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Planning Development

Planning Statement: Greenside Mills, Saville Road, Skelmanthorpe, Huddersfield

Introduction

This planning statement accompanies an application for the demolition of the existing site buildings and outline planning permission for residential development (all matters reserved) at Greenside Mills, Saville Road, Skelmanthorpe.

This is an identical application to the one refused last year (reason: non- provision of S106 education and POS contributions following debate and ultimate disagreement between the applicant's agent and the Council's independent viability assessors).

Accompanying this application is a fully revised development viability appraisal, with further supporting evidence. A number of points raised by the Council's assessors have been accepted and the appraisal amended as a result, while other points are supported with further evidence from official RICS / Government guidance and appeal decisions.

The site currently comprises of 4 large industrial buildings with ancillary offices. Although a former textile manufacturing plant, Greenside Mills is now vacant. The site is positioned on the north side of Skelmanthorpe. Residential dwellings, with a couple of business premises, are situated to the south and west of the site, while open fields are located to the north and east. The Kirklees Light Railway runs along the north edge of the site also. There are currently two access points to the site. One off Marsden Street, the other off Saville Road.

The application is accompanied by the following plans and reports:

- 1) Indicative layout plan (Sten Architecture November 2016)
- 2) Transport Assessment (Sanderson Associates March 2016)
- 3) Ecology Phase I (Brooks Ecological May 2016)
- 4) Bat Emergence Survey (Brooks Ecological August 2016)
- 5) Noise Survey (Paul Horsley Acoustics Ltd August 2016)
- 6) Coal Risk Assessment & 2 x attachments (CMRA February 2016)
- 7) Flood Risk Assessment (Adeptus Consulting May 2016)
- 8) Geo-Environmental Phase I Desk Study & 2 x attachments (Adeptus Consulting May 2016)
- 9) Design and Access Statement (R Halstead Chartered Surveyors May 2018)
- 10) Planning Statement (R Halstead Chartered Surveyors May 2018)

11) Viability appraisal and Appendices (R Halstead Chartered Surveyors June 2018) submitted under separate cover on a confidential basis.

Site History

2017/91046 – Outline application for demolition of existing buildings and structures and erection of residential development - refused

Policy Designation

The site is unallocated in the Kirklees Unitary Development Plan and remains so in the emerging plan for the borough. A small area of the site lies within the Green Belt. This, however has not been included in the red line boundary (development area) for the application.

Relevant policies in the UDP, the Draft Local Plan and the relevant sections in the NPPF ¹ will be highlighted and addressed in the sections below.

Principle of Development

Please note that the previous application was supported on all relevant policy grounds (other than in connection with viability / S106), however our assessment points are repeated for ease of reference, and reference to draft Local Plan policies is now made.

1) Housing supply and the presumption in favour of sustainable development

The NPPF ² calls upon Local Authorities to “boost significantly the supply of housing” and sets out how Local Authorities should “ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.” This requirement includes the need to “identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.”

The NPPF goes on to state ³ that “housing applications should be considered in the context of the presumption in favour of sustainable development” and that “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

The latest published position is that the Council currently has 2.4 year’s supply, and therefore relevant policies for the supply of housing are out-of-date.

In these circumstances, the presumption in favour of sustainable development set out in NPPF Paragraph 14 and Policy PLP 1 in the Draft Local Plan states that for decision taking, where relevant policies in the development plan are out-of-date ⁴, Local Authorities should grant permission unless:

¹ National Planning Policy Framework

² Paragraph 47

³ Paragraph 49

⁴ In this case, in connection with the supply of housing

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies ⁵ in the Framework indicate development should be restricted.

Given that the site is located on land that is unallocated in the Kirklees UDP, it should be considered to be a windfall site and as such, would be of great value in providing 50+ houses for the local area. ⁶

2) Previous employment uses

Policy B4 in the Kirklees UDP and policy PLP 8 in the Draft Local Plan allows for the change of use of premises and sites which were last used for business and industry provided there is no prejudice to various planning matters. These include: the suitability of the land and premises for continued business and industrial use; the compatibility of the proposed use with surrounding uses; the effect on local amenity; and the effect on the local highway network.

Prior to becoming vacant in 2013, the site had been a textile manufacturing plant for the last 20 years. The site was formerly occupied Dawson Fabrics Plc, then taken over in 2004 by Fleece Limited. Business turnover decreased from £25M to £12M. Subsequent years turnover dropped significantly to £6M and the business closed in 2006 with the loss of 200 jobs.

The business was later restructured, and Greenside Mills was occupied by Worldwide Fabrics who traded for four years, following which that business also went into administration due to falling sales and a loss of business due to cheaper available imports.

Dawson Fabrics Limited was formed in 2012 by the management of the previous company, but also suffered falling sales and the business (now in Dewsbury) has recently become unviable. Up until last year, Dawson Fabrics occupied 15% of the site with only 5 staff, 4 of which were working only part time 2 days a week. All activities at Greenside Mills have now ceased.

⁵ The footnote at the bottom of page 4 of the NPPF provides example of such policies.

⁶ Paragraph 49 NPPF



Photo showing typical buildings on the site, at the end of their economic life

NPPF Paragraph 22 states: “Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

The site was marketed by Knight Frank for 2 to 3 years, however there was minimal interest as the larger occupiers prefer more suitable distribution premises. The buildings at Greenside Mills are in significant demise and require extensive repairs. Access for HGV’s is also restricted due to the local residential road network, and there are also concerns about operational flexibility due to the close proximity of residential properties.

As such, the limited interest which was received were from businesses only offering low rents, which were unviable for the current owners given the poor state of repair of the site and the high maintenance costs.

Furthermore, incidents of theft and vandalism are now a significant issue, adding to existing financial losses.

In this case, it is therefore concluded there is no ‘reasonable prospect’ (para 51) of a site being used for continued employment use.

In further support, Paragraph 51 also states that LPA’s “should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.”

As outlined above, there is in fact an identified need for additional housing in that area and there are not any apparent strong economic reasons why the change of use would be viewed as being inappropriate.

It is therefore considered that a combination of factors weigh heavily in favour of permission being granted in this case:

- (a) NPPF policies encouraging the change of use of redundant employment sites, which are considered to supersede UDP Policy B4, particularly as it is now inconsistent with current national policy;
- (b) the challenging housing land supply position in the borough;
- (c) the unsuccessful period of marketing of the site for business re-use;
- (d) the uneconomic nature of the buildings and the location of the Greenside Mills complex; and
- (e) the beneficial planning aspects of this proposed change to residential use as a more compatible use to the surrounding (predominantly residential) existing uses

3) Sustainable Location & derelict brownfield status

The location of the proposed development in Skelmanthorpe is a sustainable one. The site is accessible for local shops, services and employment. Several bus routes would also provide frequent transport links to other shops, services and employment in other local centres and Huddersfield town centre.

The proposal also seeks to bring a previously developed site back into beneficial and viable use, in accordance with NPPF paragraph's 17 & 111 and policy PLP 7 in the Draft Local Plan.

UDP policies DL1-2 also seek to bring derelict and neglected sites back into beneficial use.

Highway Safety & Sustainable Transport

A Transport Assessment is submitted in accordance with paragraph 32 of the NPPF. ⁷ The main conclusions are summarised below: ⁸

- Various local facilities, amenities and public transport options are available within a short walking distance, making sustainable travel a feasible and attractive option to both residents and visitors.
- The proposed use would generate fewer trips than the permitted existing use and it is therefore concluded that the change of use would have a positive impact in transport terms.
- The number, type and severity of the accidents in the vicinity of the site do not indicate any significant clusters or trends.

A footpath currently exists across the site (not recorded as a right of way on the Ordnance Survey map) and the indicative layout shows that this link to the public right of way to the north is to be retained.

As such, it is considered that the proposals comply with NPPF paragraph's 32 and 36, UDP policies T10 and T19 and Draft policies PLP 20, PLP 21 and PLP 22 in the Local Plan.

⁷ All developments that generate significant amounts of movements should be supported by a Transport Statement or Transport Assessment.

⁸ Transport Statement Sanderson Associates March 2016

Design and visual amenity

The proposed development is in outline form only and therefore detailed design proposals are not included within this application. However, an indicative plan accompanies the application and shows how the site could be developed.

This plan demonstrates an efficient and effective use of the site in terms of balancing housing density, house types, and the availability of private and public amenity space.

The plan shows some frontage development facing onto Saville Road. This would provide natural surveillance, as well as making a positive contribution to the visual amenity of the street scene.

Some of the internal road layout is shown as a shared surface. This would improve safety for residents by naturally slowing down vehicles. The existing footpath link across the site from Marsden Street to the Kirklees Light Railway on the north edge of the site, has also been incorporated into the indicative plan.

The proposals will add to the overall quality of the area by replacing a derelict former mill with a well-designed and visually attractive new development. The indicative layout also seeks to optimise the potential of the site to accommodate development, enabling additional support for shops, services and community facilities within Skelmanthorpe, as well as transport networks.

As such, the proposals are considered to accord with NPPF paragraph 58, UDP Policies D2, BE1, BE2 and Draft policy PLP 24 in the Local Plan.

Residential Amenity

The indicative layout demonstrates that the site is capable of being developed whilst maintaining adequate privacy and amenity for existing surrounding residents (and new residents), in accordance with the objectives of UDP Policies BE2 and BE12 and Draft Policy PLP 24 in the Local Plan.

Ecology

An Ecology Phase I desk study has been carried out to accompany the application. The following advice and recommendations have been made:⁹

- The majority of the site (standing water, abandoned landscaped area and scrub and competitive vegetation on made ground) are considered of low ecological value and their removal is not considered a constraint on development
- The buildings on the site were considered to offer potential for roosting bats in the Phase I survey. However, subsequent Emergence Survey work¹⁰ concluded that the mill buildings are unlikely to support roosting bats and that no further survey work is required.
- The proposals should include the retention and protection of trees alongside the planting of new landscaped feature trees such as oak or lime.
- Negative impacts on nearby wildlife sites or the Kirklees Wildlife Habitat Network would not be expected due to their distance and lack of functional linkage.

⁹ Brooks Ecological Preliminary Ecological Appraisal May 2016

¹⁰ Brooks Ecological Bat Emergence Survey August 2016

Finally, whilst it is understood that the existing (non-TPO) trees along the Saville Road frontage have been removed, it is considered there are numerous opportunities within any new housing layout to incorporate new tree planting.

Given the above, the proposals are considered to comply with NPPF paragraph 109¹¹ and Draft Policy PLP 30 in the Local Plan.

Noise Survey

A pre-development acoustic assessment of existing noise levels around the site has been undertaken, the results of which are summarised below:¹²

- The noise survey established the pre-existing noise climate and sources for the area. They are primarily due to traffic movements along Saville Road to the south and the Kirklees Light Railway periodically passing along the northern site boundary.
- Mandatory mitigation recommendations are not necessary to provide adequate protection against intrusion from external noise sources and achieve the WHO¹³ guidelines for the internal noise climate of the residences.
- Certain glazing systems and ventilation systems are recommended to be employed on the development in order to achieve the recommended internal noise levels.
- It is recommended that a 2.0m high acoustic barrier in the form of an earth bund, solid wall or acoustic screen is formed along the southern site boundary adjacent to Saville Road. ++

++ Please note that anecdotal evidence from numerous site visits suggests that Saville Road is a very quiet residential street. It is therefore considered that the need for such a barrier should ideally be balanced against other material planning considerations, such as the desire to retain an open frontage along Saville Road – in the interests of design, visual amenity, and encouraging natural surveillance.

In accordance with UDP policy EP4 and NPPF paragraph 123, the proposed development is judged to be acceptable in connection with the issue of noise.

Flood Risk and Drainage

The site lies within Flood Zone 1 and is not therefore at risk from fluvial flooding.

The accompanying drainage report gives the following advice and recommendations:¹⁴

- Consideration should be given to suitable further mitigation measures in this area, such as the construction of detention basins, ponds or wetlands as part of the development.
- Maintenance of the culvert via which the watercourse drains north toward Parkgate Dike will be essential to ensure blockage does not occur and prevent flooding of this area and those immediately upstream.
- The potential groundwater flooding risk is thought to be low.
- A surface water flooding risk has been identified for the low-lying part of the site. However, this relatively small area (far east of the site) is excluded from the indicative development

¹¹ 109 – “The planning system should...minimising impacts on biodiversity and providing net gains in biodiversity where possible.”

¹² Paul Horsley Acoustics Ltd August 2016

¹³ World Health Organisation

¹⁴ Adeptus Consulting May 2016

area. Part of it is within the Green Belt and upon further investigation at the detailed design stage, this matter can be fully addressed when the reserved matter of layout is formalised.

- It is recommended that finished floor levels of the properties should be designed to a minimum of 150mm above external levels, and the properties should be designed without basements and the floors should be constructed of beam, block or concrete.

Subject to appropriate conditions and further, more detailed scheme design work at the reserved matters stage, the proposals are judged to comply with NPPF Paragraph 104, which seeks to ensure that the development is safe from flood risk, and that flood risk is not increased elsewhere.

Contaminated land & coal mining risk assessments

A Phase I Geo-Environmental Survey has been carried out. This assessment suggests there is a potential for the existence of contamination on the site and as such a Phase II intrusive ground contamination investigation should be carried out to establish the levels of contaminants.¹⁵ It is highly likely that appropriate remediation measures can be implemented and as such, it is considered that conditions can be attached to any outline planning permission in this case.

The site lies within the likely zone of influence from coal at near or close to the surface. As such a Coal Risk Assessment, has been undertaken. Whilst this has concluded the risk to any future development from coal workings is classified as low, furthermore detailed site investigation via site sample pits is recommended to assess the type of foundations, prior to any building work commencing.¹⁶ These matters are considered capable of being conditioned.

The proposals are therefore considered to comply with UDP Policy G6, Draft Policy PLP 53 in the Local Plan and paragraph's 120 & 121 of the NPPF¹⁷.

Conclusion

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development and twelve core land-use planning principles. In accordance with the key national planning objectives, the proposals represent sustainable development in that they will achieve the following economic, social and environmental objectives:

- Bring a derelict brownfield site back into beneficial use, preventing the need for additional greenfield land to be released.
- Cleaning up any potential contamination from past industrial activities.
- Create much needed housing for Skelmanthorpe and the wider Kirklees area, meeting the needs of current and future generations.
- Locating a development in a sustainable location, close to local services and good public transport links.
- Make a positive contribution to the character and appearance of Skelmanthorpe.

Finally, NPPF Paragraph 118 states that "...decision-takers at every level should seek to approve applications for sustainable development where possible" and that they "should work proactively

¹⁵ Adeptus Consulting May 2016

¹⁶ CMRA February 2016

¹⁷ 120 - preventing unacceptable risks from pollution and land instability, and 121 – ensuring site suitable for intended use taking account of ground condition & pollution etc. and remediating the site accordingly.

with applicants to secure developments that improve the economic, social and environmental conditions of the area.”

As demonstrated above, it is considered that the proposals represent sustainable development in Skelmanthorpe that will improve the economic, social and environmental conditions of the area.

It is therefore respectfully requested that planning permission is granted accordingly.

Robert Halstead Chartered Surveyors & Town Planners

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