

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No: 2018/62/91251/E

Site Address: Dewsbury and District Hospital, Halifax Road,
Dewsbury, WF13 4HS

Description: Erection of a standby generator and fencing

Recommending Officer: Nia Thomas

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Julia Steadman

AUTHORISED OFFICER

Date: 11-Jul-2018

Officer Report

Site Description

The site relates to an area of the Dewsbury hospital site which is located to the southwest of the main hospital building.

There are mainly residential properties surrounding the wider site.

The site is unallocated on the Kirklees Unitary Development Plan and unallocated on the Kirklees Publication Draft Local Plan.

Description of Proposal

Planning permission is sought for the erection of a standby generator and fencing.

Standby generator

The standby generator can be seen on proposed elevations. It will be 6.1 metres in width, 2.4 metres in length and will be 2.9 metres in overall height.

Fencing

The height of the fencing is 1.8 metres in height and will have timber access doors to the generator. There will also be a boundary fence with trellis at a height of 3.8 metres to provide full screening at this position.

The application is retrospective. On the site visit of 25th May, the standby generator and fencing was in situ.

History of negotiations/amendments received

No amendments were secured as the proposal is acceptable in its current form.

Relevant Planning History

No relevant planning history.

Representations

Final publicity date Expires: 10.7.2018

No representations have been received.

No parish/town council comments are required.

Consultation Responses

K.C Environmental Health – “no observations”

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. 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.

The site is unallocated on the UDP Proposals Map and unallocated on Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **EP4** – Noise sensitive development
- **NE9** - Trees

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 24** – Design
- **PLP33** - Trees

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 7** – Requiring good design
- **Chapter 11** – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states “planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”.

Visual amenity, residential amenity and highway safety will be assessed in this report.

2 –Impact on visual amenity:

The impact on visual amenity is acceptable. The standby generator and fencing is located in the car park in a location that is not visible from outside of the hospital site. The appearance of the standby generator and associated fencing is appropriate for the proposed use. The character of the area is varied with different styles of hospital buildings and areas of hardstanding in the wider site. The standby generator is located next to an existing fuel tank. Given the small scale of the development and its location in the corner of the car park, it will not be overly prominent and will not be out of keeping feature within the site.

Although the proposed trellis is high at 3.8 metres, it will not look prominent in the area or within the site. This is because it will be located to the rear of the generator station and will be read in context with the backdrop of the trees.

Overall

The proposal is in accordance with UDP policies D2 and BE1 of the Kirklees Unitary Development Plan, policies PLP1, PLP2 and PLP24 of the Kirklees Publication Draft Local Plan and Chapter 7 of the National Planning Policy Framework.

3 – Impact on residential amenity:

There is no harm to residential amenity. The generator station and fencing are located within the main hospital site and not in very close proximity to the residential properties. There will be no overbearing or overlooking impact/loss of privacy. There will be a trellis fence and dense screening of trees on the boundary to screen the development. Additionally, the generator does not have a direct relationship with 126 Healds Road itself, it is closer to the associated amenity space.

In terms of noise nuisance, the standby generator is not in use most of the time. As stated in the planning statement, the generator is only used in cases where the main electricity supply fails. K.C Environmental Health have been consulted on the application and do not object to the application.

The proposal complies with UDP policies D2 and EP4 and the aims of chapter 11 of the National Planning Policy Framework.

4 – Impact on highway safety:

The proposal will not cause highway safety issues. The standby generator will be located adjacent to the existing marked out parking spaces, although not take up a significant part of the car park and the access to the site will not be altered. The standby generator will also be located in a position that will not cause issues for pedestrian safety.

The proposal complies with UDP policies T10 and T19 and Policies PLP21 and PLP22 of the Kirklees Publication Draft Local Plan.

5 – Other matters:

Publicity – the application was re-publicised by neighbour letter to ensure that all neighbouring dwellings were aware of the application. No representations have been received as a result of this extended time period.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations have been received.

7 – Conclusion:

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.

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.

Recommendation

Approve

Decision Authorisation - Delegated Powers**Application Number:** 2018/91251**Officer Recommendation:** Approve**Conditions and Reasons**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies D2, BE1 and EP4 of the Kirklees Unitary Development Plan, Policies PLP1 and PLP24 of the Kirklees Publication Draft Local Plan and the aims of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Generator plan and elevations	(10) 01	-	17.4.2018
Block plan	(10) 02	-	17.4.2018
Plans of generator	CX20H_75dBa_C500KVA	-	17.4.2018
Planning statement	-	-	17.4.2018

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer has not been in negotiations with the agent as the proposal is acceptable in its originally submitted form.

Report Dated: 10.07.2018