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:	**2022/62/90106/W**
Site Address:	Adj, Dalton Baptist Church, Harpe Inge, Dalton, Huddersfield, HD5 9RD
Description:	Erection of activity centre
Recommending Officer:	William Simcock

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 16 March 2022

Officer Report 2022/90106
Adjacent to Dalton Baptist Church, Harpe Inge, Dalton

Site Description

The site comprises a former Baptist church and its grounds which comprise maintained grassland and other landscaping, located on the corner of Ridgeway and Harpe Inge. The building is located towards the north-eastern end of the site, the boundaries of which are marked by a low stone wall with a mesh fence behind it. The building is used by Connect Day Services to provide services (mainly adults but from 16 years up) with complex needs and learning difficulties.

Description of Proposal

The proposal is for the erection of a single-storey detached building to be used as an activity centre and for emergency respite. It would have an L-shaped plan, 19m by 19m, a pitched gable roof with a height of 4.6m to the ridge. It would be rendered externally and with a tiled roof. It is proposed that it would be used in conjunction with the former church building and existing grounds. It would have 4 full-time, 4 part-time employees.

History of negotiations/amendments received

09-Mar-2022: Amended elevations submitted.

Not re-advertised since the change was only to materials.

Relevant Planning History

2020/90457 – Erection of security fence and gates. Approved and implemented.

Representations

Final publicity date expires: 17-Feb-2022 (publicity by neighbour letter only in accordance with the requirements of the Development Management Procedure Order)

No representations received.

Consultation Responses

KC Highways Development Management – No objection
KC Environmental Health – No objection subject to conditions
KC Police Architectural Liaison Officer – No objection.

Policy

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and the Holme Valley Neighbourhood Plan (adopted 8th December 2021)

Kirklees Local Plan

The site is without designation on the Local Plan.

Most relevant Policies:

LP 21: Highways and access
LP 22: Parking
LP 24: Design
LP 48: Community facilities and services.

Supplementary Planning Documents:

- KC Highways Design Guide 2019

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

- Chapter 12 – Requiring good design

Assessment

The following matters are considered in the assessment below –

1) Principle of development
1) Impact on visual amenity (including any heritage considerations)
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters – e.g. trees/ecology (e.g. bats)
5) Representations
6) Conclusion

1 – Principle of development: The site is without designation in the Local Plan. The main policy relating to community facilities and services is LP48, which advises that they be provided in accessible locations (normally town, district and local centres). The site is not within or on the edge of a local centre but is in a densely-populated residential area and is therefore close to many of the people it is intended to serve, and furthermore is close to a bus stop with a frequent service. It is therefore considered that it would accord with the aims of LP48.

Also of particular relevance is Policy LP24(a) which requires that the form, scale, layout, details of all development enhances and respects the townscape, and LP24(b), that they protect amenity for neighbouring occupiers. Any implications for highway safety will also be considered as required by Policies LP21-22.

2 –Impact on visual amenity: The building would be placed within a location within which brick is by far the predominant material. The plans originally showed a fully rendered building. The current plans show brick being used up to a metre in height, with the remaining part of the walls being rendered. This would mean that the walls would be approximately 40% brick.

The building would be quite prominent, being on a corner site, and of modern appearance. It would however be seen in the context of two large buildings of modern design, the existing former Baptist church and the library. Whilst not providing an active frontage along both properties, the building would not appear overly large for the site and would leave a substantial amount of open space, the single storey nature would also allow it to sit down within the site.

The public library, which sits across the road from the proposed development, makes substantial use of modern facing materials in addition to brick, including brick-coloured rendering. In this context, and since the site does not form part of a continuously built-up row, it is considered that the scale, layout, built form, design details and palette of materials are all appropriate for the site and would conserve the townscape and visual amenity.

Approval should however be subject to a condition that samples of all materials, including the colour of the render finish, be submitted for the approval of the Local Planning Authority. Subject to this, it would comply with the aims of Policy LP24(a).

3 – Impact on residential amenity: The windows in the proposed building would not face towards any existing residential properties. The building would, at its nearest point, be 16m from the nearest residential curtilage boundary, and being only a single-storey structure it is considered it would have no significant impact on any dwelling in terms of light or outlook.

In summary it is considered it would avoid harm to residential amenity or to neighbouring land and would thereby accord with the aims of Policy LP24(b).

4 – Impact on highway safety: The proposed building would not interfere with existing visibility splays. No additional parking is proposed for the new development. It is unlikely that the use would generate large numbers of additional journeys by private car since most people using the facility would be brought there by minibus. There is a parking area to the front of the existing building on the Harpe Ing frontage which appears to be easily adequate for three minibuses and it is considered unlikely that any intensification of the site arising from the development would give rise to additional parking demand that could not be accommodated within the site.

There were no details provided relating to waste storage and collection; however it is reasonable to assume that this will be done the same as the existing day centre.

In conclusion it is considered that it would have no impact on highway safety and would accord with the aims of LP21-22 of the Local Plan and of KDP of the Highway Design Guide 15-16.

5 – Other matters:

Biodiversity:
The site is not under any designation for biodiversity purposes. There are opportunities to provide enhancement to the existing landscaped areas through planting. The agent has agreed that the details of this can be conditioned.

Drainage and flood risk:
Surface water drainage is to be to a soakaway, foul drainage to main sewer. Soakaways are one of the more sustainable methods of surface water disposal. They are not suitable for all sites but as there is substantial space within the site it is likely that they would be suitable here. It is considered that given the scale of the development this does not need to be conditioned.

Climate Change:
On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target; however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The agent has agreed in principle that microgeneration equipment could be incorporated within the development including solar panels (number not specified) and an air source heat pump. It is recommended that details be conditioned in the interests of ensuring that it contributes to carbon reduction objectives as set out above and in NPPF Chapter 14.

Crime and security:
The Police Architectural Liaison Officer has confirmed that he has no objection to the development and has not specified any conditions, but has made some recommendations on design which can be added as a footnote.

6 – Representations: No representations have been made.

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: **2022/90106**

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 Policy LP24 of the Kirklees Local Plan.

3. Before work commences on the superstructure of the hereby approved building, full details of the materials used in its external appearance, shall be either submitted to, or left on site for the inspection of, and approved in writing by, the Local Planning Authority. This shall include details of the colour of any rendered external surfaces. The development shall thereafter be implemented in accordance with the approved details.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

4. Before work commences on the superstructure of the building, details shall be submitted to and approved in writing by the Local Planning Authority of on-site renewable energy generation or other measures to reduce carbon emissions associated with the hereby approved development. The approved measures shall be installed or incorporated within the development before it is first brought into use and thereafter retained as such.
Reason: To ensure that the development contributes to reducing carbon emissions and thereby combats climate change, and to accord with the aims of Policy LP24(d) of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

5. Before the development is first brought into use, details shall be submitted to and approved in writing by the Local Planning Authority of a planting scheme which shall deliver ecological enhancement of the site. The approved scheme shall be implemented in full accordance with the approved details in the first planting season following the commencement of planning permission and shall thereafter be retained as such. In the event of any specimens dying within the first 5 years of planting they shall be replaced from among the species listed in the planting schedule.

Reason: To ensure that the development delivers biodiversity net gain in accordance with the aims of Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Note – Security: The Police Architectural Liaison Officer has made a number of recommendations on how the security of the development might be improved, including door standards and alarms, which can be viewed at the link below. Please note that some of the measures referred to may need planning permission in themselves, and in case of doubt, the developer is advised to seek confirmation of this from the Local Planning Authority. https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2022/90106&file_reference=916966

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			13-Jan-2022
Location plan, plans and elevations as existing	01	A	09-Mar-2022

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 Planning 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 requested amended plans in order to address concerns about the palette of materials used.

Report Dated: 16-Mar-2022