

DESIGN AND ACCESS STATEMENT

**DEMOLITION OF PART OF FORMER SCHOOL BUILDING,
DEMOLITION OF NUNNERY, AND PROPOSED NEW
RESIDENTIAL DEVELOPMENT**

**LAND ADJACENT TO ST MARY OF THE ANGELS CHURCH
NORTH BANK ROAD
BATLEY
WF17 8ES**

AUGUST 2023

Introduction

This Design and Access Statement (DAS) has been prepared to support a full planning application for the demolition of buildings and a proposed residential new build re-development on land adjacent to North Bank Road, Batley, in the curtilage of St Mary of the Angels Church.

This DAS should be read in conjunction with the Heritage Impact Statement (HIS) and other documents that have also been provided to support this planning application.

Site summary

The site is located approximately 0.5km to the north-west of Batley town centre. To the north of the site is the main St Mary of the Angels Catholic Church and presbytery; to the west, situated on the far side of Upton Street, is St Mary's Catholic Primary School; to the south, across North Bank Road, is Batley Cemetery; and to the east are residential properties on Cemetery Road. The area is characterised as predominantly residential, with a number of community and commercial uses nearby.

The application site consists of the former main school building, a former nunnery, and the grounds of the former school. The main school building and nunnery are dilapidated and in a state of serious disrepair. A 1960's former annex suffered significant fire damage a number of years ago, partially collapsed, and has been subsequently cleared. The majority of

the remainder of the site has been covered by tarmac and security fencing which has blocked routes into and around the site.

The site is allocated as Urban Green Space (UGS) in the development plan and it lies on the very eastern edge of a large area of UGS that includes the adjacent primary school and Batley Cemetery. The site also lies within the Cross Bank Conservation Area (CBCA) and the part of the former school building to be demolished is considered to be listed by virtue of its physical attachment to the main church.

Proposed scheme summary

The proposed scheme consists of the demolition of part of the former Old School building (the former St Mary's Catholic Primary School) and the demolition of the former Nunnery on Upton Street.

The proposed scheme also consists of a residential re-development of the site with 10 new build dwellings served off North Bank Road (there will be no vehicular access from Upton Street to serve the residential development). A new car park to serve the Church is proposed to the north of the site, served from Upton Street (see Access below).

Pre-application discussions

Extensive discussions have been held with the LPA's Conservation and Design Team over several years with regards to the principle of the re-development of this site and, in particular, the proposed demolition of designated and other heritage assets. These matters are discussed more comprehensively in the HIS but are referenced below.

National and local planning policy and guidance

This is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) and the Planning Practice Guidance Suite (PPGS), 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 2 - Achieving sustainable development - The purpose of the planning system is to contribute to the achievement of sustainable development... achieving sustainable development means that the planning system has three overarching objectives, which are interdependent. These are economic, social and environmental objectives, as identified in paragraph 8 of the NPPF.

- Chapter 4 - Decision-making - This highlights the importance of early engagement (pre- application discussions) as this has the potential to improve the efficiency and effectiveness of the planning system for all parties (paragraph 39 of the NPPF). It highlights the importance of submitting the right information with any subsequent planning application, particularly where formal assessments are required (paragraph 43 of the NPPF).
- Chapter 12 - Achieving well-designed places - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. A list of what planning policies and decision should ensure is set out at paragraph 127 of the NPPF.
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change - the planning system should support the transition to a low carbon future.
- Chapter 16 - Conserving and enhancing the historic environment - heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.

Other relevant national guidance and documents include -

- MHCLG: National Design Guide (2021)
- DCLG: Technical housing standards – nationally described space standard (2015)

The Kirklees Local Plan is the development plan for the area. Relevant policies are held to include -

- LP 20: Sustainable Transport
- LP 21: Highway safety and access
- LP 22: Parking
- LP 24: Design
- LP 27: Flood Risk
- LP 28: Drainage
- LP 33: Trees
- LP 35: Historic environment
- LP 48: Community facilities and services
- LP 61: Urban Green Space

The following are relevant Supplementary Planning Documents or other guidance documents published by, or with, Kirklees Council -

- Highways Design Guide SPD
- Housebuilders Design Guide SPD
- Waste Management Design Guide for New Developments (2020)
- Cross Bank Conservation Area Appraisal

Principle of development

One of the overarching and central themes to the NPPF is the government's commitment to encouraging and achieving sustainable development and strong economic growth, and the crucial role and expectation that the planning system does everything it can to support this. The government expects that the planning system should operate to encourage, and not act as an impediment, to sustainable growth.

In order to deliver against these core planning requirements, the NPPF calls for Local Planning Authorities (LPAs) to draw up Local Plans which set out a clear economic vision and strategy for their area and which positively and proactively encourage sustainable growth.

The NPPF confirms that the purpose of the planning system is to contribute towards the achievement of sustainable development, and that sustainable development comprises three specific roles, namely economic, social and environmental. These roles should not be undertaken in isolation because they are mutually dependent, and the NPPF calls for economic, social and environmental gains to be sought jointly and simultaneously through the planning system.

It is considered that the Council is able to demonstrate a five-year land supply for housing. The site is not allocated for residential, so the proposed scheme represents a "windfall site".

With reference to development plan policies, it is considered that the proposed scheme meets the requirements of policy LP 61. The site is located on the very edge of a large swathe of UGS in this part of Batley, with the residential properties directly to the east being outside the UGS. The school site was probably included in the UDP as UGS because it

met the criteria for inclusion at the time that the former development plan was prepared in the 1990's. At that time, it was an operational school with an open area of school grounds but clearly this use has now ceased, and the site has not been used for educational purposes for a considerable number of years.

In this instance, the school buildings and school grounds consist of a relatively small area (0.36ha), and the "open" areas of the school grounds are primarily areas of hardstanding (former playgrounds) with very little "soft" landscaping or grass. Policy LP 61 states that development on UGS will only be permitted where

a) an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value;

In this instance, given the nature of the site and the considerable amount of UGS in the immediate vicinity (notably at Batley Cemetery), it is contended that the site is clearly no longer required to meet local needs for open space and the current site, given it's level of dilapidation and levels of hardstanding and built form, does not make an *important* contribution to the area in terms of visual amenity, landscape or biodiversity.

Therefore, it is contended that the proposed development, whilst slightly increasing the amount of built form on the site, will actually enhance, by virtue of a comprehensive landscaping scheme, the open nature of the site, and that the areas currently occupied by buildings and hard surfaces will not be increased significantly.

With regards to policy LP 48, it is held that there are significant public and community benefits attached to the proposed re-development of the site, particularly in relation to the positive impact on designated heritage assets; the provision of a new car park for the Church to mitigate current car parking issues; and the re-use of a derelict eyesore site in this part of Batley, which is suffering from considerable anti-social behaviour problems due to trespass and damage (despite significant and costly efforts by the Church and the primary school to prohibit access to land and buildings, creating a further deterioration of the built fabric).

Issues pertaining to designated heritage assets with regards to the relevant paras of the NPPF and policy LP 35 of the Local Plan are fully considered in the supporting HIS, which, in turn, is supported by a comprehensive and fully detailed Cost Plan, a Condition Review report, and a Demolition plan. The HIS concludes that the proposed development will have a more positive impact on visual amenity and the character of the surroundings than current site conditions and that the re-development of this site will preserve and enhance designated heritage assets and the CBCA.

The design of the scheme complies with policy LP 24, with the details of the design being contained in the Design Statement that supports this application. Proposed materials are appropriate to the context of the site, and the layout and density of the site is also appropriate to the character and appearance of the area.

Car parking and access meet the requirements of policies LP 21 and LP 22 (see below).

In conclusion, and for reasons set out above, the principle of the proposed scheme is therefore considered to meet all relevant national and local planning policies.

Design

Amount

The net developable area of the site is 0.36ha. It is proposed that the development provides for ten two-bed townhouses, with two blocks of four units and one block of two units, with each unit having two dedicated frontage car parking spaces and bin storage and rear private garden areas.

In addition, a 38-space car park (including two disabled parking spaces) for Church use will be provided to the north of the site to ease current parking congestion associated with church services etc in the main Church curtilage (currently served off Cross Bank Road). This new car park will be for the exclusive use of church-goers and will remain separate from the proposed residential development.

Layout

The layout of the residential units is arranged along the frontage of North Bank Road and served off this road. Each property will have its own private outdoor amenity space and dedicated car parking spaces. The proposed Church car park will be served off Upton Street, with the parking spaces served off a central access road. There will be no access to the car park from North Bank Road and, equally, there will be no

access to the proposed residential development from Upton Street (see Access below).

Scale

The proposed residential properties will be two-storey, which is representative of the general characteristics of residential properties within the area.

Appearance

The dwellings will be constructed from brick with brick architectural detailing. Roofs will be artificial grey slate, with timber doors and uPVC windows. Hardstandings will consist of concrete paving for pedestrian areas, with tarmac for the access roads. The car parking spaces for Church use will be grasscrete in order to avoid large areas of tarmac within the scheme.

Landscaping

It is proposed to submit a fully detailed landscaping scheme to discharge a condition should the application be approved subject to conditions.

Access

Access to the residential element of the site will be from North Bank Road, which is a 30-mph residential road serving Batley Cemetery and a small number of residential properties further along the road. This road is a cul-de-sac with very little traffic, other than school traffic in the morning and afternoon. School traffic to and from the school (plus car parking) is well-managed and the proposed accesses to the dwellings are held to have little or no impact on highway safety issues in this regard. The location of the access has been chosen to be as far away as possible from the junction of North Bank Road with Upton Street (which is the access to the school) and, given the proposed number of units on the site, there will be little or no impact on the operation of the junction of North Bank Road with Cemetery Road, even at peak times.

The proposed 38-space Church car park will ease congestion within the existing Church car park (served from Cross Bank Road), which is limited in size and which has a difficult access and on-site manoeuvring space. The proposed car park will be served off Upton Street, which is an unadopted street that has been closed to vehicles by the school (the Church has agreed access arrangements with the school). The car park will not be used when the school is open, so as to avoid any further congestion or highway safety issues in this area. The car park will only be used in the evening and at weekends and the applicant is content to accept a condition to this effect.

Other material planning considerations

Flood risk - there is no risk of flooding on this site.

Ecology - preliminary investigations reveal no evidence of bats or bat roosts within the buildings.

Trees - no trees are affected by the proposed scheme.

Contaminated land - there is no evidence of land being contaminated.

Conclusion

For the reasons set out above, it is considered that the proposed development satisfies all relevant national and local planning policies in both principle and detail and is therefore capable of being approved subject to any necessary planning conditions.