further as the proposed garden are already relatively small. However, the applicant has amended the scheme to ensure that the retaining wall which was originally proposed as a stepped garden, would be moved to the boundary with the PROW. This would ensure that there would be a retaining wall at least 0.9m high with opportunities for further boundary treatments on top of the wall. The PALO officer recommends that final details be conditioned in order to maximise the safety of users of the footpath and maximise the safety for future occupiers.

<u>Accessibility</u>

The applicant considered a number of options to improve pedestrian accessibility from the Extra Care facility. This included a potential footpath through the woodland from the care facility in a southerly direction towards Ashbrow Road/Bradley Boulevard. However, this would have resulted in the significant loss of trees. Providing a route through the adjacent school car park was also not considered feasible. Consequently, the proposed pedestrian route from the extra care facility to Ashbrow Road/Bradley would route around the proposed estate road. The distance would be approximately 250m. It is accepted that there are level differences to negotiate but given the nature of the site and the associated constraints, it is not considered feasible

to provide a significantly more accessible route for mobility impaired users in particular.

Trees

At the time of writing the update, the applicant was in the process of providing an additional tree plan to clarify that most of the existing TPO'd trees would be protected. On the basis of the forthcoming revised plan, the scheme is considered acceptable by the Tree Officer subject to planning conditions.

Housing Mix

In addition to the benefits of the scheme set out in the officer report, the applicant has clarified the following:

In total, the proposals will deliver 63 social rent affordable units, which represents 39% affordable housing within the proposed scheme. This is against a local policy requirement of 20% affordable housing. This will support the delivery of a mixed and sustainable community in line with the principles set out in paragraph 50 of the National Planning Policy Framework. This additional contribution to provide much needed social infrastructure is an important consideration in the overall viability of the site

In addition, the market housing delivered by Keepmoat is benchmarked based on the average earnings in the area to ensure affordability of the market housing for local populations. An extract from the affordability review is shown below to demonstrate the affordability of the units and relationship to average earnings.

House Type	Beds	Average Price	Monthly Mortgage Cost (Help to Buy) - 2.6		Monthly Mortgage Cost Standard - 3.74 (10% dep)		Salary Needed if using 4.5 multiple		Average Earnings in Area
			25 Year	35 years	25 Years	35 Years	H2B	Standard Mortgage	
768	2	£145,998	£463	£370	£630	£523	£22,500	£26,000	Single £26,328, Joint £45,149
953	3	£173,036	£549	£439	£747	£620	£26,666	£32,000	
968v1	3	£178,442	£566	£452	£771	£640	£27,500	£33,000	
968	3	£200,072	£635	£507	£864	£717	£30,833	£37,000	
968	3	£200,072	£635	£507	£864	£717	£30,833	£37,000	
1016	3	£183,849	£583	£466	£794	£659	£28,333	£34,000	
1129	3	£194,664	£618	£493	£841	£698	£30,000	£36,000	
DH Split	3	£178,442	£566	£452	£771	£640	£27,500	£33,000	
DH Split v1	3	£178,442	£566	£452	£771	£640	£27,500	£33,000	

Officers consider that as detailed above, house prices would range from £146,000 up to £200,000. This would result in a mix of houses which would make a contribution to the local area in terms of providing houses for the local market.

Conclusion

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 and to secure a S106 agreement to cover the following matters. The site notice expires on 6th April so it is requested that the decision be deferred to the Head of Strategic Investment to

allow the consultation period to expire on the basis that no further significant issues are raised which have not already been addressed by the officer report.

S106 requirements:

1. Public open space provisions including off site commuted sum of approximately £102,374.07 in lieu of equipped play and future maintenance and management responsibility of open space within the site.
2. £271,818 towards Education (Ashbrow and North Huddersfield Trust School)

Conditions

1. 3 years
2. Approved plans
3. Phasing plan
4. Materials
5. Ecological enhancement
6. Construction management plan
7. Drainage
8. Contamination
9. Boundary treatments – revised details required for some of those boundaries facing the public footpath
10. Finished floor levels
11. Electric charging points
12. Noise mitigation
13. Details of junction and associated highway works
14. Details of internal adoptable estate roads
15. Design and construction of retaining walls
16. Drainage conditions including micro-drainage details and road levels around attenuation structures
17. Archaoelogical study and information
18. Yorkshire Water – no development within 5m of the centrelines of the sewers and water mains that cross the site. If diversion is required details to be submitted.
19. Details of off-site improvements to public footpaths
20. Lighting details
21. Noise/odour concerning ventilation system for extra care facility
22. Phase II contamination
23. Aboricultural method statement should be submitted
24. Landscaping

PLANNING APPLICATION - 2018/90340 ITEM 13 – PAGE 49

CHANGE OF USE AND ALTERATIONS TO EXTEND EXISTING CAR PARK ASHBROW SCHOOL, ASH MEADOW CLOSE, SHEEPRIDGE, HUDDERSFIELD.

Procedural Note and Impact upon adjacent protected Trees

An error has been noted within the Recommendation. The recommendation states that negotiations on protected woodland are being concluded, however if negotiations go beyond three months, '*permission should be refused on the grounds that the proposals are unacceptable on the grounds of flood risk'*. 'Flood Risk' is an error, and should correctly state 'harm to protected woodland'.

Notwithstanding the above further information has been provided by the applicant in regards to the impact upon the adjacent protected woodland'. Based on the further details, arboricultural officers are now satisfied that the proposal would not have a harmful impact upon the protected tree, subject to appropriate details provided within an Arboricultural Method Statement, to be secured via condition. As such the recommendation has been updated.

Updated 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

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PLANNING APPLICATION - 2018/90074 ITEM 14 – PAGE 61

ERECTION OF MOTOR VEHICLE DEALERSHIP COMPRISING CAR SHOWROOMS, WORKSHOPS AND MOT, ANCILLARY OFFICES, CAR PARKING AND DISPLAY, NEW VEHICULAR ACCESS AND EGRESS TO A643 AND LANDSCAPING LAND OFF, LINDLEY MOOR ROAD, HUDDERSFIELD.

Amended drawings

The applicant submitted amended drawings on 28/03/2018, and these were posted on the council's website on 29/03/2018. These drawings, however, included changes to the application site red line boundary (and a related 605sqm increase in the size of the site), and the committee would not be able to base its decision on these drawings as they have not been put to public consultation. The applicant has therefore agreed to withdraw these drawings and revert to their previous iterations. The amended drawings are due to be deleted from the council's website.

Representations

The Lindley Moor Action Group have expressed concern regarding the reporting of their previous comments, and have asked for the following points to be noted (quoted below in full with reference to paragraph numbers in the committee report):

- *The fiction of 87 jobs is laboured (3.5 proposal; 10.2 appraisal; 11.1 conclusion). It should be made clear that manpower will relocate from the two derelict sites discarded by the application.*
- *The four acre, 543 space car park gets no mention at all! The narrative quotes only 101 spaces (10.9 appraisal), giving a wholly false impression of the impact.*

Highways information

The applicant has submitted a further note (Sanderson Associates, 04/04/2018) regarding the likely impact of the proposed development upon the junction of Lindley Moor Road and Crosland Road. This note concludes that the traffic predicted to be generated by the development would not be material, and that the increased traffic would be diluted on the highway network.

Conditions

Amendment to highways conditions on summary list:

1. 3 years to commence the development
2. Develop in accordance with approved plans
3. Samples of materials
4. Details of boundary treatments
5. Landscape details

Highway conditions
Visibility splays; provision of footpath along Lindley Moor Road; surfacing and drainage of the car park and service areas; construction management plan; provision of a Travel Plan; provision/ completion of outstanding infrastructure works required under the Hybrid planning approval (2014/95136 condition 36), prior to the Dealership being brought into use(Grampian),

7. Lighting condition
8. Crime Prevention condition
9. Drainage conditions

PLANNING APPLICATION - 2018/90163 ITEM 16 – PAGE 81

CHANGE OF USE FROM PLANT NURSERY WITH RETAIL SALES TO GARDEN CENTRE AND FORMATION OF NEW ACCESS FENAY BRIDGE NURSERY, FENAY LANE, FENAY BRIDGE, HUDDERSFIELD.

Request to Members from agent:

"I am acting as agent in respect of the application on Thursday's agenda at Item 16 to change the use of the plant nursery at Fenay Bridge to a garden centre.

I would normally attend the meeting to speak in support of the application on behalf of my client but am unfortunately unable to do so on this occasion because of an unavoidable appointment.

I am pleased to note Officers are recommending that because there are no changed circumstances from when permission was granted in December 2015 that permission should be granted on this application also.

I am writing to ask that if the Committee are minded not to take the Officers advice and recommendation to approve that the application is deferred so that I may have the opportunity to address the issue(s) raised"