

Planning Policy Consultation

Consultation on Application Number: 2018/92555

Address: St Marys R C Church, Upton Street, Carlinghow, Batley

Proposal: Outline application for demolition of former school buildings and nunnery and erection of residential development (within the curtilage of a Listed Building, within a Conservation Area)

DC Officer: Victor Grayson

Policy Officer: Andrea Lane

Kirklees Unitary Development Plan: Site allocated as urban greenspace. Saved policies D4, BE2, BE5, BE11, BE12, H10, H11, T10, T16 apply. SPD2 (affordable housing) and the Interim Affordable Housing Policy.

Key National Policies: NPPF paragraph 11, Section 16 'Conserving and Enhancing the Historic Environment'

Key Local Plan Policy: PLP7, PLP11 (proposed modifications), PLP20 (proposed modifications), PLP21 (proposed modifications), PLP22 (proposed modifications), PLP24 (proposed modifications), PLP28, PLP34, PLP35 (proposed modifications), PLP47, PLP51 (proposed modifications), PLP63 (proposed modifications)

Date: 22nd October 2018

Comments by Policy:

The following planning policy considerations are relevant to the determination of this application:-

Urban Green Space Policy

The application site is designated as urban greenspace (UGS) on the Council's Unitary Development Plan and as the site contains former school buildings and a former nunnery saved UDP policy D4 applies. Paragraph 2.13 of the UDP recognises that some areas of urban greenspace contain buildings, usually school premises and there are factors, such as school reorganisation, that may render these buildings partly or wholly redundant. Policy D4 therefore allows the redevelopment of redundant buildings located within designated urban greenspace provided that the use and quality of the associated open land will be safeguarded.

In this case, the application site is covered by the former buildings together with the related hardstanding school playground and car parking. The school playing fields are located further to the west beyond the main school building and, as they are not within the application boundary, their use and quality would not be affected by the proposed development. As such, the policy principles in saved policy D4 are satisfied.

The Publication Draft Local Plan continues to show the application site as part of a larger urban green space (allocation UGS973). Designation of this land as UGS is based on the council's methodology to designate sites in educational use as urban greenspace where they contain playing fields and to designate churches and churchyards as urban green space based on their amenity, historic and cultural value. In this case, the buildings form part of the larger St Mary's Catholic School and St Mary's Church site.

Local Plan policy PLP 61 protects urban green space from development unless specific exceptions can be met. Proposed modifications have been made to policy PLP 61, including the removal of the community benefit exception, and these have recently been consulted on. The exceptions do not specifically relate to education or church buildings but from the applicant's Design and Access Statement it appears these are now surplus to educational and church requirements.

Housing Land Supply

The Council is currently unable to demonstrate a five year supply of deliverable housing sites. NPPF paragraph 11 (including footnote 7) states that for applications involving the provision of housing, policies which are most important for determining the application would be out of date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

NPPF paragraph 11d therefore applies which states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless;

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
- or
- ii. 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.

As such, under part ii, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In making this judgement, against the Framework as a whole, it is important to weigh the housing and other benefits of this scheme, including potential positive impact on visual amenity, re-use of a derelict site and car parking, against the adverse impacts of the development, including in relation to the importance of the listed buildings and the conservation area. In relation to open space, the adverse impact of the loss of urban green space would be limited given the site is predominantly occupied by buildings and the associated open space in the form of the playing fields would be retained.

Heritage Policy

As the application site is within the Cross Bank Conservation Area and includes the former school building which is listed the Conservation Team should be consulted for their view.

Other issues

The following statutory UDP policies are also applicable:-

- UDP Policy H10 and SPD2 (affordable housing) are relevant considerations when considering affordable housing. However, the Council is currently attaching greater weight to the recent Interim Affordable Housing Interim Policy approved at the full Council on 14th December 2016.
- UDP Policy H18 requires a minimum of 30 square metres of open space per dwelling on sites of more than 0.4 hectares in size. The proposed public open space is in excess of this minimum requirement and the Landscape Section should be consulted for their comments.
- Other policy considerations relate to detailed design issues (BE2, BE5, BE11, BE12) and highways issues (Policy T10, T16).