

CALDERDALE METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

WARDS AFFECTED: MORE THAN THREE

Date of meeting: 29 March 2022

Chief Officer: Director of Regeneration and Strategy.

1. SUBJECT OF REPORT

APPLICATIONS FOR DETERMINATION RE PLANNING PERMISSION, LISTED BUILDING CONSENT/CONSERVATION AREA CONSENT, LOCAL AUTHORITY APPLICATIONS, CROWN APPLICATION OR CONSENT TO FELL PROTECTED TREES

- (i) Executive Summary
- (ii) Individual Applications

2. INTRODUCTION

- 2.1** The attached report contains two sections. The first section contains a summarised list of all applications to be considered at the Committee and the time when the application will be heard. Applications for Committee consideration have been identified in accordance with Council Standing Orders and delegations.
- 2.2** The second section comprises individual detailed reports relative to the applications to be considered.
- 2.3** These are set out in a standard format including the details of the application and relevant planning site history, representations/comments received arising from publicity and consultations, the officers assessment and recommendation, with suggested conditions or reasons for refusal, as appropriate.
- 2.4** Where the Committee considers that a decision contrary to the recommendation of the Director of Regeneration and Strategy may be appropriate, then consideration of the application may be deferred for further information.
- 2.5** Where a Legal Agreement is required by the Committee, the resolution will be "Mindful to Permit Subject to a Legal Agreement being completed", combined with a delegation to the Director of Regeneration and Strategy.

3. IMPLICATIONS ARISING FROM REPORT

3.1 Planning Policies

These are set out separately in each individual application report.

3.2 Sustainability

Effective planning control uses the basic principle of sustainable development by ensuring that development meets the needs of the present without compromising the ability of future generations to meet their own needs. Through the development control system, the Council can enable environmental damage to be minimised and ensure that resources are used efficiently and waste minimised. Particular sustainability issues will be highlighted in individual reports where appropriate.

3.3 Equal Opportunities

All applications are considered on their merits having regard to Government guidance, the policies of the Development plan and other factors relevant to planning. This will be done using the Development Control Code of Conduct for officers and members as set out in the Council's Standing Orders.

In the vast majority of cases, planning permission is given for land, not to an individual, and the personal circumstances of the applicant are seldom relevant.

However, the Council has to consider the needs of people with disabilities and their needs are a material planning consideration. Reference will be made to any such issues in the individual application reports, where appropriate.

The Council also seeks to apply good practice guidance published in respect of Race and Planning issues.

3.4 Finance

A refusal of planning permission can have financial implications for the Council where a subsequent appeal is lodged by the applicant in respect of the decision or if a case of alleged maladministration is referred to the Local Government Ombudsman or a Judicial Review is sought through the Courts.

In all cases indirect staff costs will be incurred in processing any such forms of 'appeal'.

There is no existing budget to cover any direct costs should any such 'appeal' result in 'costs' being awarded against the Council. These would have to be found by way of compensatory savings from elsewhere in the Planning Services budget.

Reference: 6/00/00/CM

Richard Seaman
For and on behalf of
Director of Regeneration and Strategy

FOR FURTHER INFORMATION ON THIS REPORT CONTACT:

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For Planning Services

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DOCUMENTS USED IN THE PREPARATION OF THIS REPORT:

1. Planning Application File (numbered as the application show in the report)
2. National Planning Policy and Guidance
3. Calderdale Development Plan(including any associated preparatory documents)
4. Related appeal and court decisions
5. Related planning applications
6. Relevant guideline/good practice documents

DOCUMENTS ARE AVAILABLE FOR INSPECTION AT:

www.calderdale.gov.uk.

You can access the Council's website at the Council's Customer First offices and Council Libraries.

List of Applications at Committee 29 March 2022

Time & No.	App No.	Location	Proposal	Ward	Page No.
1400 - 01	21/01067/OUT	Calderdale Royal Hospital Dryclough Lane Halifax Calderdale HX3 0PW	Demolition of existing buildings and the construction of new clinical accommodation totalling up to 30,000 sqm (GEA) of floorspace; parking; hard and soft landscaping; access; servicing; and other associated infrastructure and engineering works.	Skircoat	5 - 31
1400 - 02	21/01068/FUL	Calderdale Royal Hospital Dryclough Lane Halifax Calderdale HX3 0PW	Construction of a multi-storey car park; together with associated vehicular access, car and cycle parking spaces, plant and landscaping	Skircoat	32 - 64
1500 - 01	21/00722/FUL	Land North Of Dene Cottage Dean House Lane Luddenden Sowerby Bridge Calderdale	Build a poly-tunnel, construct a deer fence and level an area of ground for planting	Luddendenfoot	65 - 77
1500 - 02	20/00157/OUT	Land West Of Dean Wood View Wakefield Road Copley Halifax Calderdale	Residential Development of ten dwellings (Outline)	Skircoat	78 - 86
1500 - 03	21/01208/VAR	Crimsworth Dyeworks Midgehole Road Hebden Bridge Calderdale HX7 7AN	Variation of condition 1 on planning applications 18/00576/OUT and 19/01340/RES	Calder	87 - 95

Time Not Before: 1400 - 01

Application No: 21/01067/OUT

Ward: Skircoat

Area Team: South Team

Proposal:

Demolition of existing buildings and the construction of new clinical accommodation totalling up to 30,000 sqm (GEA) of floorspace; parking; hard and soft landscaping; access; servicing; and other associated infrastructure and engineering works.

Location:

Calderdale Royal Hospital Dryclough Lane Halifax Calderdale HX3 0PW



Applicant:

Calderdale And Huddersfield NHS Foundation Trust

Recommendation: **PERMIT (OUTLINE)**

Parish Council Representations:	N/A
Representations:	No
Departure from Development Plan:	No

Consultations:

Conservation Officers
Highways Section
Environmental Health Services - Pollution Section (E)
Tree Officer
Countryside Services (E)
Community Engagement
Education Services

Business and Economy
Historic England
Sustainability Team
West Yorkshire Police ALO
West Yorkshire Passenger Transport Exec
Lead Local Flood Authority
West Yorkshire Combined Authority
Yorkshire Water Services Ltd
Environment Agency (Waste & Water)
Historic England

Background – Estate wide Reconfiguration provided by the applicant

The Calderdale and Huddersfield NHS Foundation Trust (CHFT) is an integrated Trust that provides acute and community health services. Hospital services are provided at Calderdale Royal Hospital (CRH) and at Huddersfield Royal Infirmary (HRI). The distance between the two hospitals is just over five miles. The Applicant is seeking to transform and improve the delivery of healthcare across the estate. To deliver the planned reconfiguration of hospital services, there are several estate developments needed at CRH. These developments would ensure optimal clinical adjacencies and critical mass of service delivery, provide improved clinical facilities and patient safety, and would enable compliance with national recommendations for estate and clinical service delivery. This would deliver benefits for all people across Calderdale and Huddersfield. The CRH development proposals are being brought forward under two parallel planning applications comprising:

- Demolition of the existing learning and development centre and erection of a new purpose-built clinical building, with associated access, parking and landscaping works on the southern part of the estate; and
- Construction of a multi-storey car park (MSCP), together with associated access, surface car parking and landscaping works on the north-east of the estate

The reconfiguration of hospital services over the estate would see staff levels at CRH increase from 2642 to 3693 (+1051) and bed numbers from approximately 430 to 670(+240). In addition, a total of 236 staff members per day would not be required to travel the 8km between the CRH and HRI estates to deliver services.

Description of Site and Proposal

The site is located approximately 1.5m to the south of Halifax Town Centre on Huddersfield Road (A629) in the Skircoat Green residential suburb of the town. The site falls within the wider CRH estate which largely comprises a modern hospital estate, totalling 60,000sqm (GIA) floorspace across 7.3ha. The site subject of this application extends to 1.9ha and currently comprises of a two-storey building, which currently accommodates the Learning and Development Centre, as well as a surface car park comprising 240 spaces.

The site is within the southern part of the wider hospital estate, it is bounded by Godfrey Road to the south and an area of semi-detached housing forming the Green Park Estate. The properties along the south side of Godfrey Road directly facing the site are 2 storeys in height and occupy elevated positions set back from the road. These properties are faced in rustic red brick, with two storey bays (either rendered or clay tile hung) and pitched roofs covered in Rosemary red clay tiles / concrete tiles.

To the west of the site is Greenroyd Bowling Club and Allotment Gardens beyond which and to the north are primarily two storey Victorian terraced properties.

There are no listed buildings on the application site or in the vicinity. The site falls within the Skircoat Green Conservation Area and is within proximity to the boundary of the Huddersfield Road East Conservation Area. The Victorian Hospital buildings which lie to the east of the site are considered non-designated heritage assets.

There are significant level changes across the existing hospital site, with levels dropping by around 10m from west to east across the southern portion of the estate (including an approximately one storey west-east drop running north to south in line with the western elevation of the main hospital), along Godfrey Road towards Dudwell Lane and Huddersfield Road.

The main hospital building (completed in 2001) is located centrally within the site, it is 4-6 storey in height which results in it appearing as an 'island' in the centre of the hospital grounds, largely surrounded by surface car parking. Faced in reconstituted York stone facing blockwork, relieved by the use of curtain walling to the main entrance, stairs and lift lobbies with grey metal cladding and gently curved profiled metal roofing to its rooftop plantroom, it is modern in appearance.

At the eastern end of the site are the three-storey Victorian buildings, which include two highly distinctive circular ward blocks, these are constructed from natural stone with slate roofs, they form a distinctive positive element within the conservation area. The boundary of the site is defined by natural stone walls with landscaping consisting of mature trees covered by a Tree Preservation Order (ref 96/00947/C).

The site is 150m west of the Salterhebble and Huddersfield Road Air Quality Management Area (AQMA).

The site is accessible from three existing vehicle access points from Godfrey Road, comprising the Accident and Emergency (A&E) access that also serves the car park, an exit only junction from the Learning and Development Centre and the Women's and Children's access that also serves the car park.

The application is in outline with all matters reserved, and seeks approval for the demolition of existing buildings and the construction of new clinical accommodation totalling up to 30,000 sqm (GEA) of floorspace; parking; hard and soft landscaping; access; servicing; and other associated infrastructure and engineering works.

This application proposes the following:

- demolition of the existing two-storey building that contains the Learning and Development Centre;
- construction a clinical building of a floorspace up to 30,000sqm (GEA) to accommodate:

- Ward block (approximately 20,000 sqm) containing inpatient wards, operating theatres (up to 240 beds) and a consolidated Intensive Care Unit / Critical Care Unit
- Emergency Department block (approximately 10,000 sqm) containing a new Accident and Emergency (A&E) and Paediatric Emergency Department;
- improvement of existing site accesses from Godfrey Road and provision of car parking for ambulances, 170 vehicles and bicycles; and
- landscaping.

The proposed building would vary in height. The maximum height would be to the proposed ward block which is indicated to be 6 storeys including plant level (+150.12 m AOD). The Emergency Department block ranges in height up to 4 storeys including plant level (+146.20 m AOD). The exact height of the buildings would be determined at reserved matters stage.

The application site has existing direct access and egress from Godfrey Road, the proposal includes amendments to allow 'blue light' ambulance movements to be segregated from other traffic and accessed via the reconfigured at present exit only junction onto Godfrey Road. The other existing access points would remain unchanged.

The applicant has entered into a Unilateral Undertaking to

1. Not to Commence Development of the MSCP Development unless and until the New Clinical Building Planning Permission has been granted
2. Not to Commence Development of the New Clinical Building Development unless and until the MSCP Planning Permission has been granted

The application is accompanied by the following supporting documents:

- Planning Statement
- Statement of Community Involvement
- Design and Access Statement
- Landscape Statement
- Transport Assessment
- Travel Plan
- Air Quality Impact Assessment
- Daylight and Sunlight Report
- Heritage Statement
- Townscape and Visual Impact Assessment
- Phase 2 Ground Investigation Report/ Mining Assessment
- Flood Risk Assessment
- SuDS and Drainage Strategy
- Preliminary Ecological Appraisal
- Tree Survey
- Arboricultural Impact Assessment
- Noise Assessment
- Utilities Statement
- Lighting Assessment
- Landscape Statement

The application was submitted without an Environmental Statement (ES). The LPA considered that the application together with the accompanying application for the proposed Multi Storey Car Park (ref 21/01068/FUL) had potential to be EIA development, because the proposed developments are listed in column 1 of the table in Schedule 2 to the 2017 Environmental Impact Regulations and exceed the relevant thresholds or criteria set out in column 2. A screening opinion was issued on 1 September 2021, concluding that the developments, are EIA development because they have potential to have a significant impact on: Transport and Access (Risk of Major Accidents), Population including Socio Economic and Human Health, Historic Environment and Climate Change; therefore, the submission of an environmental statement is required.

An Environmental Statement was subsequently submitted on 20 October 2021 and includes the environmental impacts of the combined developments. Additional information covering Air Quality and Transport was submitted on 11 February 2022 and reconsulted on 17 February 2022.

Environmental Statement (As amended)

The submitted Environmental Statement (ES) has been prepared by a number of consultants and addresses issues including Socio-economics, Transport, Noise & Vibration, Air Quality, Built Heritage, Townscape & Visual, Human Health Risk of Major Accidents and Disasters and Climate Change (not included in the stand-alone ES technical chapters).

The ES considers both the proposed MSCP and NCB together as they are interrelated projects. It is currently envisaged that the proposed development will be delivered in 3 phases, with construction works for the first phase (construction of the MSCP) commencing in November 2022, and completion of Phase 3 (construction of the new clinical building) expected in 2026 (the year of full occupation/operation).

The ES concludes that following implementation of mitigation measures, the proposed development would produce the following likely significant environmental effects during the construction and operational phase. Overall the conclusions of the ES are the same for both developments apart from Socio economics, Heritage and specific alternatives considered for the MSCP.

Socio-economics,

The focus of this chapter is on the potential impacts and likely effects related to Construction employment; Operational employment; Employee expenditure; Healthcare facilities; and Crime.

It is concluded that, employment would be generated during the construction phase both directly and indirectly resulting in an overall temporary Moderate Beneficial effect. During operation of the NCB the increased healthcare space would create new employment which would have a Moderate Beneficial residual effect, this new employment would potentially increase employee expenditure in the local area resulting in a Minor Beneficial effect.

Furthermore, the ES indicates that the provision of increased and improved healthcare provision in the local area would result in a Major Beneficial residual effect. Similarly, a development which implements secure by design principles would result in a Moderate Beneficial residual effect.

Transport

In transport terms the two applications are clearly linked in that the MSCP provides for both the additional trips generated by the new buildings and the lost surface parking.

Impacts upon Severance, Driver Delay, Public Transport Users, Pedestrian Delay, Pedestrian Amenity, Fear and Intimidation, Collisions and Road Safety during the construction and operational phases have been considered.

Mitigation measures considered for the development phases include implementation of a Construction Logistics Plan and a Construction Environmental Management Plan to reduce the effects of HGVs and LGVs throughout construction.

A Travel Plan has been proposed to reduce the number of vehicles generated by the scheme and encourage active and sustainable travel. It is also proposed to signalise the access from Dryclough lane.

Based on the assessments in the ES, it is concluded that the proposed development (which represents the combined effects of the two applications), post mitigation, would have a negligible to minor adverse impact on all roads, which is not considered to be significant. On this basis, there are no significant effects anticipated for the individual application scenarios.

It is not considered that climate change will have a significant effect on the proposed development in terms of Transport. However, policies on electric vehicle (EV) charging have been considered in the Transport Assessment (TA) and Parking Strategy. EV provision will represent 20% of total spaces included within the MSCP. All spaces will be cable enabled and 40 spaces will have charging points.

It is anticipated that an increase in EVs and sustainable travel (i.e. walking, cycling and public transport use) would assist in tackling climate change.

Noise & Vibration,

Chapter 8 assesses noise and vibration impacts for construction and demolition activities and operational phases.

Considering the implementation of the best practical mitigation measures outlined in Section 8.7 of the ES, the residual impact during the construction phase would be Negligible to Small, resulting in a Negligible to Minor Adverse effect.

Road traffic noise impacts are likely to be minor at a small number of receptors in the short term (2026), with all other receptors expected to experience negligible effects. In the long term (2031) impacts from road traffic noise sources on all receptors would be negligible. Operational noise impacts from the MSCP are likely to be negligible at all receptors

No mitigation measures are proposed during the operational phase of the NCB as pre-mitigation impacts are predicted to be negligible subject to noise emissions not exceeding industry standard.

The assessment of noise and vibration is not affected by climate change.

Air Quality

In Air Quality terms the two applications are clearly linked in that the MSCP provides for both the additional trips generated by the NCB and the loss of surface parking and the consequential impacts on Air Quality.

Chapter 9 provides an assessment of the effects of the proposed development on Air Quality.

Construction

Fugitive dust emissions associated with the proposed construction and demolition works have been assessed in accordance with Institute of Air Quality Management (IAQM) methodology. Effects on surrounding human receptors have been assessed subject to mitigation including best practice measures and implementation of a Construction Environmental Management Plan (CEMP) to be small and temporary and of negligible significance at all receptors.

Operational phase

Vehicle traffic generated by the proposed development in its entirety, once it becomes fully operational in 2026, is expected to result in Nitrogen Dioxide effects ranging from Negligible to Moderate adverse at residential properties and existing and proposed healthcare facilities in the immediate surrounding area. However, except for two receptors, all receptors are expected to experience Negligible or Minor Adverse effects (not significant).

The effects of vehicle traffic generated by the proposed development in its entirety in 2031 has also been assessed in order to take account of future expected changes in the use of electric vehicles on the road network. This assessment indicates that by 2031, Nitrogen Dioxide effects on surrounding sensitive receptors are expected to be reduced to Negligible in all cases.

In the 2026 operational phase traffic assessment, all sensitive receptors in the immediate surrounding area are expected to experience Negligible effects in relation to particulate matter. This is also the case in the 2031 scenario.

The assessment has identified a small number of potential adverse effects at receptors immediately adjacent to the CRH estate in the 2026 scenario. However, the Emissions Cost Benefit Calculation indicates that the proposed development will lead to a substantial reduction in air quality emissions in the wider area, as a result of the net reduction in vehicle-kilometres driven, due to the reduction in expected vehicle trips between CRH and HRI resulting from the proposals.

The operational phase of the NCB is likely to have a negligible impact on local air quality.

Built Heritage

Chapter 10 of the ES assesses the likely significant effects the proposed development on the built historic environment.

During construction it is anticipated that temporary impacts arising from noise, dust and vibration from construction traffic, plant and machinery, and visual impact of plant, including cranes, on views towards and from the asset would impact upon experiential value of the Conservation Areas. This is assessed as Small – Medium magnitude and Minor Adverse significance and of a temporary nature.

During the operational phase (once built) there would be a distinct new visual element within views available from Godfrey Road and visual impact on Skircoat Green Conservation Area. The proposed NCB will contrast sharply with the historic and architectural character of the Skircoat Green Conservation Area although it would be viewed within the context of the existing Hospital campus and modern ward blocks to the north and east. It is considered that the proposed NCB will give rise to a degree of harm, considered to be less than substantial in Framework terms, to the significance of the Skircoat Green Conservation Area. This will relate to the visual impact of the development and impact through loss of secondary views towards the original Hospital building.

The NCB would be located within the visual envelope of the Halifax Poor Law Union Hospital, which is a non-designated Heritage Asset, which is to the east of the site, the report concludes that the NCB would not impact significantly on key views of the principal elevations of these buildings

from Huddersfield Road and Dudwell Lane. The proposed NCB will however, close down existing views onto the rear elevations of the buildings from Godfrey Road, these are secondary views and not historically significant. It is considered that the significance of the impact would be minor adverse.

Mitigation measures identified relate to setting of parameters for maximum heights of proposed buildings, massing and material treatment, perimeter landscaping and planting.

Subject to the identified mitigation measures being implemented through Reserved Matters Stage, the impact on Skircoat Green Conservation area would be of minor significance and on the Halifax Poor Law Union Hospital negligible.

Townscape & Visual.

The three conservation areas have a significant bearing on the Townscape Character. There are no Landscape Designations within the combined site areas. There are a number of Statutory and Non-Statutory Designations within the study area, with the potential to be affected by the proposed development.

The townscape of the hospital estate represents a campus; with a complex of complementary built form set within a structural green framework, appreciated across an open character hard landscape. The built form varies in age, size, and style, but is successfully unified using a sympathetic design language, based on the original buildings. The vegetated boundaries of the campus, together with the substantial set back of built form from it, contribute positively to the setting of neighbouring housing.

There have been no mitigation measures identified beyond the inherent design interventions.

Operational phase, the introduction of a new built form within the Conservation Area would impact on the townscape and views, impacts would be long-term, irreversible, and direct. It is considered that the long-term effects, would diminish over time as the proposed planting matures and helps visually integrate the new building into the wider hospital campus framework. There have been no mitigation measures identified beyond the inherent design interventions and landscaping.

The ES concludes that travellers and residents along the south of the hospital estate would experience a high degree of change, the impacts are anticipated to be medium to high adverse magnitude of change and a moderate to major adverse impact. From a distance, views of the development would be seen against the existing development, which would appear to merge with the framework of the existing urban form and therefore the significance of the change would be minor adverse in these views.

Human Health

Chapter 11 comprises: a summary of the human health effects relevant to each technical topic chapter in the ES, and a summary of the results of the Rapid Health Impact Assessment (HIA), which is reported in full in a stand-alone technical report.

The potential health impacts range from neutral to positive; although, there are more positive impacts than there are neutral impacts. It is considered that with the existing and future borough residents and future users of the site (staff/patients) identified with high sensitivity and the magnitude of change identified as small – medium, it is considered that health impacts related to the proposed development would result in an overall Minor – Moderate Beneficial effect at a borough level

Cumulative Impacts

One forthcoming scheme in the surrounding area has been considered alongside the proposed development in the EIA. However no cumulative effects have been identified for any technical topic.

Intra-development effects

The assessment of cumulative intra-development effects considers the combination of identified significant effects of more than one technical assessment category which have the potential to affect the same sensitive receptor. Chapter 12 provides an assessment of the potential for intra-development cumulative effects.

The conclusion is that there is potential for both adverse and beneficial combined effects arising on individual receptors or receptor groups and, in some cases, there is the potential for those effects to interact with one another to produce intra-development cumulative effects. The anticipated intra-development cumulative effects range from Minor Adverse to Major Beneficial.

Alternatives

NHS services are provided over two sites: Halifax Royal Hospital and Huddersfield Royal Infirmary. A range of options to reconfigure the clinical services provided on the two sites, as well as the Trusts Acre Mill site have been considered against a number of factors.

The decision was to reconfigure the Halifax Royal Hospital Site. Three potential development areas within the estate were identified:

1. Main entrance car park;
2. Accident and emergency car park; and
3. Women and children's unit car park.

Area 1 was determined to be the most appropriate location for the new MSCP. Locating the MSCP in Area 1 off Dryclough Lane would be beneficial to consolidate car parking into a single location around the main entrance area and facilitate access into the hospital estate. The NCB would then be development on sites 2 and 3 .

The greatest residual impacts would be on heritage and townscape ranging from Moderate to Major Adverse in both phases.

Relevant Planning History

The site has been in use as a hospital since it opened in 1896, there are numerous applications relating to the use of the site as a Hospital.

The last major development on the site was the development of a 600 bed hospital and ancillary works (ref 97/00828/FUL) granted under delegated authority on 14 November 1997

Key Policy Context:

Replacement Development Plan	Calderdale Designation/Allocation	Unitary	Calderdale Royal Hospital Skircoat Green, Huddersfield Road East and Savile Park Conservation Areas Wildlife Corridor
Replacement Development Plan policies	Calderdale	Unitary	CF9 (Medical, Dental or Health Facilities) BE1 (General Design Criteria) BE2 Privacy, Daylight and Amenity Space BE3 (Landscaping) BE4 (Safety and Security Considerations) BE5 (The design and Layout of Highways and Accesses) BE6 (The Provision of Safe Pedestrian

	Environments) BE8 (Access for All) BE18 (Development Within Conservation Areas) T1 (Travel Plans) T18 (maximum Parking Allowances) T19 (Bicycle Parking Guidance) T20 (Motorcycle/Mopeds/Scooter Parking Guidance) NE15 Development in Wildlife Corridors NE17 Biodiversity Enhancement NE20 Tree Preservation Orders NE21 Trees and Development Sites EP1 Protection Air Quality EP14 Protection of Ground Water EP20 Protection from Flood Risk EP22 Sustainable Drainage Systems
National Planning Policy Framework Paragraphs/ National Design Guide	8 Promoting health and safe communities 10 Supporting high quality communities 11 Making effective use of land 12 Achieving well designed places 14 Meeting the challenge of climate change, flooding and coastal change 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment
Other Relevant Planning Constraints	Calderdale No. 1 Salterhebble AQMA
Other Material Planning Considerations	Calderdale Climate Emergency Declaration Emerging Local Plan Policy CC1 (Climate Change)

Publicity/ Representations:

The application was publicised with site and press notices because of the impact on Skircoat Green, Huddersfield Road East and Savile Park Conservation Areas. In addition, 41 neighbour notification letters were sent.

As the application was not accompanied by the required ES publicity regarding the submitted ES must be carried out by the Applicant. The applicant has submitted a statement setting out the publicity undertaken in accordance with Article 20 (paragraph 6) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (The Regulations); the LPA consider that the publicity and consultation undertaken satisfy that part of The Regulations.

No letters of objection were received.

Parish/Town Council Comments

The development is not located within a parished area.

Assessment of Proposal

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework 2021 (NPPF) complements this requirement and sets out the Government's planning policies for England and how these are to be applied, alongside other national planning policies. The NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the NPPF policies, the greater the weight they may be given.

At the heart of the NPPF is a presumption in favour of sustainable development, which means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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; *[for example...land designated as Green Belt...designated heritage assets]* 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.

Paragraph 123 of the NPPF supports proposals that make more effective use of sites that provide community services such as ... hospitals, provided this maintains or improves the quality-of-service provision.

RCUDP Policy CF9 "Medical, Dental or Health Facilities" sets out six criteria that proposals for health facilities should comply with including being well located to the community it intends to serve; accessible by good quality public transport and other modes of transport; satisfactory access for disabled; preserves the Conservation Area, does not affect Listed Buildings or their setting; does not create any environmental amenity, traffic, safety or other problems; and complies with other policies in the UDP.

The proposed development would be located within the site boundary of CRH, on land currently occupied by a building occupied by the learning and development centre and land in use as a car park.

The development would deliver improved health and care services and facilities for people across Calderdale and Huddersfield.

The proposal is considered acceptable in principle subject to consideration of the environmental impacts considered below.

Layout, Design & Materials

Appearance, layout, and scale are reserved matters. Indicative Parameter Plans demonstrate how a 30,000sqm development can be accommodated on the site.

Paragraph 130 of the NPPF states that development should: function well over their lifetime; be visually attractive; sympathetic to local character; establish and maintain as strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible and promote health and wellbeing

RCUDP Policy BE1 calls for development to make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design

Policy BE2 establishes that development should not significantly affect the privacy, daylighting or amenity space of existing and prospective residents and other occupants. Annex A of RCUDP sets out guidelines to help assess whether such impacts arise.

RCUDP policy BE4 establishes that the safety and security of people and property should be addressed by the design and layout of development.

Layout

The ward accommodation would be located 35m and the Emergency Department 30m, from the properties on Godfrey Road, the natural screening of the mature trees on the site boundary would be retained.

The eastern façade of the proposed building would be approximately 65m from the Halifax Poor Law Union Hospital.

Scale / Massing

The proposal would utilise the west to east slope of the site. The Emergency Department would be located on the higher part (western side) of the site and comprise a three-storey block (with a rooftop plantroom) linked at every floor level to, and corresponding with, the overall floor levels of the Ward Accommodation (located to the east on the existing surface car park) and existing main hospital. The Ward Accommodation would be a five-storey block (with a rooftop plantroom) linked at every floor level to, and corresponding with, the overall height and floor levels of the existing main hospital.

The proposed maximum heights (including above ordnance datum (AOD) and use on an area basis is shown in table 1 below

Table 1

AREA	STOREYS	MAOD
Emergency Department Block (area incl. plant level)	4	+146.20
Emergency Department Block (area excluding plant level)	3	+133.30
Ward Block (area including plant level)	6	+150.12
Ward Block (area excluding plant level)	5	+145.92

Design

The applicant has indicated that a contemporary design approach would be taken, which would allow for the façade treatment to respond to the internal layout of the buildings to be adopted, and that the material palette would provide visual consistency with the Victorian buildings and 2001 development including high quality, non-combustible, durable and easily maintained cladding materials. It is proposed to treat the lowest floor level of each block as a 'plinth' faced with darker more highly textured material such as natural stone with feature coursing. The upper floors of the new clinical building would be clad with a mix of durable materials potentially including glass reinforced concrete (GRC) panels, terracotta and powder coated aluminium brise soleil. The uppermost level of the clinical building would be occupied by building services plantrooms and external plant and equipment. Set back from the main facades to reduce their potential visual impact, the plantrooms would be capped with a projecting fascia in order to reduce their perceived height and clad with light grey aluminium louvres. Where rooftop external plant is required, this would be screened by means of louvres or, where otherwise highly visible, with patterned, perforated plant screening.

Conclusion

The proposed New Clinical Building would be a similar height to the existing main hospital building which is a prominent feature of the site. The layout would not be out of character with the larger CRH site.

The topography of the site and surrounding area would assist in mitigating the height of the new development. The steeply inclined retaining embankment on the southern side of the existing carpark to Godfrey Road and its mature trees would be retained to provide further screening. It is therefore, considered that the privacy, daylight and amenity of existing residents and prospective patients would not be adversely impacted by the proposed development due to the separation distances, screening of existing mature trees and topography.

The proposed palette of materials is considered appropriate. Subject to detailed design no objections are raised with regards to policies BE1 and BE2 regarding the scale and massing of the proposed development at this time.

The West Yorkshire Police Architectural Liaison Officer has no objections to the development but recommends that it is built to 'Secured by Design' standards. A number of the recommended measures are covered by Building Regulations and other matters such as boundary treatments can be addressed with the reserved matters. No objections are raised with regard to RCUDP Policy BE4.

Highways and Movement

Access is a reserved matter. Indicative access plan has been provided.

In transport terms the two applications are clearly linked in that the MSCP provides for both the additional trips generated by the new building and the loss surface parking to the NCB development. It is also noted that the latter needs to be developed prior to the NCB.

A site entrance and egress point is located approximately mid-way along the hospital's southern boundary currently providing access to existing car parking. This entrance and egress point would continue to be used for the same purposes as well as to provide access to the eastern entrance to the Hospital Street within the new Clinical block.

The site entrance and egress point towards the south-western corner of the hospital site currently provides access to the hospital's existing Emergency Department and adjacent car park for both ambulances and general traffic. This access would provide access to the existing car park for non-urgent visitors and 'self-presenting' Emergency Department patients only.

It is proposed that a segregated ambulance access to the new Emergency Department would be provided by means of a dedicated access and egress point which currently provides egress only from the small car park to the south of the existing Learning Centre.

Pedestrian access to the New Clinical Building will be available from both the western (adjacent to the existing Emergency Department car park) and eastern end of its Hospital Street as well as via internal routes through the existing hospital.

RCUDP Policy BE5 seeks to ensure that new development provides for safe and efficient movement by pedestrians, vehicles and cyclists.

RCUDP Policy T18 sets out maximum parking allowances for new development.

Paragraph 110 of the NPPF establishes that development should be designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles. This is an outline application and EV recharging will be assessed at Reserved Matters

The Assistant Director – Strategic Infrastructure (Highways) has been consulted and provided the following specific comments to this application comments

Access:

The ambulance access would be relocated to the barriered exit on Godfrey Road opposite Green Park Street. This will need to be widened and the bellmouth radii increased to accommodate 2-way movement. The submitted details are acceptable although they would be subject to a detailed design and implemented via a Section 278 agreement.

The Transport Assessment states that the servicing and waste movements would be unchanged and that the numbers of these vehicle movements will remain the same. Given the uplift in staff and bed numbers this is considered unlikely. However, the internal servicing arrangements at the new clinical building would be assessed within any future reserved matters application.

Internal Layout:

The site currently has good pedestrian access from all sides and at the pre-application stage the highway authority advised of the need to maintain permeability for pedestrians with the new building with connectivity to the surrounding footway network.

There is reference to level pedestrian areas, maximum gradients of 1 in 21 and a new east-west external route. These matters and the connectivity of the new clinical building would be dealt with in the reserved matters submission.

Public Transport

There are bus stops on the A629 with frequent services to key destinations in both Calderdale and Kirklees. There are also closer stops on Godfrey Road for hourly services that connect Halifax with Sowerby Bridge and Ripponden. Transportation colleagues have advised that operators would not wish to divert services into the site because of the delays to journey times. However, they have

requested that real time information should be provided at the new building; this could be controlled by a planning condition.

Cycle Parking;

The additional cycle parking in the multi-storey car park is noted. This is suitable for visitors. Long-stay staff parking should be internal and close to the place of work. This can be dealt with in any Reserved Matters application for the new clinical building which should also include internal staff parking, shower and changing facilities.

The West Yorkshire Combined Authority has been consulted and confirm that Bus services which operate on Godfrey Road include the 563 which operates between Halifax and Brighouse, the 562 between Halifax and Sowerby Bridge, and the 561 between Halifax and Ripponden, all at a 60 minute frequency. The bus availability for the site is therefore considered to be acceptable. The size of the development is unlikely to change the bus route or frequency.

The closest bus stops on this corridor 23074 and 23075 do not have a shelter. As part of this scheme, a bus shelter could be provided at the above named stops at a cost of £13,000 each to the developer to improve the public transport offer. In addition, the above named bus stops would benefit from an installation of a Real Time Information Display at a cost of £10,000 each to the developer. In addition, a Real Time Information Battery Display could be provided at the bus stop pole at 25176 at a cost of £10,000.00 to the developer. In order to access these stops, safe and direct pedestrian links are required.

The applicant has agreed to fund these improvements which would be secured by condition should permission be granted.

Subject to detailed design no objections are raised with regards to policies BE5 and T18 regarding transport and access issues at this time at this time, subject to conditions relating to provision of Bus Shelters and Real Time Bus Information.

Flooding and Drainage

RCUDP Policies EP14 and EP20 establish that ground and surface water will be protected and development will not be permitted if it would increase the risk of flooding due to surface water run-off or obstruction. Applicants will need to demonstrate that adequate foul and surface water drainage infrastructure is available to serve the proposed development and that ground and surface water is not adversely affected.

Sustainable Drainage Systems should be incorporated where appropriate in accordance with RCUDP Policy EP22. For major developments, paragraph 165 of NPPF establishes that sustainable drainage systems should be incorporated "*unless there is clear evidence that this would be inappropriate*".

The LLFA has been consulted, whilst raising no objections they have provided the following comments "*It is noted that the submitted Flood Risk and Drainage Assessment has provided several options for disposal of development surface water and further investigation is required, namely:*

' The use of infiltration via soakaways will require an on-site percolation test to determine the infiltration rate of the underlying soils, however it is noted that there is significant levels of Made Ground limiting this option.

' Reconnection to local sewers, this will require an investigation of the existing drainage system to determine if the site has an existing positively-drainage connection and the total area of

impermeable areas that drain to this connection within the site, hence determining the restricted peak flow rate in accordance with Brownfield Drainage principles. These should be determined during the detailed drainage design phase. It was also noted that there is a high risk of surface water flooding to the site due to high impermeable areas of local land and on site, mitigation measures should be provided to reduce this risk to the development and elsewhere”.

Yorkshire Water has been consulted and raise no objections subject to conditions to protect the local aquatic environment and Yorkshire Water infrastructure.

Conditions requiring the submission of drainage and surface water details for approval are proposed. Subject to these conditions no objections are raised with regard to RCUDP Policies EP14, EP20 and EP22.

Heritage Assets

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising functions with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Decision makers must give importance and weight to the desirability of avoiding any harm to designated heritage assets, to give effect to the LPA's statutory duties under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The finding of harm to a heritage asset gives rise to a strong presumption against planning permission being granted.

The requirements of Section 72 are set out legislation and as such they are legal duties rather than policy requirements that the Council can choose to attach limited weight to. This is reflected in paragraph 199 of the NPPF, which states:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

RCUDP Policy BE18 Development within Conservation Areas seeks to preserve and enhance the character or appearance of Conservation Areas. New development and proposals involving the alteration or extension of a building in or within the setting of a Conservation Area will only be permitted if it meets the four criteria set out in the policy.

The proposed works within the CRH Estate amount to a major intervention to the existing arrangements, involving demolition and substantial new build elements. The site falls within the north-east section of Skircoat Green Conservation Area which takes in the historic core of settlement, typified by 17th and 18th century vernacular buildings focused around the Green and Copley Road and later 19th and 20th century sub-urban development including detached villa developments and the planned 1930s Green Park estate to the south of Godfrey Road. In addition, the site is close to the boundaries of the Huddersfield Road East and Savile Park Conservation Areas. As such, the proposed development will have potential to impact upon the heritage significance of these assets

Also, in considering the impact of development on a non-designated heritage asset, regard must be had to the significance of that non-designated heritage asset, in accordance with paragraph 203 of the NPPF.

The retained buildings of the former Halifax Poor Law Union Hospital principally comprise the former administration block, rear wing extension and round ward blocks, they are considered to hold architectural and historic interest in the local context and can be considered a non-designated asset. The retained buildings contribute positively to the significance of the Skircoat Green and Huddersfield Road East Conservation Areas. The Skircoat Green Conservation Area Character Appraisal identifies the original Hospital as a 'key building of townscape and historical importance'.

The submitted Heritage Statement provides a full and comprehensive overview of the significance of the heritage assets affected by the proposal, along with the assessment of potential impacts of the scheme. The assessments undertaken and general conclusions are accepted.

The key views along Godfrey Road are currently dominated by the existing hospital building. The siting of the new clinical building is considered suitable in the context of the principal building and wider conservation area; the indicative design images and maximum scale parameters seek to minimise any harmful impact to the character and appearance of the area. The scheme provides an opportunity to enhance the current building form, improving interest in the built architecture generally in the streetscene, the proposed mix of traditional local stone and contemporary materials could work well and there is no objection to this approach.

It is acknowledged that views of characterful roofscape of the historic hospital buildings against Bank Top will be lost from part of Godfrey Road, but this would be minor harm in the context of the conservation area and likely justified by the proposal. The design of the eastern elevation nearest the historic buildings will need some careful design consideration so not to over-dominate the historic hospital buildings, the wider streetscene and conservation area.

Historic England has been consulted and confirm that they have no issue with proposals to build a new clinical block to the south of the site.

The Council's Conservation Officer has been consulted and concludes that overall, it is considered that the proposed Clinical Building will give rise to a small degree of harm to the significance of the Skircoat Green Conservation Area. This harm is considered to be less than substantial and can be mitigated through detailed consideration of architectural, material and landscape treatment at reserved matters stage. It will be imperative that the quality of development is not diminished as the detailed design develops.

The proposals are considered to accord with Section 15 of the NPPF and RCUDP Policy BE18 and no objections are raised at this stage.

Wildlife Conservation, Trees and Landscape

Section 15 of the NPPF 'Conserving and enhancing the natural environment' states in Paragraph 174 (d) that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 180 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

d) ...opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The site is not within or outside a Site of Special Scientific Interest or constitutes irreplaceable habitats (such as ancient woodland and ancient or veteran trees) therefore bullet points b and c of Paragraph 180 do not apply. The presence of protected species is a material planning consideration.

RCUDP Policy NE16 (Protection of Protected Species) establishes that development will not be permitted where it would harm protected species.

RCUDP Policy NE17(Biodiversity Enhancement) establishes that where appropriate development will be required to enhance biodiversity.

RCUDP Policy NE21 (Trees and Development Sites) establishes that where appropriate development will be required to protect existing trees during development.

The Assistant Director – Neighborhoods has been consulted and has provided the following comments *“Despite concerns about the Biodiversity Net Gain (BNG) assessment and whether the landscaping proposals will deliver the stated BNG, I am satisfied that the proposals are unlikely to have significant adverse ecological impacts and will deliver at least 10% BNG on site providing mitigation and enhancement measures are followed”*

The Council’s Tree Officer has been consulted and raises no objections. *“I have no reason to disagree with the overall findings of the submitted tree report concerning the health and condition of the trees. The boundary trees adjacent to Godfrey Road are to be retained with only a small root protection zone encroachment taking place. It is assumed the retained trees are to be protected as per BS5837:2012.”*

Subject to detailed design no objections are raised with regards to policies NE16, NE17 and NE21 at this time at this time subject to recommended conditions covering Biodiversity Enhancement, Monitoring, Construction Environment Management Plan (CEMP: Biodiversity) and lighting.

Contamination

RCUDP EP8 Development of Contaminated Sites states that where contamination is or where there is believed to be contamination applicants are required to carry out a site contamination survey. Development will not be permitted unless practical and effective site measures can be carried out

RCUDP Policy EP11 Development on Potentially Unstable Land requires a stability report to be submitted. Permission for acceptable development will be conditioned to ensure the approved remediation measures are completed prior to the commencement of development

Paragraph 183 of the NPPF states that planning decisions should ensure that ‘a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation)’. However, the responsibility for securing a safe development rests with the developer and/or landowner (paragraph 184 of the NPPF).

A preliminary quantitative risk assessment has been undertaken for the site which recommends that a detailed ground investigation is undertaken.

Subject to submission of a contaminated land report detailing ground investigation and setting out results and any mitigation measures required to ensure that the site is suitable for its intended use no objections are raised with regards to RCUDP Policies EP8 and EP10 at this time.

The Planning Balance

The application is Outline with all matters reserved, the accompanying ES concludes that the development of the NCB would give rise to residual impacts on the heritage and townscape assets ranging from Moderate to Major Adverse. The Councils Conservation Officer has concluded that NCB would give rise to a small degree of harm to the significance of the Skircoat Green Conservation Area.

The applicant has set out the public benefits of the proposed reconfiguration of the site, including: community benefits in providing new clinical services and improved service delivery to meet future demand of the wider population of the Borough and the wider area; the improved soft and hard landscaping across the estate increasing biodiversity.

It is acknowledged that the NCB would give rise to a small degree of harm to the significance of the Skircoat Green Conservation Area. This harm is considered to be less than substantial and can be mitigated through detailed consideration of architectural, material and landscape treatment at reserved matters stage. Furthermore, whilst impacts on the townscape and views, would be long-term, irreversible, and direct, it is considered that the long-term effects, would diminish over time as the proposed planting matures and helps visually integrate the new building into the wider hospital campus framework.

On balance therefore, it is considered that the social, economic and environmental benefits, resulting from the proposed NCB would outweigh the small degree of harm to the heritage asset and townscape. The NCB would contribute towards building a strong, vibrant, and health community, would make effective use of land and improve biodiversity across the wider CRH estate. The development is considered to accord with National and Local Planning Policy.

CONCLUSION

The proposal is considered to be acceptable subject to the conditions specified below. The recommendation to Permit has been made because the development is in accordance with the policies and proposals in the Replacement Calderdale Unitary Development Plan and National Planning Policy Framework set out in the 'Key Policy Context' section above.

Richard Seaman
For and on behalf of
Director of Regeneration and Strategy

Date: 15 March 2022

Further Information

Should you have any queries about this application report, please contact:-

Anita Seymour (Case Officer) on 07714 922699 or Richard Seaman (Lead Officer) on 01422 392241

Conditions

1. The development shall be carried out in complete accordance with the approved plans unless the variation from approved plans is required by any other condition of this permission.
2. The development shall not begin until full details of the following matters as defined in the General Development Procedure Order 1995 (as amended) have been submitted to and approved in writing by the Local Planning Authority:
 - (i) access
 - (ii) appearance
 - (iii) landscaping
 - (iv) layout
 - (v) scale

The development shall thereafter be implemented in accordance with the details so approved and so retained thereafter.

3. All applications for Reserved Matters shall be in accordance with the following approved Parameter Plans:
Drawing No. 125042-IBI-WS-XX-DR-A-100-0032 Rev.P1 - Maximum Building Footprint Parameter Plan
Drawing No. 125042-IBI-WS-XX-DR-A-100-0033 Rev.P2 - Maximum Building Height (AOD) Parameter Plan
Drawing Number 125042-IBI-WS-XX-DR-A-100-0034 Maximum Height Cross Section Parameter Plan
Drawing No. 125042-IBI-WS-XX-DR-A-100-0038 - Proposed Building & Vehicular Access Parameter Plan
Drawing No. MM-CRHTA78-01 Rev C - Detailed access plans from Godfrey Road
4. At the same time as the Landscape Reserved Matters Application is submitted it shall be demonstrated that the landscaping proposals will deliver a minimum of 4.00 Biodiversity Habitat Units and 0.09 Biodiversity Hedgerow Units as required under condition 15 of this permission
5. At the same time as submission of the first reserved matters application a scheme for demolition and construction dust mitigation shall submitted to, and has received the written approval of, the Local Planning Authority. The scheme shall be implemented only as approved and shall make provision for:-
 - a) A brief project description and likely sources of dust emissions identifying phases of the construction works.
 - b) Measures to be adopted to minimise dust emissions during the construction process.
 - c) Emergency measures to be adopted in the event of unforeseen circumstances during the construction phases.
 - d) Mechanism for review for each construction phase
 - e) A log of complaints from the public and a record of the measures taken to be kept and made available on request to the Local Planning Authority.
6. At the same time as First Reserved Matters Application:
 - a. A contaminated land Phase I report to assess the actual/potential contamination risks at the site shall have been submitted to, and approved in writing by, the Local Planning Authority.

b. Should the Phase 1 report recommend that a Phase II investigation is required, a Phase II investigation shall be carried out and the results submitted to, and approved in writing by, the Local Planning Authority.

c. Should the Phase II investigations indicate that remediation is necessary, then a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority. The remedial scheme in the approved Remediation Statement shall then be carried out.

Should remediation be required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works including an agreed scheme of validation works shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first use or occupation of any part of the development hereby approved.

7. Notwithstanding the provisions of Part 4, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, before construction works commence in any phase, details shall be submitted for the written approval of the Local Planning Authority in respect of the provision of a contractor's compound and staff car parking area within that phase. Such details shall include the provision of protective fencing to the boundaries of the construction site. The details so approved shall thereafter be implemented in advance of construction works commencing in any phase and shall be retained for the duration of construction works in that phase unless otherwise agreed in writing by the Local Planning Authority
8. Prior to the commencement of development, or as part of the first reserved matter (s) application, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall contain (but shall not be limited to) the following details:
 - o Temporary traffic control measures, working with nearby developers of adjacent development;
 - o Timing controls (e.g. limiting peak period vehicle movements);
 - o Temporary and permanent access arrangements for personnel/vehicles;
 - o Traffic management procedures for waste disposal vehicles;
 - o Personnel and vehicle segregation;
 - o Safety measures to protect the public/Public Rights of Way;
 - o Equipment, e.g. road cones, temporary fencing and signage;
 - o Provision to ensure that vehicles can be loaded and unloaded off the public highway where possible;
 - o Measures to encourage the site labour force to use sustainable modes of transport to travel to and from the Site;
 - o Housekeeping measures, e.g. HGV wheel washing prior to vehicles leaving the Site, use of road sweepers; and,
 - o Consultation and liaison process with neighbouring developments under construction, businesses, and other stakeholders
9. The development shall not begin, nor shall any construction materials, plant or machinery be brought onto the site until protective fencing of a minimum 1 metre height has been erected in a continuous length at least 1 metre beyond the outer edge of the crown spread of the boundary trees and/or while taking into consideration site features in accordance with BS5837:2012 (As amended / superseded). This fencing shall be retained until the completion of the development and no materials, plant or equipment shall be stored, no bonfires shall be lit, nor any building or excavation works of any kind shall take place within the protective fencing.

10. Prior to the commencement of works to the structure above ground, a Biodiversity Enhancement & Management Plan (BEMP) shall be submitted to and approved in writing by the LPA. The Plan shall deliver a minimum of 4.00 Biodiversity Habitat Units and 0.09 Biodiversity Hedgerow Units and include details of the following:
- a) Description and evaluation of features to be managed and enhanced
 - b) Extent and location/area of proposed enhancement works on appropriate scale maps and plans
 - c) Ecological trends and constraints on site that might influence management
 - d) Aims and Objectives of management
 - e) Appropriate management Actions for achieving Aims and Objectives
 - f) An annual work programme (to cover an initial 5-year period)
 - g) Details of the specialist ecological management body or organisation responsible for implementation of the Plan
 - h) For each of the first 5 years of the Plan, a progress report sent to the LPA reporting on progress of the annual work programme and confirmation of required Actions for the next 12-month period
 - i) The Plan will be reviewed and updated every 5 years and implemented for perpetuity. The Plan shall include details of the legal and funding mechanisms by which the long-term implementation of the Plan will be secured by the developer with the specialist ecological management body or organisation responsible for its delivery. The Plan shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the Objectives of the originally approved Plan. The approved Plan will be implemented in accordance with the approved details
11. Prior to the commencement of development, a Construction Environment Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones" (to include the retained woodland and trees and adjacent areas)
 - c) Practical measures to avoid or reduce impacts during construction.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features, including nesting birds.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Details of any ecological surveys that need to be conducted prior to commencement of construction activities.
- The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed by the Local Planning Authority
12. Prior to first use of the buildings a Monitoring Programme & Monitoring Report carried out by an appropriately qualified ecological consultant shall be submitted to and agreed by the LPA. It shall include the first Monitoring Report and specify the frequency and timing of subsequent Monitoring Reports to cover a minimum 30-year period to be submitted to the LPA. The Monitoring Report will include the following:

- a) Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to those in Table 1 of the Biodiversity Metric 3.0 Report (JCA, Ref 16198f/MB, 24th February 2022)
- b) Where the target condition is not yet met provide an assessment of time to target condition for each habitat and any changes to management that are required
- c) Confirmation that all integral bird nesting and bat roosting features are in place as approved

The Monitoring Programme shall include details of the legal and funding mechanisms by which the long-term implementation of the monitoring will be secured by the developer with the specialist ecological organisation responsible for its delivery. Monitoring Reports will be submitted to the LPA as stated in the Monitoring Programme and where remedial measures or changes in management are required these will be referred to and addressed in the Biodiversity Enhancement & Management Plan (BEMP) annual work programmes.

13. Prior to commencement of works to the structure above ground a Lighting Design Strategy for Bats shall be produced by an appropriately qualified ecological consultant and submitted to and approved in writing by the LPA. The Strategy shall:
 - a) Identify those areas/features on site that are "particularly sensitive for commuting and foraging bats" - using an appropriately scaled map to show where these areas are
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb commuting and foraging bats
 - c) The proposals to minimise or eliminate glare from the use of the lighting installation when viewed from windows of properties in the vicinity
 - d) The proposals to minimise or eliminate glare from the use of the lighting installation when viewed from the highway

All external lighting shall be installed in accordance with the specifications and locations set out in the Strategy and shall be maintained thereafter in accordance with the Strategy. Under no circumstances should any additional external lighting be installed without prior consent from the LPA in the areas identified in the Strategy as "particularly sensitive for commuting and foraging bats"

14. No removal or management of any tall vegetation, including brambles, ivy, trees and shrubs, should be carried out between 1st March and 31st August inclusive unless a competent ecologist has undertaken a bird survey immediately before the vegetation has been cleared and provided written confirmation that no birds will be harmed or disturbed and/or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation should be submitted to the Local Planning Authority
15. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the Local Planning Authority, detailing the containment, control and removal of cotoneaster on site. The measures shall be carried out strictly in accordance with the approved scheme
16. Prior to the completion of the walls at least 3 permanent bat roosting features and 6 permanent swift nesting features constructed of concrete, woodcrete, ecostyrocete or similar material shall be installed within the fabric of the buildings
17. No drainage works shall begin until full details of the foul and/or surface water and/or sustainable systems of drainage if feasible and/or sub-soil drainage and external works for the development (taking into account flood risk on and off site and including details of any balancing works, off-site works, existing systems to be re-used, works on or near watercourses and diversions) have been submitted to and approved in writing by the Local

Planning Authority. The details so approved shall be implemented prior to the first operation of the development and retained thereafter

18. Prior to the installation of any drainage infrastructure, a scheme for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The aforementioned scheme shall make provision for the disposal of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and National Planning Practice Guidance.

Where a sustainable drainage scheme is to be provided, the submitted details shall include but are not limited to:

- i. Details of the design storm period and intensity, the method employed to delay and control the surface water discharged from the site, the measures taken to prevent pollution of the receiving groundwater and/or surface waters and increasing flood risk to downstream land;
- ii Design details of all components and in accordance with CIRIA report C753 The SuDS Manual
- iii. A timetable for its implementation; and
- iiii. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved scheme (including all physical measures and the management and maintenance measures) shall be implemented prior to the first occupation of the development and shall be so retained thereafter in a functioning and effective state.

19. A survey of existing site drainage, including any culverts/watercourses that may cross the site, showing connectivity and condition, shall be carried out prior to demolition of any existing structures and the findings submitted to the Local Authority for comment.
20. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.
21. Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 50 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer
22. Before the development hereby approved is first occupied / brought into use bus shelters shall be provided for bus stop numbers 23074 and 23075, and Real Time Information Battery Displays shall be provided to bus stop numbers 25176, 23074 and 23075.
23. Before the development hereby approved is first occupied / brought into use details of the location of Real Time Bus Information point/s within the development shall be submitted to and approved in writing by the Local Planning Authority. The Real Time Bus Information point/s shall be installed prior to first occupation / use and thereafter retained
24. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or

underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund

Reasons

1. For the avoidance of doubt as to what is permitted and to ensure a more satisfactory development of the site and compliance with the policies of the Replacement Calderdale Unitary Development Plan.
2. The application is in outline only, and details of the matters referred to have been reserved for subsequent approval.
3. The environmental impacts of the development have been assessed in relation to the parameters of the development shown in the submitted drawings and in order to ensure the development proceeds on the basis of the assessed parameters and in accordance with submitted ES, RCUDP Policies and NPPF
4. For the avoidance of doubt and in the interests of Biodiversity and to ensure compliance with Paragraph 179 b) of the 2021 NPPF and Policy NE17 of the Replacement Calderdale Unitary Development Plan.
5. In the interests of clarity, to protect the amenity of neighbouring occupiers having regard to RCUDP Policy EP1 and the National Planning Policy Framework
6. To ensure that any ground contamination is identified and remediated, and to ensure compliance with Policies EP9 and EP10 of the Replacement Calderdale Unitary Development Plan.
7. To ensure that adequate off-street parking is available during the construction period and in the interests of visual amenity.
8. In the interests of highway and pedestrian safety.
9. To protect the trees during the course of construction of the development in the interests of visual amenity and to ensure compliance with NE21 of the Replacement Calderdale Unitary Development Plan.
10. For the avoidance of doubt and in the interests of Biodiversity and to ensure compliance with Paragraph 179 b) of the 2021 NPPF and Policy NE17 of the Replacement Calderdale Unitary Development Plan.
11. For the avoidance of doubt and in the interests of Biodiversity and to ensure compliance with Paragraph 179 b) of the 2021 NPPF and Policy NE17 of the Replacement Calderdale Unitary Development Plan.
12. For the avoidance of doubt and in the interests of Biodiversity and to ensure compliance with Paragraph 179 b) of the 2021 NPPF and Policy NE17 of the Replacement Calderdale Unitary Development Plan.
13. For the avoidance of doubt and in the interests of Bats and the amenities of neighbouring properties and pollution prevention and to ensure compliance with Policies NE16 and EP5; of the Replacement Calderdale Unitary Development Plan.

14. For the avoidance of doubt and in the interests of visual biodiversity and to ensure compliance with Policy NE15 and NE16 of the Replacement Calderdale Unitary Development Plan.
 15. To ensure that any invasive non-native species are identified and remediated
 16. For the avoidance of doubt and in the interests of Biodiversity and to ensure compliance with Paragraph 179 b) of the 2021 NPPF and Policy NE17 of the Replacement Calderdale Unitary Development Plan.
 17. To ensure proper drainage of the site and to ensure compliance with EP14 _ EP22 of the Replacement Calderdale Unitary Development Plan.
 18. To ensure proper drainage of the site and to ensure compliance with EP14 _EP2 of the Replacement Calderdale Unitary Development Plan.
 19. To ensure proper drainage of the site and to ensure compliance with EP14 of the Replacement Calderdale Unitary Development Plan.
 20. In the interest of satisfactory and sustainable drainage
 21. To ensure proper drainage of the site and to ensure compliance with EP14 of the Replacement Calderdale Unitary Development Plan.
 22. To promote sustainable transport in accordance with Section 9 of the 2021 NPPF
 23. To promote sustainable transport in accordance with Section 9 of the 2021 NPPF
 24. To ensure that the development does not give rise to problems of pollution to underground strata or adjoining watercourses and to ensure compliance with EP8 of the Replacement Calderdale Unitary Development Plan.
-

Time Not Before: 1400 - 02

Application No: 21/01068/FUL

Ward: Skircoat

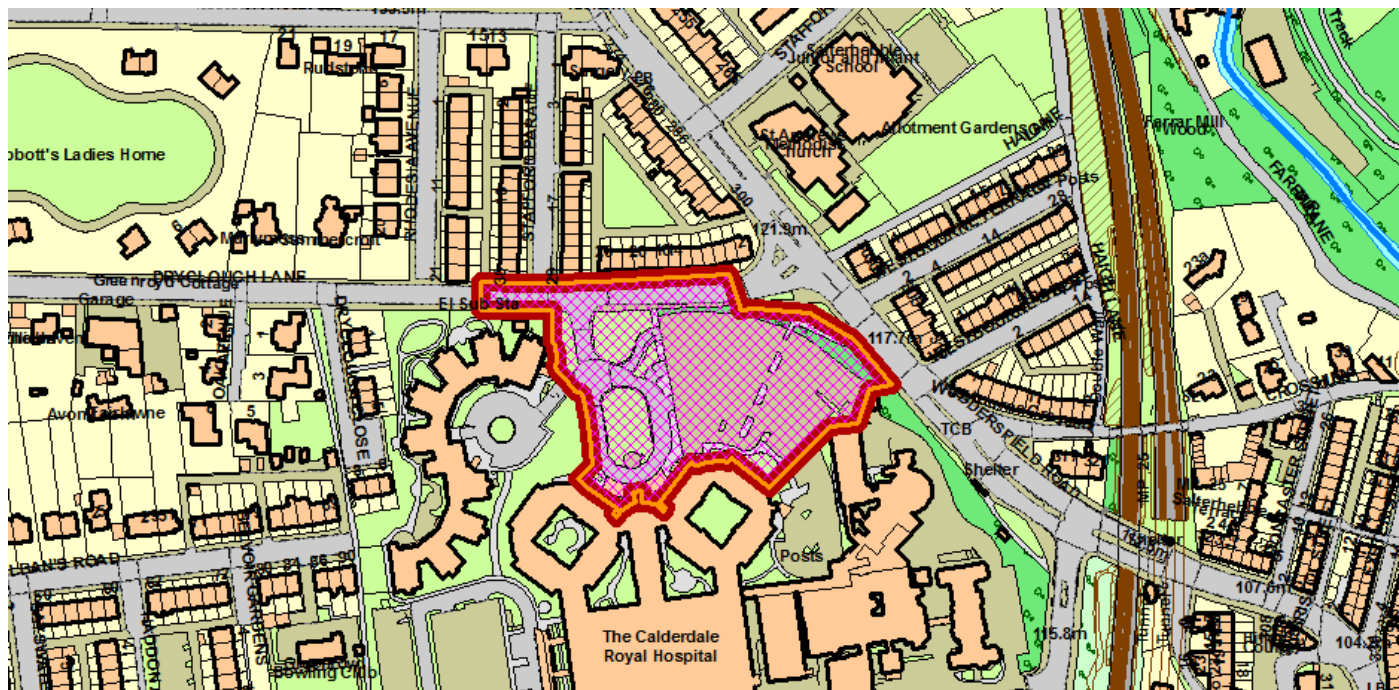
Area Team: South Team

Proposal:

Construction of a multi-storey car park; together with associated vehicular access, car and cycle parking spaces, plant and landscaping

Location:

Calderdale Royal Hospital Dryclough Lane Halifax Calderdale HX3 0PW



Applicant:

Calderdale And Huddersfield NHS Foundation Trust

Recommendation: **PERMIT**

Parish Council Representations: N/A

Representations: Yes

Departure from Development Plan: No

Consultations:

Highways Section

Environmental Health Services - Pollution Section (E)

Countryside Services (E)

Tree Officer

Lead Local Flood Authority

Conservation Officers

Business and Economy
West Yorkshire Police ALO
Yorkshire Water Services Ltd
Environment Agency (Waste & Water)
Historic England
West Yorkshire Combined Authority
Historic England
Highways Section

Background – Estate wide Reconfiguration provided by the applicant

The Calderdale and Huddersfield NHS Foundation Trust (CHFT) is an integrated Trust that provides acute and community health services. Hospital services are provided at Calderdale Royal Hospital (CRH) and at Huddersfield Royal Infirmary (HRI). The distance between the two hospitals is just over five miles. The Applicant is seeking to transform and improve the delivery of healthcare across the estate. To deliver the planned reconfiguration of hospital services, there are a number of estate developments needed at CRH. These developments will ensure optimal clinical adjacencies and critical mass of service delivery, provide improved clinical facilities and patient safety, and will enable compliance with national recommendations for estate and clinical service delivery. This will deliver benefits for all people across Calderdale and Huddersfield. The CRH development proposals are being brought forward under two parallel planning applications comprising:

- Demolition of the existing learning and development centre and erection of a new purpose-built clinical building, with associated access, parking and landscaping works on the southern part of the estate; and
- Construction of a multi-storey car park (MSCP), together with associated access, surface car parking and landscaping works on the north-east of the estate

The reconfiguration of hospital services over the estate would see staff levels at CRH increase from 2642 to 3693 (+1051) and bed numbers from approximately 430 to 670(+240). In addition, a total of 236 staff members per day would not be required to travel the 8km between the CRH and HRI estates to deliver services.

Description of Site and Proposal

The site is located approximately 1.5m to the south of Halifax Town Centre on Huddersfield Road (A629) in the Skircoat Green residential suburb of the town. The site falls within the wider CRH estate which largely comprises a modern hospital estate, totalling 60,000sqm (GIA) floorspace across 7.3ha. The site subject of this application extends to 1.07ha and currently comprises of 184 surface car parking spaces, mature trees alongside internal roads, and pedestrian footpaths leading to the main hospital building

The site falls within the northern part of the wider hospital estate, it is bounded by Dryclough Lane and two storey terraced houses to the north, Huddersfield Road and 2 storey terraced houses to the northeast, and existing hospital buildings ranging in height up to 7 storeys to the south, southeast and west.

The site currently consists of 184 surface car parking spaces and provides access to further surface car parking spaces.

The existing entrance to the hospital estate is via on Dryclough Lane. This entrance provides for both vehicles and pedestrians to reach the site. A further pedestrian only access is located to the northeast of the site and provides the principal access to the nearest bus stops.

There are no listed buildings on the application site or wider CRH estate. The nearest listed buildings are 19th Century Grade II listed Abbot's Ladies House, situated c.200metres to the northwest of CRH. The site falls within the Skircoat Green Conservation Area and is within close proximity to the boundaries of the Huddersfield Road East and Savile Park Conservation Areas. The Victorian Hospital buildings which lie to the southeast of the site are considered non-designated heritage assets.

A number of trees are located on the northern boundary of the site, adjacent to Dryclough Lane and Huddersfield Road, which are covered by a Tree Preservation Order

The site falls within the Salterhebble and Huddersfield Road Air Quality Management Area (AQMA).

This application comprises the erection of a multi-storey car park, together with associated vehicular access, cycle parking, and landscaping.

The proposed building would consist of 7 parking decks, the first level would be 123.9 AOD and level 7 142.3 AOD, taking advantage of the natural fall in ground level of the site, the highest point would be the roof of the lift and stairs on the western elevation at 146.8AOD whereas the stair tower to the northeast corner would be 145.8 AOD.

The building would contain the following parking provision:

- 747 no. standard private vehicle spaces
- 41 no. disabled private vehicle spaces
- 156 no. electric vehicle charging spaces
- 50 no. bicycles spaces (secured long stay)

In addition, a surface car park between the MSCP and Hospital building would be provided containing the following provision:

- 5 no. disabled spaces
- 14 no. standard spaces

- 2 no. electric vehicle charging spaces
- Provision of 6 Sheffield stands at the hospital main entrance providing 22 no. bicycles spaces (short stay).

The MSCP would be located approximately 24m south of the facades of the residential properties on Dryclough Lane, it would sit further back from the public road than the existing surface parking to allow for enhanced landscaping to the boundary. The distance between the eastern façade and the properties on Huddersfield Road is approximately 35m, the separation distance between the main hospital building and the MSCP would be approximately 24-26m. To the western end, towards the hospital entrance, the building has been cut back to retain the existing road and avoid impacting the protected trees.

The proposed materials have been chosen for their robustness and to match or be complementary to the materials used elsewhere on the site. The plinth would be coursed stone. Terracotta tiles are proposed above the plinth, the area of tiles would be broken up by vertical elongated architectural features (known as 'baguettes') and bronze-coloured louvers to visually break up the mass of the building. The top of the elevator cores would be clad in standing seam metal. Tall railings to the top of the building would provide security and enclosure.

The stair and elevator cores would appear as slender towers of terracotta and topped with vertical standing seam metal cladding. Windows would be vertically orientated across the levels.

All new lighting would be LED. External lighting would be controlled by photo-cells with manual overrides and designed to limit the effects of light pollution, especially to the neighbouring residents

The existing bicycle parking provision at the hospital main entrance (4 secure lockers and 4 Sheffield stands providing long and short stay 12 no. spaces) would be retained.

The existing vehicle access from Dryclough Lane would be retained and signalised. A new right turn lane on the A646 Dryclough Lane (west) approach with storage for 5 vehicles would be provided; the existing left turn lane on the A646 Dryclough Lane (east) approach would be retained and extended to allow for the storage of 5 vehicles; the parking spaces adjacent to the existing residential properties on Dryclough Lane would be retained; and signalised pedestrian crossing facilities on the west and south arms of the junction would be introduced.

Vehicles would enter the MSCP at the lowest point (south-east corner of the building) on the hospital side.

A pedestrian friendly courtyard would be created between the hospital and the new MSCP, with a raised traffic platform to reduce traffic speed.

A level, step-free pedestrian access would be retained from the hospital main entrance to Dryclough lane. A pedestrian route through the building would connect the hospital site to the main junction of Huddersfield Road, and maintain the current pedestrian desire path. All pedestrian access routes provide step-free access with roadways raised as necessary to prioritise pedestrians.

Sustainability

The building would largely be constructed of pre-fabricated recyclable components, which have a smaller carbon impact than site based construction. Landscaping will be increased, improving biodiversity on site. The building would be naturally ventilated, lighting would be efficient and

controlled in that it can be reduced and turned off when not required. Significant provision will be made for cycles and electric vehicles.

The applicant has entered into a Unilateral Undertaking to:

1. Not to Commence Development of the MSCP Development unless and until the New Clinical Building Planning Permission has been granted
2. Not to Commence Development of the New Clinical Building Development unless and until the MSCP Planning Permission has been granted

The application is accompanied by the following supporting documents:

- Planning Statement
- Statement of Community Involvement
- Design and Access Statement
- Landscape Statement
- Transport Assessment
- Travel Plan
- Air Quality Impact Assessment
- Daylight and Sunlight Assessment
- Heritage Statement
- Townscape and Visual Impact Assessment
- Phase 2 Ground Investigation Report/ Mining Assessment
- Flood Risk Assessment
- SuDS and Drainage Strategy
- Preliminary Ecological Appraisal
- Tree Survey
- Arboricultural Impact Assessment
- Noise Assessment
- Utilities Statement
- Lighting Assessment
- Landscape Statement

The application was submitted without an Environmental Statement (ES). The LPA considered that the application together with the accompanying application for the proposed Multi Storey Car Park (ref 21/01068/FUL) had potential to be EIA development, because the proposed developments are listed in column 1 of the table in Schedule 2 to the 2017 Environmental Impact Regulations and exceed the relevant thresholds or criteria set out in column 2. A screening opinion was issued on 1 September 2021, concluding that the developments, are EIA development because they have potential to have a significant impact on: Transport and Access (Risk of Major Accidents), Population including Socio Economic and Human Health, Heritage Environment and Climate Change; therefore, the submission of an environmental statement is required.

An Environmental Statement was subsequently submitted on 20 October 2021 and includes the environmental impacts of the combined developments. Additional information covering Air Quality and Transport was submitted on 11 February 2022 and reconsulted on 17 February 2022.

Environmental Statement

The submitted Environmental Statement (ES) has been prepared by a number of consultants and addresses issues including Socio-economics, Transport, Noise & Vibration, Air Quality, Built Heritage, Townscape & Visual, Human Health Risk of Major Accidents and Disasters and Climate Change (not included in the stand-alone ES technical chapters).

The ES considers both the proposed MSCP and NCB together as they are interrelated projects. It is currently envisaged that the proposed development will be delivered in 3 phases, with construction works for the first phase (construction of the MSCP) commencing in November 2022, and completion of Phase 3 (construction of the new clinical building) expected in 2026 (the year of full occupation/operation).

The ES concludes that following implementation of mitigation measures, the proposed development would produce the following likely significant environmental effects during the construction and operational phase. Overall, the conclusions of the ES are the same for both developments apart from Socio economics, Heritage and specific alternatives considered for the MSCP.

Socio-economics,

The focus of this chapter is on the potential impacts and likely effects related to Construction employment; Operational employment; Employee expenditure; Healthcare facilities; and Crime.

It is concluded that, employment would be generated during the construction phase both directly and indirectly resulting in an overall temporary Moderate Beneficial effect.

On the basis of the assessments in the ES the impacts on the Local Economy, Existing & Future Borough working age residents generated during the construction phase are expected to be moderately beneficial significance over a short temporary time period.

The MSCP design has been developed to satisfy the Park Mark safety standards to reduce crime and fear of crime during the operational phase.

The proposed MSCP is considered likely to see a reduction in crime and fear of crime with a likely Moderate Beneficial during operation.

Transport

In transport terms the two applications are clearly linked in that the MSCP provides for both the additional trips generated by the new buildings and the lost surface parking.

Impacts upon Severance, Driver Delay, Public Transport Users, Pedestrian Delay, Pedestrian Amenity, Fear and Intimidation, Collisions and Road Safety during the construction and operational phases have been considered.

Mitigation measures considered for the development phases include implementation of a Construction Logistics Plan and a Construction Environmental Management Plan to reduce the effects of HGVs and LGVs throughout construction

A Travel Plan has been proposed to reduce the number of vehicles generated by the scheme and encourage active and sustainable travel. It is also proposed to signalise the access from Dryclough lane.

Based on the assessments in the ES, it is concluded that the proposed development (which represents the combined effects of the two applications), post mitigation, would have a negligible to minor adverse impact on all roads, which is not considered to be significant. On this basis, there are no significant effects anticipated for the individual application scenarios.

It is not considered that climate change will have a significant effect on the proposed development in terms of Transport. However, policies on electric vehicle (EV) charging have been considered in the Transport Assessment (TA) and Parking Strategy. EV provision will represent 20% of total spaces included within the MSCP. All spaces will be cable enabled and 40 spaces will have charging points.

It is anticipated that an increase in EVs and sustainable travel (i.e. walking, cycling and public transport use) would assist in tackling climate change.

Noise & Vibration

Chapter 8 assesses noise and vibration impacts for construction activities and operational phases.

Considering the implementation of the best practical mitigation measures outlined in Section 8.7 of the ES, the residual impact during the construction phase would be Negligible to Small, resulting in a Negligible to Minor Adverse effect.

Road traffic noise impacts are likely to be minor at a small number of receptors in the short term (2026), with all other receptors expected to experience negligible effects. In the long term (2031) impacts from road traffic noise sources on all receptors would be negligible. Operational noise impacts from the MSCP are likely to be negligible at all receptors.

The assessment of noise and vibration is not affected by climate change.

Air Quality

In Air Quality terms the two applications are clearly linked in that the MSCP provides for both the additional trips generated by the NCB and the loss of surface parking and the consequential impacts on Air Quality.

Chapter 9 provides an assessment of the effects of the proposed development on Air Quality

Construction

Fugitive dust emissions associated with the proposed construction and demolition works have been assessed in accordance with Institute of Air Quality Management (IAQM) methodology. Effects on surrounding human receptors have been assessed subject to mitigation including best practice measures and implementation of a Construction Environmental Management Plan (CEMP) to be small and temporary and of negligible significance at all receptors.

Operational phase

Vehicle traffic generated by the proposed development in its entirety, once it becomes fully operational in 2026, is expected to result in Nitrogen Dioxide effects ranging from Negligible to Moderate adverse at residential properties and existing and proposed healthcare facilities in the

immediate surrounding area. However, except for two receptors, all receptors are expected to experience Negligible or Minor Adverse effects (not significant).

The effects of vehicle traffic generated by the proposed development in its entirety in 2031 has also been assessed in order to take account of future expected changes in the use of electric vehicles on the road network. This assessment indicates that by 2031, Nitrogen Dioxide effects on surrounding sensitive receptors are expected to be reduced to Negligible in all cases.

In the 2026 operational phase traffic assessment, all sensitive receptors in the immediate surrounding area are expected to experience Negligible effects in relation to particulate matter. This is also the case in the 2031 scenario.

The assessment has identified a small number of potential adverse effects at receptors immediately adjacent to the CRH estate in the 2026 scenario. However, the Emissions Cost Benefit Calculation indicates that the proposed development will lead to a substantial reduction in air quality emissions in the wider area, as a result of the net reduction in vehicle-kilometres driven, due to the reduction in expected vehicle trips between CRH and HRI resulting from the proposals.

Built Heritage

Chapter 10 of the ES assesses the likely significant effects the proposed development on the built historic environment.

During construction it is anticipated that temporary impacts arising from noise, dust and vibration from construction traffic, plant and machinery, and visual impact of plant, including cranes, on views towards and from the asset would impact upon experiential value of the Conservation Areas. This is assessed as Small – Medium magnitude and Minor Adverse significance and of a temporary nature.

During the operational phase (once built) the MSC would have the following likely impacts;

Skircoat Green Conservation Area a Moderate to Major Adverse Visual impact due to loss of openness, and impact upon significant views.

Huddersfield Road East and Savile Park Conservation Areas Moderate Adverse Visual impact due to loss of openness, and impact upon significant views.

Halifax Poor Law Union Hospital Non-Designated Heritage Asset Minor Adverse impact due to loss of openness, and impact upon significant views.

Townscape & Visual

The three conservation areas have a significant bearing on the Townscape Character. There are no Landscape Designations within the combined site areas. There are a number of Statutory and Non-Statutory Designations within the study area, with the potential to be affected by the proposed development.

The townscape of the hospital estate represents a campus; with a complex of complementary built form set within a structural green framework, appreciated across an open character hard landscape. The built form varies in age, size, and style, but is successfully unified using a sympathetic design language, based on the original buildings. The vegetated boundaries of the campus, together with the substantial set back of built form from it, contribute positively to the setting of neighbouring housing.

The residual impact of the construction phase would be due to changes to townscape and is likely to range from minor to major adverse within close proximity of the site within the Conservation Areas, and negligible to minor adverse from views from more distant and elevated viewpoints to the north, east and west at long distance viewpoints.

Operational phase, the introduction of a new built form within the Conservation Areas would impact on the townscape and views, impacts would be long-term, irreversible, and direct. It is considered that the long-term effects, would diminish over time as the proposed planting matures and helps visually integrate the new building into the wider hospital campus framework. There have been no mitigation measures identified beyond the inherent design interventions and landscaping.

The ES concludes that the MSCP would have a major adverse effect upon the Conservation Areas.

Human Health

Chapter 11 provides a stand-alone Human Health chapter. This chapter comprises: a summary of the human health effects relevant to each technical topic ES chapter, which also set out in each of those chapters; and a summary of the results of the Rapid Health Impact Assessment (HIA), which is reported in full in a stand-alone technical report.

The potential health impacts range from neutral to positive; although, there are more positive impacts than there are neutral impacts. It is considered that with the existing and future borough residents and future users of the site (staff/patients) identified with high sensitivity and the magnitude of change identified as small – medium, it is considered that health impacts related to the proposed development would result in an overall Minor – Moderate Beneficial effect at a borough level.

Cumulative Impacts

One forthcoming scheme in the surrounding area has been considered alongside the proposed development in the EIA. However, no cumulative effects have been identified for any technical topic.

Intra-development effects

The assessment of cumulative intra-development effects considers the combination of identified significant effects of more than one technical assessment category which have the potential to affect the same sensitive receptor. Chapter 12 provides an assessment of the potential for intra-development cumulative effects.

The conclusion is that there is potential for both adverse and beneficial combined effects arising on individual receptors or receptor groups and, in some cases, there is the potential for those effects to interact with one another to produce intra-development cumulative effects. The anticipated intra-development cumulative effects range from Minor Adverse to Major Beneficial.

Alternatives

NHS services are provided over two sites: Halifax Royal Hospital and Huddersfield Royal Infirmary. A range of options to reconfigure the clinical services provided on the two sites, as well as the Trusts Acre Mill site have been considered against a number of factors.

The decision was to reconfigure the Halifax Royal Hospital Site Halifax site. Three potential development areas within the estate were identified:

1. Main entrance car park;
2. Accident and emergency car park; and
3. Women and children's unit car park.

Area 1 was determined to be the most appropriate location for the new MSCP. Locating the MSCP in Area 1 off Dryclough Lane would be beneficial to consolidate car parking into a single location around the main entrance area and facilitate access into the hospital estate. The NCB would then be development on sites 2 and 3.

Design alternatives

Chapter 4 discusses the design evolution of the MSCP, the design review undertaken with by the Design Council, and consultations with Historic England. As a result of the review the following amendments to the scheme were made.

- The pedestrian route through the building was enhanced and particular attention was paid to the security of this route. Passive surveillance and visibility were significantly increased in this area, as well as the bicycle and motorbike parking areas;
- The bicycle parking area was re-located to against the facade of the building with a full height 'retail-style' glass frontage. This helps to animate the building towards the hospital, and provides the potential for the space to be used for bicycle maintenance or other similar uses;
- The elevation design to the main front of the building (facing Huddersfield Road) was developed to simplify the design & harmonise the materials. The rooftop canopy was removed, and the two banks of terracotta cladding around the pedestrian entrance were removed. The curve to the elevation was further developed, and the design of the section which projects from the main building on Dryclough Lane was simplified; and
- Development of the landscape design in and around the multi-storey car park, particularly having the space between the MSCP and the hospital building as a courtyard, with a raised traffic deck and resting points for pedestrians and a reduction of surface parking to create enhanced amenity areas.

Residual Effects

The residual effects are summarised in Chapter 13 of the ES and are divided between construction and operational phases for the combined schemes.

The greatest residual impacts would be on heritage and townscape ranging from Moderate to Major Adverse in both phases.

Relevant Planning History

The site has been in use as a hospital since it opened in 1896, there are numerous applications relating to the use of the site as a Hospital.

The last major development on the site was the development of a 600-bed hospital and ancillary works (ref 97/00828/FUL) granted under delegated authority on 14 November 1997

Key Policy Context:

Replacement Development Plan	Calderdale Designation/Allocation	Unitary	Calderdale Royal Hospital Skircoat Green, Huddersfield Road East and Savile Park Conservation Areas Wildlife Corridor
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Replacement Calderdale Unitary Development Plan policies	CF9 (Medical, Dental or Health Facilities) BE1 (General Design Criteria) BE2 Privacy, Daylight and Amenity Space BE3 (Landscaping) BE4 (Safety and Security Considerations) BE5 (The design and Layout of Highways and Accesses) BE6 (The Provision of Safe Pedestrian Environments) BE8 (Access for All) BE18 (Development Within Conservation Areas) T1 (Travel Plans) T18 (maximum Parking Allowances) T19 (Bicycle Parking Guidance) T20 (Motorcycle/Mopeds/Scooter Parking Guidance) NE15 Development in Wildlife Corridors NE17 Biodiversity Enhancement NE20 Tree Preservation Orders NE21 Trees and Development Sites EP1 Protection Air Quality EP14 Protection of Ground Water EP20 Protection from Flood Risk EP22 Sustainable Drainage Systems
National Planning Policy Framework Paragraphs/ National Design Guide	8 Promoting health and safe communities 10 Supporting high quality communities 11 Making effective use of land 12 Achieving well designed places 14 Meeting the challenge of climate change, flooding and coastal change 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment
Other Relevant Planning Constraints	Calderdale No. 1 Salterhebble AQMA
Other Material Planning Considerations	Calderdale Climate Emergency Declaration Emerging Local Plan/

Publicity/ Representations:

The application was publicised with site and press notices because of the impact on Skircoat Green, Huddersfield Road East and Savile Park Conservation Areas. In addition, 33 neighbour notification letters were sent.

As the application was not accompanied by the required ES publicity regarding the submitted ES must be carried out by the Applicant. The applicant has submitted a statement setting out the publicity undertaken in accordance with Article 20 (paragraph 6) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (The Regulations). The LPA consider that the publicity and consultation undertaken satisfy that part of The Regulations.

5 letters of objection were received.

Summary of points raised:

Objection

- Counter intuitive step when considering both local and national environmental ambitions.
- How can the Council support increase in car usage when it has declared a Climate Emergency
- Air Quality
- Block views and light from adjacent houses
- Should be located on Oakleigh Avenue where houses are empty
- Increase traffic congestion
- Traffic queuing to enter / exit the multi storey car park will cause tail backs of traffic local junctions
- Increase in noise
- Increase in vibrations caused by more traffic
- Antisocial behaviour
- The car park would be an eyesore and looks like an old fashioned building.
- The proposal rides roughshod over almost every principle that stands behind the conservation area designation
- Proposed development fails to preserve or enhance the Conservation Area and is contrary to RCUDP Policies

The applicant has confirmed that the Oakleigh Avenue properties are not in the Trusts ownership.

Parish/Town Council Comments

The development is not located within a parished area.

Assessment of Proposal

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework 2021 (NPPF) complements this requirement and sets out the Government's planning policies for England and how these are to be applied, alongside other national planning policies. The NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the NPPF policies, the greater the weight they may be given.

At the heart of the NPPF is a presumption in favour of sustainable development, which means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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; [for example...land designated as Green Belt...designated heritage assets]) 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.

Paragraph 123 of the NPPF supports proposals that make more effective use of sites that provide community services such as ... hospitals, provided this maintains or improves the quality-of-service provision.

RCUDP Policy CF9 “Medical, Dental or Health Facilities” sets out six criteria that proposals for health facilities should comply with including being well located to the community it intends to serve; accessible by good quality public transport and other modes of transport; satisfactory access for disabled; preserves the Conservation Area, does not affect Listed Buildings or their setting; does not create any environmental amenity, traffic, safety or other problems; and complies with other policies in the UDP..

The proposed development would be located within the site boundary of CRH, on land currently in use as a car park. The proposed MSCP would provide additional vehicle, motorcycle and cycle parking for staff, patients, and visitors in part to replace surface car parking currently located to the south of the site to allow for a new clinical facility within the site complex (Planning ref 21/01067/OUT), and to address shortfalls in parking which currently result in parking on surrounding residential streets and lost clinical appointments.

The development would facilitate delivery of improved health and care services and facilities for people across Calderdale and Huddersfield.

The proposal is considered acceptable in principle subject to consideration of the environmental impacts considered below.

Residential Amenity

Concerns have been raised that properties on Dryclough Lane would experience loss of daylight as a result of the proposed development.

Loss of views has also been raised however; this is not a planning consideration.

RCUDP Policy BE2 establishes that development should not significantly affect the privacy, daylighting or amenity space of existing and prospective residents and other occupants. Annex A of RCUDP sets out guidelines to help assess whether such impacts arise.

RCUDP Policy CF9 Medical, Dental or Health Facilities seeks to ensure medical facilities do not create any amenity issues.

The application site is a surfaced car park fronting the main hospital building. The car park is accessed from Dryclough Lane and generates a significant number of vehicle movements 24/7 all year round.

The MSCP would be sited 10m back from Dryclough Lane to allow for enhanced landscaping to the boundary. The distance to the front facades of 2 to 26 Dryclough Lane would approximately be 24m; these properties form a terrace and are two storeys in height, some having the benefit of loft accommodation. The properties have small front gardens and back yards, the rear elevations overlook a green open space.

The front facades of residential properties on Huddersfield Road to the east would be approximately 36m from the development screened by a row of mature trees. These properties also have front gardens and back yards.

The elevation treatment of the proposed MSCP includes vertical louvers, with smaller louvres between and at high levels which would be angled to reduce views into and out of the MSCP;

behind the fins, a half-height stone wall would act to screen headlights and largely hide the cars from view.

A Daylight and Sunlight Assessment has been submitted. The daylight and sunlight analysis has been considered by reference to the criteria and methodology within the Building Research Establishment Guidelines (BRE) (2011).

The BRE Guidelines provides three methodologies for daylight assessment of neighbouring properties, namely.

1 The Vertical Sky Component (VSC) - provides an assessment of the amount of skylight falling on a vertical plane (generally a window) directly from the sky, in the circumstance of an overcast sky. The national numerical value target "ideal" for VSC is 27%. The BRE Guidelines advise that upon implementation of a development, a window should retain a VSC value of 27% or at least 0.8 of its former value (i.e. no more than a 20% change).

2 The No Sky Line (NSL) - the NSL calculation assesses where the sky can and cannot be seen from inside a room at the working plane, in houses the working plane is assumed to be horizontal and 0.85m high. If the NSL experiences more than a 20% change from the existing situation then, in accordance with the strict application of the national numerical values, the change in daylight would be noticeable to the occupants. There is no qualitative assessment of the light in the room.

3 The Average Daylight Factor (ADF) –The BRE guidance does not recommend, the use of the ADF for loss of light to existing buildings

For daylight to be compliant, both the VSC and NSL tests have to be met.

It is acknowledged that construction of the MSCP on the existing surface car park will have some impacts on the daylight and sunlight experienced by adjacent properties. The submitted report concludes that the proposed development *"is considered 100% compliant when assessed against the BRE numerical criteria for sunlight (Annual Probable Sunlight Hours) and overshadowing analysis (Sun Hours On Ground). All neighbouring residential receptors will retain proposed VSC values above 20 and NSL retained values between c.50%-75%, providing the potential for natural light to be received to these properties following successful implementation of the Proposed Development. And where breaches of guidance occur the proposed daylight values may be considered in keeping with the inherent flexibility of the BRE Guidelines and appear in line with local planning policy"*

The proposed development introduces a significant structure on land currently open and in use as a surface car park. It is noted that the properties enjoy private amenity space to the rear.

Annex A of the RCUDP discusses separation distances between residential and proposed buildings in terms of privacy, the distance between the proposed building and the properties on Dryclough Lane is 24m in excess of the recommended 21m in Annex A for Main to Main aspects, properties on Huddersfield Road would be 36m from the façade of the MSCP therefore also meet the distance. In addition the inclusion of vertical louvers and walls to parking decks would reduce overlooking and prevent car headlight from shining into properties.

It has been demonstrated that the adjacent properties would not experience significant loss of daylight.

It is therefore considered that the proposed development accords with RCUDP Policy BE2 and would not give rise to adverse impacts on the privacy, daylighting or amenity space of existing residential properties.

Layout, Design & Materials

Objections have been raised to the scale and massing and design of the proposed MSCP and its impact on Skircoat Green Conservation Area which representees consider fails to preserve or enhance the Conservation Area and is contrary to RCUDP Policies. As well as this, concern is raised in relation to the impact this would have on pedestrians' experience of walking along Dryclough Lane once the MSCP has been constructed.

RCUDP Policy BE1 states that development should make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design.

Paragraph 135 of the NPPF states that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as materials used).

The design addresses the need for large amounts of natural ventilation and to screen car headlights whilst providing an attractive aspect when viewed from the existing Ward building, residential properties and the public realm, the applicant has sought to respect these relationships by adopting a modern architectural approach aimed at enriching the existing fabric and quality of the built environment, whilst enhancing building legibility and wayfinding.

The design subject of this planning application is a result of design evolution process involving consultation with LPA, Historic England, stakeholders and a review undertaken by the Design Council.

Changes to the design have been made reflecting the feedback provided including pushing the footprint back into the site to lessen the impact on Dryclough Lane and provided opportunities to enhance the hospital boundary with landscape in an area previously dominated by surface parking.

The car park structure would be set back from Dryclough Lane to retain the existing trees and create space for additional landscaping.

The proposed form is compact, floor to floor heights are much lower than an occupied building, allowing for more floor levels whilst maintaining the same overall height.

There are significant level changes across the existing hospital site, with levels dropping by around 8m from west to east across the northern portion of the estate from the junction between Dryclough Close and Dryclough Lane towards Huddersfield Road. This change in level has been taken advantage of by the applicant to minimise the amount of material to be excavated, and the mass of the proposed building.

The main public-facing elevations of the proposed MSCP would face towards the major junction of Dryclough Lane and Huddersfield Road. The building would curve round this corner of the site following the line of the junction to reduce the visual impact on individual views towards the site. The curved facade references the circular form of the main modern hospital building, and the circular Victorian wards.

The proposed roof line is continuous, reflecting the neighbouring terraced dwellings following the slope of the ground. The stair cores would break the roofline, highlighting their vertical nature to express their function and would provide legibility to building users.

The pallet of external materials has been chosen to ensure a coherent approach. It is proposed that the main facade materials will complement the existing stonework on site but be darker, providing a visually recessive building that does not seek to attract attention. It is proposed to treat the lowest floor level of each as a 'plinth', faced with darker natural stone with feature coursing, in order to unify the developments across the Hospital estate, and for reasons of robustness. At the pedestrian entrance to the Dryclough Lane and Huddersfield

Road junction, the height of the stone plinth would gently rise to highlight the entrance, which would also have a glazed canopy. The upper floors would have vertical louvres running floor to floor with solid walls to screen car headlights. Other facades would have terracotta cladding, the top of stair towers would have vertical standing seam metal cladding.

The applicant has confirmed that the rooftop parking area would be lit via luminaires mounted/integrated into the anti-climb barriers with all luminaires directed into the building.

The proposed MSCP will be a different in scale to everything but the 2001 hospital, it is considered that the approach to design a confident new addition to the townscape, one that references key elements of the established character is appropriate.

The design approach has enabled features, such as the corner, to be celebrated through the use of louvres, which allow the required level of ventilation and provide a rhythm to the elevation. The height of the larger louvres references the scale of the terraces to the northern side of Dryclough Lane and lift to add emphasis to the corner entrance. These are positive responses to the site and its setting.

The design approach addresses pedestrian experience approaching the site from Dryclough Lane with wider and improved landscaping Infront of the proposed MSC and retention of the traditional stone boundary wall. The pedestrian route through the MSCP is well defined, safe and welcoming.

The proposed development is considered to comply with Policy BE1 of the RCUDP subject to recommended details requiring approval of materials and lighting.

Heritage Assets

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising functions with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Decision makers must give importance and weight to the desirability of avoiding any harm to designated heritage assets, to give effect to the LPA's statutory duties under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The finding of harm to a heritage asset gives rise to a strong presumption against planning permission being granted.

In considering the impact of development on a heritage asset regard must be had to the significance of that heritage asset, in accordance with paragraph 195 of the NPPF:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

In addition, paragraph 197 of the NPPF states that:-

“In determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness”

In addition, paragraph 202 of the NPPF states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Paragraph 203 states

“The effect of an application on the significance of a non-designated heritage assets, should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of harm or loss and the significance of the heritage asset.”

RCUDP Policy BE1 and National Design Guidance call for development to make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design.

Policy BE18 Development within Conservation Areas states that proposals involving the alteration or extension of a building in a conservation area will only be permitted if all the following criteria are met:-

- I. The form, design, scale, methods of construction and materials respect the characteristics of the buildings in the area, the townscape and landscape setting;*
- II. The siting of proposals respects existing open spaces, nature conservation, trees and townscape/roofscape features;*
- III. It does not result in the loss of any open space which makes an important contribution to the character of the Conservation Area or features of historic value such as boundary walls and street furniture; and*
- iv. Important views within, into and out of the area are preserved or enhanced*

The proposed works involve substantial new build elements. This application is concerned with the construction of a new 7 storey car park building to the northeast of the Hospital site, which falls within the Skircoat Green Conservation Area but directly adjoins the Savile Park Conservation Area and Huddersfield Road East Conservation Area. The proposal also lies within the setting of the remaining original historic Union Hospital buildings, a non-designated heritage asset.

The site for the proposed car park building is currently a surface car park to the northeast of the main hospital entrance with mature trees bounding the site to the east and immediately north of the hospital entrance. The relative openness of the site, the mature trees, the set back of the current large scale buildings and the glimpsed architectural details of the original hospital building are features of the current arrangement that, taken as a whole, provide a positive contribution to the significance of the conservation areas, allowing an appreciation of the characterful built form, spaces in between, amenity value of the mature trees and wider landscape views beyond.

The addition of the large dominant building close to the northern edge of the site would compromise the character of the Conservation Areas and diminish the setting of the existing buildings. Views to the original historic buildings, the main building, existing boundary trees and distant views would become obscured from many positions within the site and surrounding streets.

The application is accompanied by a Heritage Statement and Townscape Assessments which provide a full and comprehensive overview of the significance of the heritage assets affected by the proposal, along with the assessment of potential impacts of the scheme.

Skircoat Green Conservation Area

The site falls within the north-east section of the Skircoat Green Conservation Area which takes in the historic core of settlement, typified by 17th and 18th century vernacular buildings focused around the Green and Copley Road and later 19th and 20th century sub-urban development including detached villa developments and the planned 1930s Green Park estate to the south of Godfrey Road.

“With its prominent site at the junction of Huddersfield Road and Dryclough Lane the original hospital building makes a significant contribution to the townscape quality of the area and is particularly prominent on approaching Halifax from the south. The site boundary is marked by a stone wall which retains its original wrought iron railings and mature trees. To the north east of the original block is a late 20th century building which is less finely detailed.”

The Appraisal also identifies a number of key views and views including views east from Godfrey Road which take in the Hospital site and extend to woodland and agricultural land rising to the ridgeline of Bank Top. Similar views towards Bank Top are identified from Dudwell Lane although these do not take in the Hospital site. These views east towards Bank Top, which are available from a number of streets within the Conservation Area are identified as a significant characteristic and contributor to significance.

Huddersfield Road East Conservation Area

The Huddersfield Road East Conservation Area takes in historic development to the east side of the Road between Shaw Hill and Salterhebble Hill. Significance is derived from the relationship between the predominantly mid to late 19th and early 20th century development and the transport corridor provided by the canal and rail corridors. The extent of mature trees, particularly along Huddersfield Road are important amenity elements which break up and filter-built form.

The Conservation Area Appraisal for Huddersfield Road East identifies a number of key views including views along Huddersfield Road southwards towards the site, which take in terraced housing and boundary walling, and views north-west along the Road which terminate on the former Stafford Arms Public House.

The Savile Park Conservation Area

The Savile Park Conservation Area boundary runs to the north side of Dryclough Lane and west side of Huddersfield Road to the north of the site. It takes in Savile Park, as a significant greenspace within the Area and surrounding early 19th century traditional housing, later 19th century villa developments and terraced housing. Key buildings include the Crossley Heath School, the Royal Halifax Infirmary (now apartments) the Church of St. Jude. The landscape setting to the Abbott's Ladies Homes almshouses are identified as a designed landscape of importance.

The Conservation Area Appraisal identifies key views west and east along Dryclough Lane of which incorporate the site and its environs.

Non- Heritage Asset

Located to the south of the application site is the former Halifax Poor Law Union Hospital which is designated a non-designated Heritage Asset. The retained buildings, principally comprising the former administration block, rear wing extension and round ward blocks, hold architectural and historic interest in the local context. The retained buildings contribute positively to the significance of the Skircoat Green and Huddersfield Road East Conservation Areas.

Historic England consultation

Historic England has been consulted and consider the proposed multi-storey car park would cause less than substantial harm to the character of the three conservation areas within and adjacent to the hospital site, in coming to this conclusion they have provided the following comments

“The building is so obviously of a different scale to everything but the 2001 hospital that there is little to be gained in trying to make it disappear or disguise it. Instead, the approach has been to design a confident new addition to the townscape, one that references key elements of the established character. Within the parameters of the brief, we believe that this has been largely successful.

The design approach has enabled features, such as the corner, to be celebrated through the use of louvres, which allow the required level of ventilation and provide a rhythm to the elevation. The height of the larger louvres references the scale of the terraces to the northern side of Dryclough Lane and lift to add emphasis to the corner entrance. These are positive responses to the site and its setting.

The relatively restrained treatment of the southeast elevation reduces the impact of the car park over the distinctive forms of the former Union Hospital buildings as viewed from Huddersfield Road

The applicants have set out their case as to why the multi-storey is the only feasible option to address the operational needs of the site. In determining this application, we recommend your authority robustly assesses this argument, bearing in mind the statutory duty to protect the character and appearance of the conservation areas (Planning (Listed Buildings and Conservation Areas) Act 1990).

Setting aside the principle of development, we welcome the improvements that have been made to the design of the scheme through the pre-application process.

If your authority considers the principle is acceptable and the public benefits outweigh the less than substantial harm the proposals would cause, we recommend the application of conditions to secure the quality of design and materials in the final construction. This is critical to mitigating the harm to the conservation areas and the wider townscape”.

The applicant has worked closely with Council officers and Historic England in developing the design solution and officers concur with Historic England’s consultation comments.

The Council’s Conservation Officer has also been consulted, concluding that whilst, the impact on the character of the conservation areas will cause harm, albeit still less than substantial harm in NPPF terms, the quality of the design, emphasis on addressing the location and providing an architectural presence in the streetscene goes some way towards mitigating the impact.

The long-established hospital use of the site is an historic function and characteristic of the area. The development will therefore facilitate the continuation of this tradition in a manner that is effective in the modern era.

The Conservation Officer goes on to state that:

“The configuration of the existing built form balanced with substantial areas of open space and green structure provide the established positive character to the hospital grounds. The addition of the large prominent building close to the northern edge of the site would change this character and diminish the setting of the existing buildings. Views to the original historic buildings, the main building, existing boundary trees and distant views would become obscured from many positions within the site and surrounding streets.

Nevertheless, the car park building is well designed for its function. As commented by Historic England, the improvements that have been made through the pre application and Design Review processes are acknowledged and have resulted in a quality of design that seeks to establish a confident new addition to the townscape.

Through thoughtful use of architectural features and high-quality materials, there is reference to key elements of the established character and connection with the surrounding area. The response to the corner entrance creates a key feature in the design which adds emphasis within the streetscene as a direct response to the site and its setting. Furthermore, the somewhat more muted southeast elevation seeks to reduce impact in relation to the historic Union Hospital buildings when viewed from Huddersfield Road.

The retention of the stone boundary wall and resultant improvements to the landscaping and planting around the perimeter of the site will be beneficial in contributing to the streetscene and in softening the impact of the building.

Whilst there is a precedent for substantial buildings within the hospital estate, the proposed multi-storey car park building would be of a scale and massing that contrasts with the surrounding built vernacular of the area beyond the site. The development would introduce a density of built form that would appear imposing and change the character of the streetscenes that make up this part of the 3 conservation areas. This impact would be particularly experienced along Dryclough Lane and at the junction of Huddersfield Road, where the building would be viewed in the context of the traditional and unified two-storey residential properties. The building would obscure key views of the historic round wards, views through the site from Dryclough Lane south-eastwards and southwest from Huddersfield Road, where the existing main entrance to the hospital will be lost.

In longer ranging views, the height and massing of the proposed building will protrude above the prevailing characterful roofscape, affecting the locally distinctive character and appearance of the area...

Whilst it is acknowledged that the provision of improved hospital facilities is likely to produce very significant public benefits, the proposal would, by its nature, cause harm to the significance of Skircoat Green Conservation Area, Savile Park Conservation Area and Huddersfield Road East Conservation Area within the vicinity of the site; however, for the purposes of applying the NPPF, this harm would be less than substantial.

Nevertheless, the quality of the proposed design and the emphasis on addressing the location and streetscene with a building of presence goes some way to minimising the impact of this change; the site has a long-established hospital use since the 19th century and the development is required to ensure the ongoing effective provision of healthcare to the community.”

Proposed landscaping and impacts on trees and wildlife are considered separately below.

Heritage conclusions

Section 16 of the NPPF sets out the national policy for conserving and enhancing the historic environment; Section 12 is concerned with achieving well designed places. Of relevance are paras 135, 199, 200, and 203. Considering the design, layout, materials, landscaping the proposed development is considered to have less than substantial harm in NPPF terms.

Paragraph 202 of the NPPF requires in the case of less than substantial harm being caused to a designated heritage asset, that this harm should be weighed against public benefits of the proposal.

The MSCP is required to facilitate the reconfiguration plans at CRH as set out above, the release of land to the rear of the site for a NCB would enable the health needs of present and future generations to be delivered in a safe well designed and accessible facility. The MSCP is considered to respond well to the site and its setting, making the best use of the land available and providing a well-designed new addition to the streetscene. The applicant has entered into a Legal Agreement regarding the implementation of the developments. It is considered that overarching Public Benefits have been clearly demonstrated, subject to recommended conditions covering materials the proposed development accords with Section 16 of the NPPF and RCUDP Policies BE1, BE2 and BE18.

Wildlife Conservation, Trees and Landscaping

Policy BE3 States that: development proposals should be accompanied, where appropriate, by landscaping schemes which have been designed as an integral part of the development proposal.

RCUDP Policy NE16 (Protection of Protected Species) establishes that development will not be permitted where it would harm protected species.

RCUDP Policy NE17 (Biodiversity Enhancement) establishes that where appropriate development will be required to enhance biodiversity

Section 15 of the NPPF 'Conserving and enhancing the natural environment states in Paragraph 174 (d) that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 180 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- d)opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

The site is not within or outside a Site of Special Scientific Interest or constitutes irreplaceable habitats (such as ancient woodland and ancient or veteran trees) therefore bullet points b and c of Paragraph 180 do not apply.

A landscaping statement has been provided which sets out the aim to improve the variety of planting to the hospital grounds and increase the range of insects, birds and mammals found on the site.

The site boundaries are established wildlife corridors and the scheme aims to strengthen these corridors with improved feeding grounds, native and common plants would be included, amenity grass would be designed out and replacement tree planting would replace lost trees and increase tree numbers on the site.

The Council's Tree Officer has been consulted and raised no objections as the majority of amenity trees are to be retained and protected during construction.

The Assistant Director – Neighbourhoods Wildlife Biodiversity Officer has been consulted and has provided the following comments *“I am satisfied that the proposals are unlikely to have significant adverse ecological impacts providing mitigation and enhancement measures are followed. Accordingly, I have no objections to the proposals”*

Subject to conditions regarding protection of trees during construction, landscaping implementation and Construction Environment Management Plan (CEMP: Biodiversity), Biodiversity Enhancement & Management Plan (BEMP), Monitoring and lighting scheme The proposed development is considered to accord with RCUDP Policies NE16 and NE17 and section 15 of the NPPF.

Highways and Movement and Pedestrian Access

Calderdale Council declared a climate emergency in 2019, and concerns have been raised regarding increase in parking provision on the site. Representatives have observed that the; travel plan needs to be much more ambitious in its modal shift targets in line with the Council's Net Zero target, whilst acknowledging that staffing patterns at the hospital are complex, and on street parking around the hospital is a huge problem for residents and a car park will not necessarily prevent that without the right interventions. This is a real opportunity for CMBC and CRH to work in partnership to drastically reduce the levels of on street car parking that would enable a green corridor surrounding the hospital. This would be in line with Calderdale's Green and Healthy Streets policy that will enable walking, cycling, wheelchair use and improve air quality through high quality infrastructure.

Policy BE4 states that the layout of new development should address safety and security of people and property and reduce the opportunities for crime and sets out a number of criteria to be addressed.

RCUDP Policy BE5 seeks to ensure that new development provides for safe and efficient movement by pedestrians, vehicles and cyclists.

Policy BE6 seeks provision of safe pedestrian routes.

RCUDP Policy T1 Travel Plans states that Travel Plans will be required in connection with development proposals that fall within the thresholds.

RCUDP Policy T18 sets out maximum parking allowances for new development.

Paragraph 104 of the NPPF, requires transport issues to be considered from the earliest stages of development proposals, so that: the potential impacts of development on transport networks can be addressed; opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised; opportunities for walking, cycling and public

transport identified and pursued; environmental impacts of traffic and transport assessed and where necessary mitigated

Paragraph 110 of the NPPF establishes that development should be designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles. In accordance with this, a condition is proposed requiring the installation of a suitable facilities to permit the recharge of an electrical battery powered vehicles to be made available prior to the MSCP being brought into use.

Paragraph 112 of the NPPF states that applications for development should:

“a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”

The proposal comprises improved surface parking spaces and a multi- storey car park, which would provide parking for both staff and visitors including: Surface Car Parking Spaces: 19 Multi-Storey Parking Spaces: 788; which would represent a net gain of 623 spaces including Disabled Spaces: 46. In addition, the following would be provided; Motor Cycle Spaces: 29; Secured Long Stay Bicycle Spaces: 50; Short Stay Bicycle Spaces: 22

The MSCP would include electric vehicle charging bays with 5% initially and planned capacity for up to 20% of spaces to meet the required demand over the coming years. This equates to: Parking Spaces with Charging Points: 41 Parking Spaces Cable Enabled: 121

The West Yorkshire Combined Authority (WYCA) have been consulted and have provided the following comments

“The site is located within the recommended 400m from the nearest bus routes that operate on Huddersfield Road. Bus services which operate on Huddersfield Road include the 503 which operates between Halifax and Huddersfield at a 10-minute frequency, along with the 537 (Halifax to Huddersfield), the 539 (Halifax to Stainland) and the 562 (Halifax to Ripponden) all at a 60 minute frequency. The bus availability for the site is therefore considered to be acceptable. The size of the development is unlikely to change the bus route of frequency.

The closest bus stop on this corridor 22684 would benefit from an installation of a Real Time Information Battery Display at a cost of £10,000 to the developer.”

The applicant has accepted the need for the Real Time Information and this would be delivered by condition.

The Assistant Director – Strategic Infrastructure has been consulted and provided the following specific comments to this application

The information and clarifications provided by the applicant have been reviewed. Sufficient information has been provided to satisfy the Highway Authority, who raise no objections to the proposed development, there are no concerns on the traffic impact on the surrounding local road

network beyond the site access. Subject to conditions requiring the improvements to the Dryclough Lane access, Travel Plan, and Construction Management Plan and provision of real time bus information as requested by the WYCA.

With regard to the aspiration for a drastically reduced level of on-street car parking to enable a green corridor surrounding the hospital, most of the on-street parking surrounding the hospital is resident parking with limited areas of short term pay and display. The delivery of green streets is beyond the scope of the proposals being considered here, a condition to review parking arrangements in the area is not necessary to make the application acceptable and would be considered unreasonable however, initiatives are being explored through work being led by the Strategic Infrastructure team to reassess parking in streets surrounding the hospital. However, the provision of the MSCP would provide alternative parking provision and relieve on street demand.

The proposals are considered to be in accordance with Paragraph 104,110 and 112 of the NPPF and RCUD Policies BE5, BE6, T1 T18 subject to the recommended conditions.

Public Health and Ground Conditions

Paragraph 186 of the NPPF states that:

Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

The Site is located partially within Calderdale Air Quality Management Area (AQMA) No.1 Salterhebble, which was declared by Calderdale Council (CC) due to exceedances of the annual mean air quality objective (AQO) for nitrogen dioxide (NO₂). Air quality in the area is mainly influenced by road traffic emissions along the A629 Huddersfield Road and the local road network.

The construction and operational phases of the NCB have potential to impact on human health. An Air Quality Assessment has been submitted by the applicant and reviewed by an independent Air Quality Consultant. Additional information has been submitted to respond to queries raised.

The LPA are satisfied that the information provided is an accurate representation of likely air quality impacts in 2026 and 2031 which are predicted to be negligible impacts and the judgement of no significant impact.

During the construction phase impacts can be caused by on-road construction vehicles and the applicant has completed a qualitative assessment of these emissions. Although short term peaks in pollution are likely to occur, it is accepted that there will be a direct, temporary, short-term local effect which is not significant, to mitigate impacts it is recommended should planning permission be granted that a dust mitigation strategy is submitted to and approved prior to commencement of development and a Construction Traffic Management Plan.

During operation the MSCP will lead to an increase in traffic flows in the vicinity, however it is anticipated that the reconfiguration of the estate would result in an overall reduction in vehicle-kilometres driven in the wider Calderdale area. This is because the proposals will integrate some existing services at other hospital sites across the Trust into the CRH estate, reducing the need for staff trips between various hospital sites within the Trust, which is expected to lead to a net reduction in vehicle-kilometres after any increased patient trips. An Emissions Cost Calculation was therefore undertaken to assess the local emissions from the proposed development and to determine the 'emissions cost benefit' due to the proposed development.

Based on the results of the operational phase dispersion modelling, the proposed development is likely to have significant adverse effects on a small number of receptors in the vicinity of the CRH Estate and the AQMA during the first year of operation in 2026. By 2031, the significance of the effects are expected to be negligible, as electric vehicle use increases.

The impact on air quality is a material planning consideration, the applicant has demonstrated that based on the extent of predicted population exposure to the impacts on annual mean NO₂, PM₁₀ and PM_{2.5} concentrations and the guidance provided by the IAQM, the overall effect of the Proposed Development is not significant as to warrant refusal of the application. Mitigation and enhancement measures include promoting and actively encouraging use of public transport, walking, cycling and car sharing to all staff, patients and visitors through an active Travel Plan, significant provision for electric vehicle recharging, safe and secure cycle parking for staff and visitors.

The development is considered to accord with paragraph 186 of the NPPF subject to the recommended conditions covering Dust management Plan, Travel Plan and EV charging.

Flooding and Drainage

Sustainable Drainage Systems should be incorporated where appropriate in accordance with RCUDP Policy EP22. For major developments, paragraph 168 establishes that sustainable drainage systems should be incorporated "*unless there is clear evidence that this would be inappropriate*".

RCUDP Policies EP14 and EP20 establish that ground and surface water will be protected and development will not be permitted if it would increase the risk of flooding due to surface water run-off or obstruction. Applicants will need to demonstrate that adequate foul and surface water drainage infrastructure is available to serve the proposed development and that ground and surface water is not adversely affected.

The Environment Agency, Lead Local Flood Authority and Yorkshire Water have been consulted and raise no objections

A condition requiring the submission of drainage details for approval is proposed. Subject to this condition the proposal complies with Policies EP14, EP20 and EP22.

Crime

In considering the issue of crime, developments should incorporate the principles of 'Secured by Design' and should reflect both the safety of the people and security of the property. The West Yorkshire Police Architectural Liaison Officer (WYPALO) was consulted on the proposals following discussion and confirmation from the applicant detailing the proposed anti-suicide barrier, lighting/CCTV, Bollards and Glazing raises no objections.

It is considered that the development complies with Paragraph 130 of the NPPF and RCUDP Policies BE1 and BE4

The Planning Balance

It is acknowledged that the proposed MSCP would lead to a less than substantial harm to the significance of designated Heritage Assets and non-designated Heritage Assets. The accompanying ES concludes that the development of the MSCP would give rise to residual impacts on the heritage and townscape assets ranging from Moderate to Major Adverse.

The residual harm identified should therefore be balanced against the public benefits of the development in accordance with Paragraph 202 of the Framework.

The proposed development subject of this application and parallel outline planning for the NCB would provide clear public benefits, as the proposals would facilitate the estate-wide reconfiguration plans developed by CHFT to improve healthcare provision to deliver new clinical services and improved service delivery; increase parking provision for patients, visitors and staff in a safe environment; reduce inconvenience to local residents caused by on street parking; improvements to soft and hard landscaping across the estate to improve biodiversity and amenity.

Therefore, it is considered that the social, economic, and environmental benefits, resulting from the proposed MSCP to facilitate the bringing forward of the NCB would clearly and demonstrably outweigh the harm to the heritage assets and townscape. The MSCP would be a well-designed presence in the streetscene, contribute towards building a strong, vibrant, and health community, would make effective use of land and improve biodiversity across the wider CRH estate. The development is considered to accord with National and Local Planning Policy.

CONCLUSION

The proposal is considered to be acceptable subject to the conditions specified below. The recommendation to Permit has been made because the development is in accordance with the policies and proposals in the Replacement Calderdale Unitary Development Plan and National Planning Policy Framework set out in the 'Key Policy Context' section above.

Richard Seaman
For and on behalf of
Director of Regeneration and Strategy

Date: 16 March 2022

Further Information

Should you have any queries about this application report, please contact:-

Anita Seymour (Case Officer) on 07714 922699 or Richard Seaman (Lead Officer) on 01422 392241

Conditions

1. The development shall be carried out in complete accordance with the approved plans, unless the variation from approved plans is required by any other condition of this permission.
2. No site works shall take place until a scheme for construction dust mitigation has been submitted to, and has received the written approval of, the Local Planning Authority. The scheme shall be implemented only as approved and shall make provision for: -
 - a) A brief project description and likely sources of dust emissions identifying phases of the construction works.
 - b) Measures to be adopted to minimise dust emissions during the construction process.
 - c) Emergency measures to be adopted in the event of unforeseen circumstances during the construction phases.
 - d) Mechanism for review for each construction phase
 - e) A log of complaints from the public and a record of the measures taken to be kept and made available on request to the Local Planning Authority.
3. Notwithstanding the provisions of Part 4, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, before construction works commence, details shall be submitted for the written approval of the Local Planning Authority in respect of the provision of a contractor's compound and staff car parking area within that phase. Such details shall include the provision of protective fencing to the boundaries of the construction site. The details so approved shall thereafter be implemented in advance of construction works commencing in any phase and shall be retained for the duration of construction works in that phase unless otherwise agreed in writing by the Local Planning Authority
4. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall contain (but shall not be limited to) the following details:
 - o Temporary traffic control measures, if required working with nearby developers of adjacent development;
 - o Timing controls (e.g. limiting peak period vehicle movements);
 - o Temporary and permanent access arrangements for personnel/vehicles;
 - o Traffic management procedures for waste disposal vehicles;
 - o Personnel and vehicle segregation;
 - o Safety measures to protect the public/Public Rights of Way;
 - o Equipment, e.g. road cones, temporary fencing and signage;
 - o Provision to ensure that vehicles can be loaded and unloaded off the public highway where possible;
 - o Measures to encourage the site labour force to use sustainable modes of transport to travel to and from the Site;
 - o Housekeeping measures, e.g. HGV wheel washing prior to vehicles leaving the Site, use of road sweepers; and,Consultation and liaison process with neighbouring developments under construction, businesses, and other stakeholders
5. Notwithstanding any details shown on the permitted plans the development shall not begin until details of the proposed facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Before the development hereby permitted is first brought into use, the development shall be constructed in accordance with the details so approved and shall be so retained thereafter

6. Notwithstanding any details shown on the permitted plans the development shall not begin until details of the proposed surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Before the development hereby permitted is first brought into use, the development shall be constructed in accordance with the details so approved and shall be so retained thereafter.
7. Before development is first brought into use a lighting strategy to demonstrate adequate control of any glare and obtrusive light produced by artificial external lighting and to protect Biodiversity, complying with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" reference GN01: 2011 for environmental zone E3 (as amended) shall be submitted to and approved in writing by the Local Planning Authority

The Strategy shall:

- a) Identify those areas/features on site that are "particularly sensitive for commuting and foraging bats" - using an appropriately scaled map to show where these areas are
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb commuting and foraging bats
- c) The proposals to minimise or eliminate glare from the use of the lighting installation when viewed from windows of properties in the vicinity
- d) The proposals to minimise or eliminate glare from the use of the lighting installation when viewed from the highway

All external lighting shall be installed in accordance with the specifications and locations set out in the Strategy and shall be maintained thereafter in accordance with the Strategy. Under no circumstances should any additional external lighting be installed without prior consent from the LPA in the areas identified in the Strategy as "particularly sensitive for commuting and foraging bats".

8. No development shall take place until a Construction Environment Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones" (to include the retained woodland and trees and adjacent areas)
 - c) Practical measures to avoid or reduce impacts during construction.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features, including nesting birds.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Details of any ecological surveys that need to be conducted prior to commencement of construction activities.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed by the Local Planning Authority

9. Prior to the commencement of works to the structure above ground level a Biodiversity Enhancement & Management Plan (BEMP) shall be submitted to and approved in writing by the LPA. The Plan shall deliver a minimum of 4.03 Biodiversity Habitat Units and 0.29 Biodiversity Hedgerow Units and include details of the following:
 - a) Description and evaluation of features to be managed and enhanced
 - b) Specifications and locations for the installation of bat and bird boxes
 - c) Extent and location/area of proposed enhancement works on appropriate scale maps and plans
 - d) Ecological trends and constraints on site that might influence management
 - e) Aims and Objectives of management
 - f) Appropriate management Actions for achieving Aims and Objectives
 - g) An annual work programme (to cover an initial 5-year period)
 - h) Details of the specialist ecological management body or organisation responsible for implementation of the Plan
 - i) For each of the first 5 years of the Plan, a progress report sent to the LPA reporting on progress of the annual work programme and confirmation of required Actions for the next 12-month period
 - j) The Plan will be reviewed and updated every 5 years and implemented for perpetuityThe Plan shall include details of the legal and funding mechanisms by which the long-term implementation of the Plan will be secured by the developer with the specialist ecological management body or organisation responsible for its delivery. The Plan shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the Objectives of the originally approved Plan. The approved Plan will be implemented in accordance with the approved details
10. Should unexpected contamination be encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. A Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any remediation works which shall thereafter be carried out in accordance with the revised approved Statement.
11. Before development is first brought into use the Dryclough Lane access improvements shall be completed in accordance with approved drawing number 75965-CUR-00-XX-DR-TP-75001-P07 and thereafter retained
12. Before the development hereby approved is first brought into use Real Time Information Battery Displays shall be provided to bus stop number 22684
13. Notwithstanding any details shown on the permitted plans the development hereby permitted shall not be brought into use until a scheme of landscaping the site in general accordance with drawing number 624_100_REF F, which shall include details of all existing trees and hedges on the land and details of any to be retained, has been submitted to and approved in writing by the Local Planning Authority
14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development, and shall be so retained thereafter, unless any trees or plants within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased. These shall be replaced in the next planting season with others of similar size and species, (unless otherwise agreed in writing by the Local Planning Authority) and these replacements shall be so retained thereafter

15. The development shall not begin, nor shall any construction materials, plant or machinery be brought onto the site until protective fencing of a minimum 1 metre height has been erected in a continuous length at least 1 metre beyond the outer edge of the crown spread of the boundary trees and/or while taking into consideration site features in accordance with BS5837:2012 (As amended / superseded). This fencing shall be retained until the completion of the development and no materials, plant or equipment shall be stored, no bonfires shall be lit nor any building or excavation works of any kind shall take place within the protective fencing.
16. No drainage works shall begin until full details of the foul and/or surface water and /or sustainable systems of drainage if feasible and/or sub-soil drainage and external works for the development (taking into account flood risk on and off site and including details of any balancing works, off-site works, existing systems to be re-used, works on or near watercourses and diversions) have been submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented prior to the first operation of the development and retained thereafter
17. Prior to the development first being brought into use, a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the provisions of the Travel Plan shall be implemented on the first commencement of the use of the development and shall be so retained thereafter
18. Prior to the development first being brought into use the 40 Electric Vehicle Charging Point bays parking spaces and 118 cable enabled parking spaces shall be provided and available for use and thereafter retained in good working order
19. Prior to the first use of the development details that show how 'Park Mark safety standards' principles have been incorporated into the development shall be submitted for the written approval of the Local Planning Authority and once approved shall be implemented in accordance with the approved details prior to use the development hereby approved is first brought into use

Reasons

1. For the avoidance of doubt as to what is permitted and to ensure a more satisfactory development of the site and compliance with the policies of the Replacement Calderdale Unitary Development Plan.
2. In the interests of clarity, to protect the amenity of neighbouring occupiers having regard to RCUDP Policy EP1 and the National Planning Policy Framework
3. To ensure that adequate off-street parking is available during the construction period and in the interests of visual amenity.
4. In the interests of highway and pedestrian safety.
5. To ensure the use of appropriate materials in the interests of visual amenity and to ensure compliance with BE1 _ BE18 of the Replacement Calderdale Unitary Development Plan.
6. To ensure the use of appropriate materials in the interests of visual amenity and to ensure compliance with BE1 _ BE18 of the Replacement Calderdale Unitary Development Plan.

7. In the interests of the residential amenity and Biodiversity and in accordance with RCUDP Policies EP5 NE15 and NE16 of the Replacement Unitary Development Plan
 8. For the avoidance of doubt and in the interests of Biodiversity and to ensure compliance with Paragraph 179 b) of the 2021 NPPF and Policy NE17 of the Replacement Calderdale Unitary Development Plan.
 9. For the avoidance of doubt and in the interests of Biodiversity and to ensure compliance with Paragraph 179 b) of the 2021 NPPF and Policy NE17 of the Replacement Calderdale Unitary Development Plan
 10. To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with paragraphs 183 and 184 of the NPPF (2021).. and RUDCP Policy EP10
 11. To ensure that suitable access is available for the development and to ensure compliance with BE5 of the Replacement Calderdale Unitary Development Plan.
 12. To promote sustainable transport in accordance with Section 9 of the 2021 NPPF
 13. For the avoidance of doubt and in the interests of Biodiversity and to ensure compliance with Paragraph 179 b) of the 2021 NPPF and Policy NE17 of the Replacement Calderdale Unitary Development Plan
 14. In the interests of amenity and to help achieve a satisfactory standard of landscaping and to ensure compliance with BE3 of the Replacement Calderdale Unitary Development Plan.
 15. To protect the trees during the course of construction of the development in the interests of visual amenity and to ensure compliance with NE21; of the Replacement Calderdale Unitary Development Plan
 16. To ensure proper drainage of the site and to ensure compliance with EP14 _EP22 of the Replacement Calderdale Unitary Development Plan.
 17. In the interests of ensuring that travel patterns associated with the development are sustainable and in order to ensure compliance with policy T1 (Travel Plans) of the Replacement Calderdale Unitary Development Plan.
 18. In the interests of the sustainability of the development and to ensure compliance with para 112e of the NPPF
 19. In the interests of Crime Prevention and in accordance with policy BE4 of the Replacement Calderdale Unitary Development Plan
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Time Not Before: 1500 - 01

Application No: 21/00722/FUL

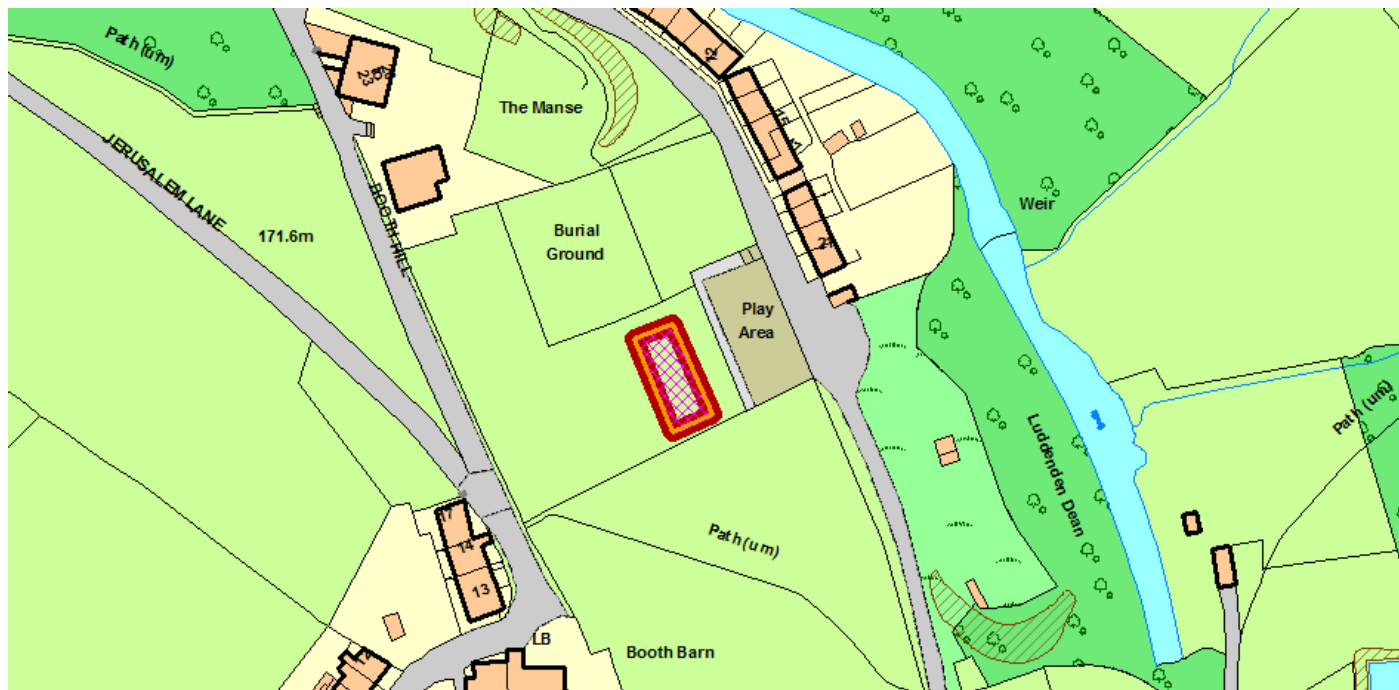
Ward: **Luddendenfoot**
Area Team: **North Team**

Proposal:

Build a poly-tunnel, construct a deer fence and level an area of ground for planting

Location:

Land North Of Dene Cottage Dean House Lane Luddenden Sowerby Bridge Calderdale



Applicant:

The Medini Project (CIC)

Recommendation: **PERMIT**

Parish Council Representations:	N/A
Representations:	Yes
Departure from Development Plan:	No

Consultations:

Countryside Services (E)
Environmental Health Services - Pollution Section (E)
Highways Section

Description of Site and Proposal

The proposal site is located on land between Dean House Lane and Goit Side. The land slopes steeply away from Dean House Lane to the east. The application site extends to just beyond Dene Cottage to the south of the site and adjacent the playground to the north of the site. The site is located in the settlement of Booth where there are a scattering of predominantly terraced properties lining the road with a handful of detached and semi-detached dwellings.

The proposal is to Build a poly-tunnel, construct a deer fence and level an area of ground for planting.

The applicant has stated their plan is to develop a medicinal and edible forest garden so that everything they plant will produce natural herbal remedies, such as herbs, nuts, berries and vegetables. Further information on the layout of the development is set out below under the 'Principle of Development'.

Relevant Planning History

Not applicable

Key Policy Context:

Replacement Calderdale Unitary Development Plan Designation	Green Belt Special Landscape Area Wildlife Corridor
Replacement Calderdale Unitary Development Plan policies	GNE1 Containment of the Urban Area NE12 Development Within the Special Landscape Area NE15 Development in Wildlife Corridors NE17 Biodiversity Enhancement BE1 General Design Criteria BE2 Privacy, Daylighting and Amenity Space BE3 Landscaping BE5 Design and Layout of Highways and Accesses EP8 Other Incompatible Uses EP11 Development on Potentially Unstable Land EP12 Protection of Water Resources EP14 Protection of Groundwater EP 20 Protection from Flood Risk EP22 Sustainable Drainage Systems
National Planning Policy Framework Paragraphs	12. Achieving well-designed places 13. Protecting Green Belt Land 15. Conserving and enhancing the natural environment
Other relevant planning Constraints	Low risk of historic mining
Other Material Planning Considerations	Climate Emergency Declaration (Jan 2019) Emerging Local Plan

Publicity/ Representations:

The application was publicised by site notice and 31 neighbour notification letters.

Sixteen letters of objection and sixteen letters of support including one from the applicant along with one letter of representation have been received.

Summary of Point Raised

Objections

- Do not directly object to the project as a whole so long as tall trees are not planted that affect the skyline viewed from Goit Side.
- Lack of clarity on the potential long-term plans for this overall development, particularly for the area to be flattened and any potential ideas for areas that might be designated for sale of produce.
- Potential for increased traffic along a single lane road where parking and traffic is already an issue.
- Potential impact on water drainage that may affect the goit
- Potential impact on drainage of the field and the spring water used by households
- Will the flattened area require a retaining wall to hold back the slope behind it?
- Is the deer fence really necessary and, if so, does it need to be that high? Concerns about the visual impact of a 2.3m fence. (Section of deer fence now removed near properties which is welcomed although other concerns still remain).
- Lack of clarity on the potential long-term plans for this overall development, particularly for the area to be flattened.
- Interested in maintenance of fencing
- More consultation required
- Some trees have already been planted
- Concerned over visual amenity
- Polytunnel constructed and is an eyesore
- Some supporters are not local
- The proposer's web site mentions buildings and events. Events will undoubtedly attract car borne visitors / customers irrespective of the intention to be predominantly a local supplier.
- A commercial grower will generate vehicular traffic from both suppliers and customers.
- Any changes to the slope's profile will affect the loading regime and thus the stability of the hill.
- Nothing mentioned about the footpath that runs through the site
- They are cultivating a healthy green space that not only enhances the quality of the environment but also the quality of living for those around it.
- Loss of privacy due to polytunnel
- Concerns over height and visual amenity of the deer fence
- No detail re the levelled area and its use (Detail has now been provided)
- Impact on road
- Loss of light and views by trees

Support

- They are totally committed to the local community and to sustainable living.
- They have a deep interest in sustainable food production and knowledge of horticulture.
- A fence will need erecting, or the deer will eat all the produce and damage the work that has been carried out. No animal is hurt by the fences.
- Proposed plans will only enhance the beauty and bring further life back to the land.
- The proposed changes will increase biodiversity by increasing various species which will promote a healthier local eco-system
- More varied vegetation will also decrease flash flooding in the area. All the changes are hugely beneficial, and I support them 100%.
- It will contribute to a community permaculture project and support biodiversity in the area.
- Applicants are using permaculture ethics and principles to guide their project. Part of this is using natural resources and making no waste; crops will be grown in a manner that requires minimal watering, and rainwater will be harvested and used when possible. There are no plans to plant trees that would interfere with the water course.
- The trees and proposed planting would help stabilise the land on this steep slope.
- Planting will be carried out in a manner sympathetic to views and public access via footpaths.
- Comments responding to objections and concerns received from applicant and detailed more under relevant sections below.

Representation

- Broadly supportive but lacking in detail and clarity

Ward Councillor Comments

Councillor Scott Patient has made the following comments:

Myself and colleagues have spent time visiting the site and talking with the applicants about their plans for the site at length.

Their plans for the site are very community minded in nature, and their project will have positive impacts that reach well into the future.

The beauty and biodiversity of the area is important to them and maintaining and hopefully increasing the variety of species of flora and fauna is high on their list of priorities. This site has been fallow for some time and their sympathetic yet bold plans for this difficult site will add to the beauty of the landscape, whilst maintaining access via the footway.

As mentioned, the deer population of the area has increased over the years, and unfortunately current numbers do mean that if crops, young trees and shrubs are to survive fencing is needed. The plans make clear to state that the deer fence is not a permanent structure. As the site and hedgerows mature, the need for the fencing will no longer be there so removal can proceed.

The polytunnel provides essential shelter to enable an extension to the growing season, especially important as our seasonal and weather patterns are changing, the siting and hardstanding will have no erroneous effects for neighbouring properties

I assured through the planning application and external advice that the impact on the spring/stream that flows through the site will be minimal. They will not be using any chemicals or spreading manure across the site, so contamination risk is unlikely. Michael and Kate are using Permaculture ethics and principles to guide their project. Part of this is using natural resources and making no waste; crops will be grown in a manner that requires minimal watering, and rainwater will be harvested and used when possible. There are no plans to plant trees that would interfere with the water course.

The trees and proposed planting would help stabilise the land on this steep slope, whilst slowing the flow of water, vital for a valley like ours prone to flooding. I feel this application will be a positive addition the Upper Valley especially where wildlife, ecology and educational purposes are concerned. I believe the applicant will take on all comments and try to accommodate all issues raised where possible and practicable.

Given those comments and feedback I support this application.

Parish/Town Council Comments

The development is located outside the boundaries of a Parish council.

Assessment of Proposal

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework July 2021 (NPPF) complements this requirement and sets out the Government's planning policies for England and how these are to be applied, alongside other national planning policies. The NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the NPPF policies, the greater the weight they may be given.

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 of the NPPF establishes that for decision taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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; *(for example...Green Belt)* 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.

The framework indicates that development should be restricted in the Green Belt if there is a clear reason for refusal and if so the presumption in favour of development does not apply.

According to the NPPF, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The NPPF goes on to establish that the purposes of the Green Belt are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

In relation to inappropriate development, the NPPF states that:

“147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.’

The NPPF states in paragraph 149

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are (amongst other things):

- buildings for agriculture and forestry

Paragraph 150 states that:

Certain other forms of development are also not appropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are (amongst other things)

- engineering operations

The applicant proposes develop a medicinal and edible forest garden which is also known as agroforestry. They have decided to focus on planting for natural herbal remedies, such as herbs, edible fruits nuts, berries, or vegetables.

The applicant has explained that there are potentially 7 layers to a forest garden, which begins with tall canopy trees but from feedback they have received they have decided not to plant any tall canopy trees. The next layer is low canopy tree. This layer includes such trees as apple, elder, hawthorn etc, with the applicant advising that the last two being powerful herbs.

The next two layers down are shrubs and bushes. These would mostly be fruit producing bushes, which are commonly found in most people’s gardens eg gooseberries, currents, blueberries. There are also likely to be some plants here of a herbal type but these have not been fully decided on at this stage.

Following the shrub and bush layer is an herbaceous layer, which is followed by ground cover layer. The applicant has advised that they do not want to plant anything which will have a detrimental impact on the land. The planting of trees is considered to help in flood management and the applicant is looking at grants for the natural flood management scheme.

It is acknowledged that the visual impact of the site will change but it is not considered that the visual impact would be significantly detrimental to the Green Belt.

The proposal is for an agricultural/horticultural use which is an acceptable use in the Green Belt.

The main concerns in terms of visual amenity are regarding the deer fence, the poly tunnel and the levelling of the area above the playground.

In order to overcome some of the concerns regarding the deer fence, the applicant has reduced the amount of fencing removing that from the land adjacent to properties 13-17 Booth Hill. A native hedge has already been planted which in time will act as the deer fence solution but in the meantime the fence identified on the plan is required to protect the propose planting. The fence would be 2.3m in height with tanalised posts spaced 5m apart. The fencing consists of mesh stock fence at lower level with single wire above. The use of mesh and wire means that the views across the land can still be enjoyed. The use of stock fencing is typical of agricultural fencing in Calderdale and although higher than traditional stock fencing it is considered to have limited impact on the visual amenity of the area due to its open nature.

Regarding the area to be levelled off, the 2.5 acres of land is quite steep, and there is a need for the applicant to stand up straight and carry out normal gardening activities. This area would be used for growing the trees and plants which will then go on to be planted as part of the forest garden. The land would just be used for gardening activities and this area is where the land is not as steep and which is also close to the gate, where bags of compost etc. can be brought in.

This area has been designed to keep visual impact at a minimum. The ground would be lowered at the top end by 1 metre and raised at the bottom end by 1 metre. If recommended for approval a condition would be included for a structural report to be carried out by a qualified engineer which would include details of any retaining structures necessary and the materials to be used. The applicant has indicated they would be instructing someone who works with 'Slow the Flow' to advise on Natural Flood Management as well as the design for the levelling works and retaining structures. Details of the treatment of the retaining structures would also be included in the condition. The applicant has advised the finish would either be grass banks or natural stone.

The flat surface would be finished with a ground cover mesh, with a dwarf Rye grass and Clover mix and which becomes invisible once the grass has grown through. As there would be no vehicular access to the site this type of mesh is considered to be substantial enough.

The proposed poly tunnel is again an acceptable development on agricultural land and in the Green Belt. This would be located to the south of the site and would measure at the widest points 6.2m x 4m and have a height of 2.2m. The frame would be covered in plastic and include a timber door and window. The scale of the polytunnel is not considered to impact on views or loss of light and is typical of a polytunnel used for the benefit of growing plants etc in a rural location.

In terms of the polytunnel as an appropriate use in the Green Belt the openness does not require assessment.

Regarding the engineering operations openness is a consideration and is set out below.

Openness

The area of land to be levelled off would be situated above the playground where there is already planting which would help with screening of the development. A section of the land has been provided on a plan which identifies the levelled area would be set back approximately 8m from the playground where there would be a built up 1m bank with planting above. The levelled area would

then extend a further 10m before a further 1m high retaining banking would be constructed. As set out above a condition would be included for a structural report to be carried out and retaining structure details submitted. The use of natural stone and grass banking at the height proposed is not considered to have a significant impact on the openness of the Green Belt. Proposed planting and the use of mesh would also soften any impact the levelled area would have.

Other Harm

In terms of landscaping the planting of locally native species will be conditioned where possible if approved. Although there have been concerns raised regarding a car park and additional traffic, the Assistant Director – Strategic Infrastructure (Highways) has been consulted and has raised no objection. The applicant has ruled out the provision of a car park at the site and has provided details of where any workshops or events if carried out would take place, therefore ruling out the additional traffic that residents are concerned about.

Concerns have been raised about the spring on site, but Environmental Health have visited the site and have raised no objection. The applicant will provide a fence around the spring to protect it. In terms of drainage there would be no foul waste on site and a soakaway would be used for any water that cannot be collected and re-used on site. Advice has also been taken regarding planting from 'Slow the Flow' which would help reduce flooding.

Concerns regarding the running of workshops/events the applicant has advised that they have organised foraging walks in Wade Wood, in conjunction with Jerusalem Farm, who permitted the use of their car park and facilities. On another workshop, participants were asked to park and meet at the Luddenden Village car park. As a local resident the applicant is aware of how problematic the parking situation is in the area. Any workshops that are organised that would require facilities would be held in local community centres.

Given the above, the principle of the development is acceptable, and the proposal would satisfy RCIDP policy GNE1 and the criteria set out in Section 13 of the NPPF.

Visual Amenity, Layout, Design and Materials

Paragraph 11.34 of the RCUDP states: "... *The most important landscapes of the District need to be safeguarded and have therefore been designated as a Special Landscape Area ...*" The site lies within such an area where RCUDP policy NE12 applies. This policy discusses development within the Special Landscape Area and establishes that development which would adversely affect landscape quality will not be permitted.

This policy does not specifically set out the 'cost/benefit' of development as runs through the NPPF and cannot be considered fully consistent with the NPPF. However it is clear that the policy reflects the main principles of sustainable development by seeking new development that enhances visual quality and minimises the environmental impact in such areas. NPPF Section 15 Conserving and enhancing the natural environment states in paragraph 174:

The planning system should contribute to and enhance the natural and local environment by (amongst other things):

- *Protecting and enhancing valued landscapes ...*

Policy BE1 of the RCUDP aims to ensure that development proposals make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design. Development proposals are expected to respect or enhance the established character and appearance of the existing buildings and their surroundings in terms of

layout, scale, height, density, form, massing, siting, design, materials, boundary treatment, landscaping and to consider energy efficiency and security issues.

Section 12 of the NPPF Achieving well-designed places paragraph 126 states that:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities,”

Full details of the design and materials of the poly-tunnel and levelled area have been set out above. Conditions regarding land stability and proposed retaining structures would be conditioned if approved. The applicant has provided details of the deer fencing and given the nature of this type of fencing light and views could still be seen through the site. The limited amount of excavation required at the site means that any retaining structures would not have a significant impact on the open countryside and Special Landscape Area. Consideration to boundary treatments/ planting and the use of suitable materials would soften any engineering operations required, details of which can be conditioned.

The small poly-tunnel would have limited impact on the visual amenity given its scale and proposed materials.

The development would provide biodiversity enhancement with the proposed planting whilst helping to slow the flow of water. The visual appearance of the site would change but on balance given the benefits to the environment the proposal is considered to satisfy RCUDP policies BE1, NE12 and section 12 and paragraph 174 of section 15 of the NPPF.

Residential Amenity

RCUDP policy BE2 establishes that development should not significantly affect the privacy, daylighting or amenity space of existing and prospective residents and other occupants. Annex A sets out guidelines to help assess whether such impacts arise.

RCUDP policy EP8 establishes that where development proposals could lead to the juxtaposition of incompatible land-uses, they will be only permitted if they do not lead to an unacceptable loss of amenity caused by odour, noise or other problems. Where development is permitted, appropriate planning conditions and/or obligations will be added as necessary to provide landscaping, screening, bunding, physical separation distances or other mitigation measures.

Concerns have been raised regarding potential loss of privacy and light from the construction of the polytunnel. Given the scale of the polytunnel, the materials and the distance being over 45m away from the nearest property there would be no loss of privacy or light in terms of the polytunnel. The loss of a view has also been identified as a concern; however this is not considered to be a planning consideration in terms of a view from a dwelling.

Given the above the proposal is considered to satisfy RCUDP policies BE2 and EP8.

Highway and Movement

RCUDP policy BE5 seeks to secure highways and accesses whose design and layout ensure the safe and free flow of traffic in the interests of highway safety and to provide an attractive environment.

The Assistant Director – Strategic Infrastructure (Highways) has been consulted and has commented:

“There are no highway objections to this application as submitted which is unlikely to have any negative effect upon vehicle/pedestrian movement or parking within the curtilage or the highway network in general.”

Concerns have been raised regarding additional traffic and a potential car park at the site due to visitors to the development. The applicant has stated that there would be no car park and the proposal would not be a retail outlet where visitors come to purchase plants. Any workshops that are organised that would require facilities would be held in local community centres. The applicant would only need the use of their own vehicle at the site and they are aware of the highway and problems with parking as they live in the locality.

The footpath that runs through the site would remain open for public use.

Given the above the proposal would satisfy RCUDP policy BE5.

Private Water Supply, Flooding and Drainage

Policy EP12 discusses the protection of water resources.

Policy EP14 establishes that that ground and surface water will be protected. Development will not be permitted if the drainage from it poses an unacceptable risk to the quality or use of surface or ground water resources.

Policy EP20 establishes that development will not be permitted if it would increase the risk of flooding due to surface water run-off or obstruction, unless agreements are in place which allow the carrying out and completion of necessary works before the development is brought into use.

Policy EP22 established that where possible and appropriate, development proposals shall incorporate Sustainable Drainage Systems. Where this is not appropriate and possible, an acceptable alternative must be incorporated.

The drainage of the site is currently via soakaway. There are no hard surfaces proposed and as such there would be no increase in surface water run-off apart from the limited run off from the polytunnel which would be very minor. Furthermore, the proposed planting would help with drainage of the site and the applicant is taking advice from members of ‘Slow the Flow’ which would also help with the drainage of the site.

Concerns have been raised regarding the spring on the site. The Assistant Director Neighbourhoods (Environmental Health) have been consulted about the spring on the site and have no objection to the proposed development subject to a condition protecting the private water supply.

The applicant lives close by so there are no need for toilet facilities at the site.

Subject to the above condition the proposal is considered to satisfy RCUDP policies EP14, EP20 and EP22.

Ground conditions

RCUDP policy EP11 discusses development on potentially unstable land.

The site falls on land with low risk of historic mining and as such an informative will be included if approved.

The applicant is liaising with a civil engineer to provide a structural report regarding the land stability of the levelled area. Full details will be included as a condition of the retaining structures to be put in place.

Subject to condition the proposal would satisfy RCUDP policy EP11.

Furthermore, paragraph 184 of the NPPF advises that:

“Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”

Wildlife Conservation, Trees and Landscape

The site falls on land in a Wildlife Corridor and therefore RCUDP policy NE15 is also relevant as it discusses development in wildlife corridors. RCUDP policy NE17 discusses biodiversity enhancement along with Section 15 of the NPPF.

The Council's Wildlife and Biodiversity Officer has been consulted and made the following comments:

I am satisfied that the proposed deer fencing will not have a significant impact on deer, given that there appears to be alternative suitable habitat nearby. I would expect further details, including species numbers and types, of the proposed planting to be submitted. I would expect locally native species to be used.

As identified above a condition regarding the proposed landscaping would be included, however, as the applicant can plant trees and hedges without planning permission the condition would include the requirement of locally native species where possible. The applicant proposes to use the level area for growing trees and shrubs. This is the flattest piece of ground on the site and the only area suitable for a nursery.

The plants that are grown on here would be for the applicant's personal use, to plant as part of the forest garden.

This site would not be a retail outlet, where customers arrive to browse and buy plants.

Subject to condition it is considered that the proposal would satisfy RCUDP policies NE15 and NE17 and Section 15 of the NPPF.

The Planning Balance

The development is located within the Green belt where certain criteria apply. The main part of the development is for planting of trees, shrubs and bushes along with a small poly-tunnel which are all agricultural uses, and which is an appropriate development in the Green Belt. A levelled area is proposed with some engineering works required subject to condition this would also be an appropriate development in the Green Belt. The deer fence would be of a post a rail design and the nature of the fencing would be that views throughout the site would still remain and so there would be limited harm to the visual amenity of the site from the fencing. Most planting would not require permission but a condition for native planting would be included where possible. The spring on the site would be protected and access via the path through the site would still remain.

The proposal to develop a medicinal and edible forest garden would enhance biodiversity and the proposed planting would help stabilise the land on this steep slope, whilst slowing the flow of water. There are no highway or wildlife concerns and subject to conditions relating to land stability, landscaping and the protection of the private water supply, the proposal would be an acceptable development in the Green belt whilst having limited harm on the openness and Special Landscape Area.

CONCLUSION

The proposal is considered to be acceptable subject to the conditions. The recommendation to grant planning permission has been made because the development is in accordance with the policies and proposals in the Replacement Calderdale Unitary Development Plan and National Planning Policy Framework set out in the 'Key Policy Context' section above and there are no material considerations to outweigh the presumption in favour of such development.

Richard Seaman
For and on behalf of
Director of Regeneration and Strategy

Date: 9th March 2022

Further Information

Should you have any queries in respect of this application report, please contact in the first instance:-

Gillian Boulton (Case Officer) on 07872100530

Conditions

1. The development shall be carried out in accordance with the schedule of approved plans listed above in this decision notice, unless variation of the plans is required by any other condition of this permission.
2. Prior to the levelling works commencing, a land stability report shall be undertaken by a suitably qualified person and submitted to and approved in writing by the Local Planning Authority which shall include full details of levels and any retaining structures required on site including height, and materials. The development shall be carried out in accordance with the details so approved and shall be so retained thereafter.
3. Prior to any new planting being carried out, the development shall be planted using locally native species wherever possible and so retained thereafter unless any trees or plants within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased. These shall be replaced in the next planting season with others of similar size and species, (unless otherwise agreed in writing by the Local Planning Authority) and these replacements shall be so retained thereafter.
4. Prior to any landscaping or development being carried out adjacent to the spring, the spring shall be enclosed and protected as identified on the approved site plan and shall be so retained thereafter.

Reasons

1. For the avoidance of doubt as to what benefits from planning permission and to ensure compliance with the Development Plan and National Planning Policy Framework.
 2. For the avoidance of doubt and to ensure compliance with policy EP11 of the Replacement Calderdale Unitary Development Plan.
 3. In the interests of biodiversity and to ensure compliance with policies BE3 and NE17 of the Replacement Calderdale Unitary Development Plan.
 4. In order to protect the private water supply and to ensure compliance with policy EP12 of the Replacement Calderdale Unitary Development Plan.
-

Time Not Before: 1500 - 02

Application No: **20/00157/OUT**

Ward: **Skircoat**

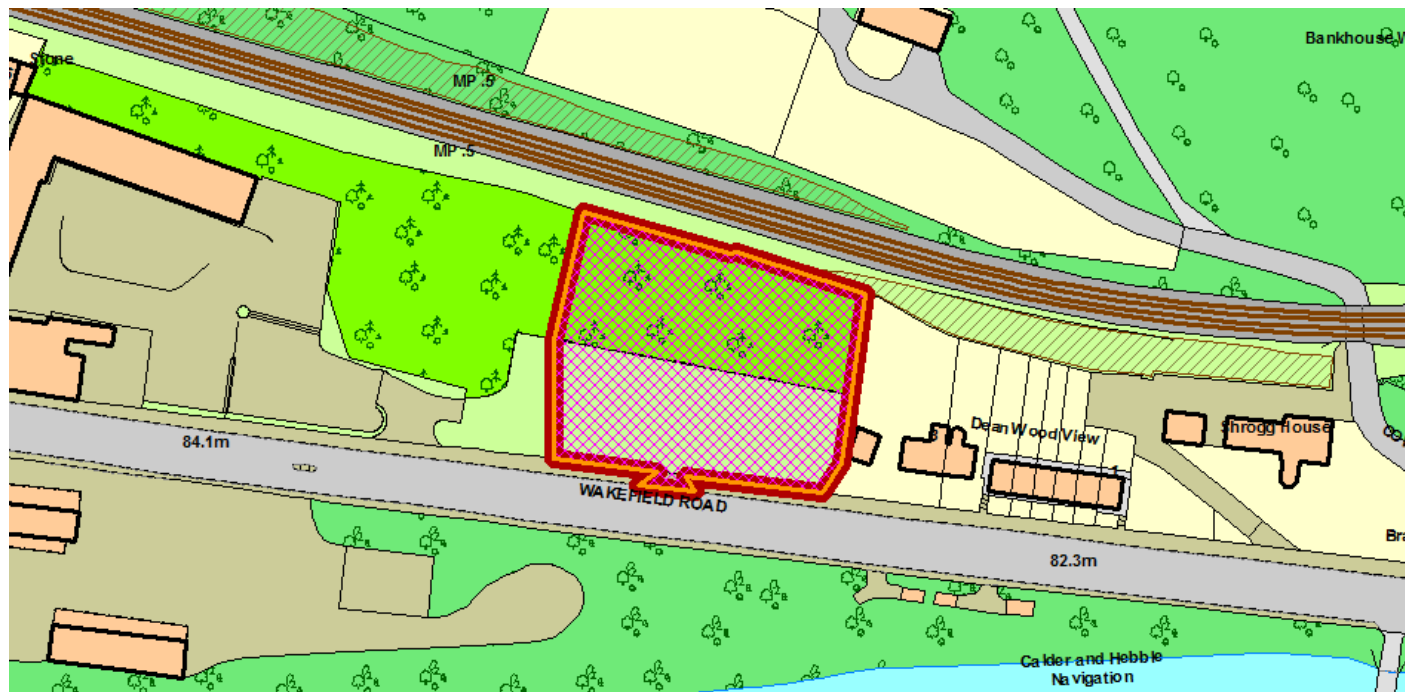
Area Team: **South Team**

Proposal:

Residential Development of ten dwellings (Outline)

Location:

Land West Of Dean Wood View Wakefield Road Copley Halifax Calderdale



Applicant:

Mr R Baldwin

Recommendation: **REFUSE**

Parish Council Representations:

N/A

Representations:

Yes

Departure from Development Plan:

No

Consultations:

Yorkshire Wildlife Trust

Countryside Services (E)

Yorkshire Wildlife Trust

Countryside Services (E)

West Yorkshire Combined Authority

Education Services

Community Engagement

Housing Services
Lead Local Flood Authority
West Yorkshire Police ALO
Highways Section
Environmental Health Services - Pollution Section (E)
Tree Officer
Yorkshire Water Services Ltd
Canal & River Trust
Countryside Services (E)

Description of Site and Proposal

The proposal relates to the construction of 10 dwellings with associated access. The proposal is in outline with Access and Layout being considered at this stage. Appearance, landscaping and scale are reserved for consideration at a later date. The proposal consists of 5 pairs of semi-detached dwellings with gardens to the rear and parking spaces to the front. The proposal includes two parking spaces per dwelling with an additional 10 spaces provided alongside the main highway access.

The application is accompanied by the following supporting documents:

- Design and Access Statement
- Phase I Desk Top Study
- Preliminary Ecological Appraisal Report
- Air Quality Assessment
- Noise Assessment
- Revised Ecological Impact Assessment
- Addendum to Noise Assessment
- Biodiversity Calculation
- Surface Water Drainage Assessment
- Arboricultural Report
- Planning Statement

Relevant Planning History

84/02754/OUT: Residential Development. Refused 5th February 1985

88/00449/OUT: Residential Development. Refused 2nd June 1988

92/00703/OUT: Industrial Development. Refused 19th May 1992

Key Policy Context:

Replacement Calderdale Unitary Development Plan Designation/Allocation	Green Belt Wildlife Corridor
Replacement Calderdale Unitary Development Plan policies	GP2 Location of Development GNE1 Containment of the Urban Area H9 Non-Allocated Sites H10 Density of Housing Developments BE1 General Design Criteria BE2 Privacy, Daylighting and Amenity Space BE4 Safety and Security Considerations BE5 The Design and Layout of Highways and Accesses T18 Maximum Parking Allowances NE7 Development Within Named Village Envelopes in the Green Belt NE15 Development in Wildlife Corridors NE16 Protection of Protected Species NE17 Biodiversity Enhancement NE20 Tree Preservation Orders NE21 Trees and Development Sites EP20 Protection from Flood Risk EP22 Sustainable Drainage Systems
National Planning Policy Framework Paragraphs/ National Design Guide	2 Achieving Sustainable Development 5 Delivering a Sufficient Supply of Homes 8 Promoting Healthy and Safe Communities 11 Making Effective Use of Land 12 Achieving Well Designed Places 13 Protecting Green Belt Land 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change 15 Conserving and Enhancing the Natural Environment
Other Relevant Planning Constraints	Bat Alert Zone
Other Material Planning Considerations	Calderdale Climate Emergency Declaration Emerging Local Plan

Publicity/ Representations:

The application was publicised with site and press notices because it is a departure from the Development Plan. In addition, 13 neighbour notification letters were sent.

No letters of objection and 4 letters of support were received.

Summary of points raised:**Support**

- The existing site is an eyesore
- It is located between two developments already
- It will have no impact on parking

- Houses are needed
- It would improve the aesthetics of the area
- The 30mph zone should be extended

Ward Councillor Comments

Councillor Mike Barnes requests that the application is referred to Planning Committee, if the recommendation is to refuse, and makes the following comments:

- “The proposal would address housing shortages and would provide net biodiversity gains. Could we either push for a positive decision or refer the matter to Planning Committee for further consideration in addressing the need for additional housing stock in the area”.

Parish/Town Council Comments

The development is not located within a parished area.

Summary of Determining Issues

- Principle of Development, Housing Issues and Impact on Green Belt
- Impact on Residential Amenity
- Layout
- Highways and Movement
- Air Quality
- Flood Risk and Drainage
- Ground Conditions
- Protected Species and Biodiversity
- Protected Trees
- Planning Obligations

Assessment of Proposal

Principle of Development, Housing Issues and Impact on Green Belt

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Local Planning Authorities are encouraged to approach decisions on proposed development in a positive and creative way.

The application site is unallocated in the Replacement Calderdale Unitary Development Plan but is designated as Green Belt land. The site is a greenfield site which does not appear to have previously been developed.

The National Planning Policy Framework (NPPF) and the accompanying Planning Practice Guidance (PPG) require Councils to maintain a rolling 5-year supply of deliverable land for housing. Currently Calderdale has a 2 year housing land supply. Calderdale has also failed the government's 'Housing Delivery Test', triggering the application of the NPPF 'tilted balance' towards approval, unless specific national policies of restriction give a clear reason for refusal.

Paragraph 11(d) of the Framework 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, [LPAs should] grant[ing] permission 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.

Green Belt Policy NE1 of the RCUDP was not saved and has therefore been deleted. The emerging local plan is afforded some limited weight and contains Policy GB1 which is consistent with the NPPF but it could therefore be argued that the LPA does not have an up to date policy relating to development in the Green Belt. However it is explicitly stated in Paragraph 11 of the Framework above that the presumption in favour of sustainable development will not apply where there are policies in the Framework that protect areas or assets of particular importance.

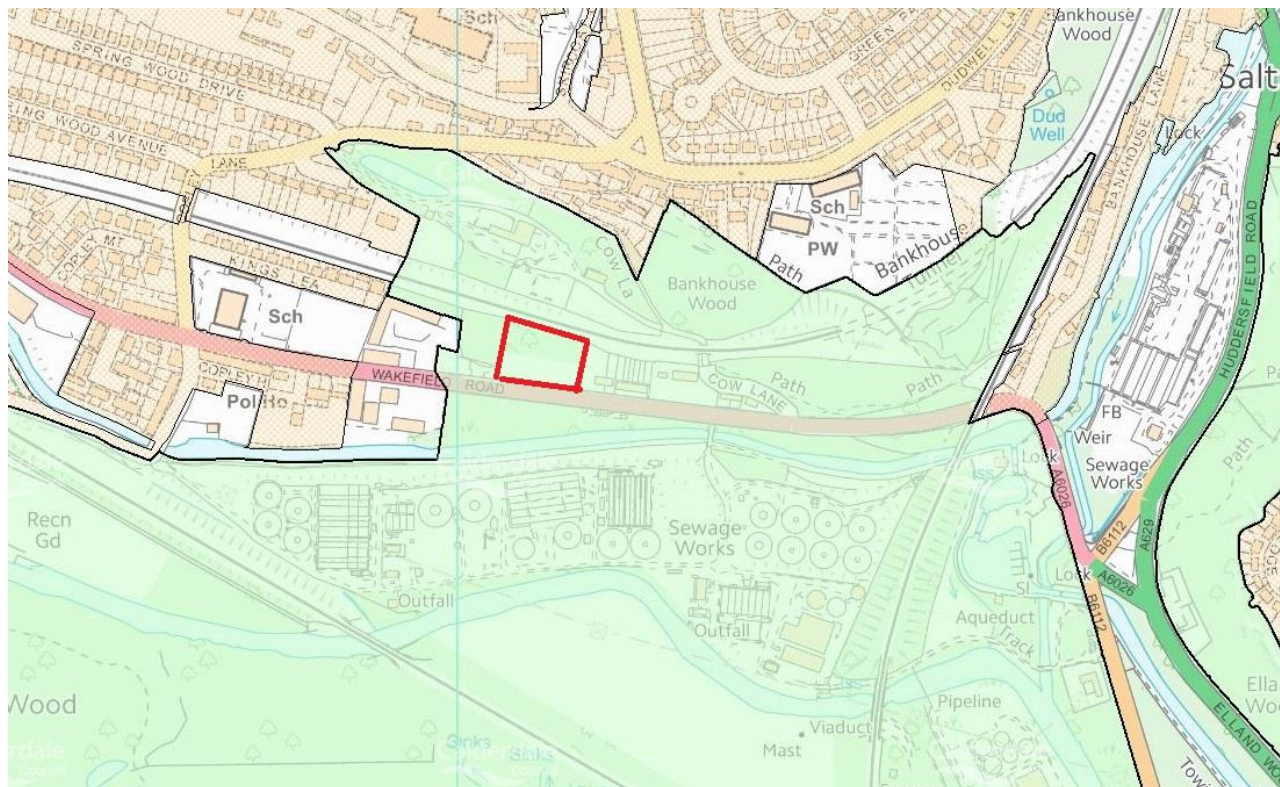
The application is in outline and is for 10 dwellings. The application has been submitted on the basis that the proposal meets the criteria at Para 149(e) of the NPPF which relates to “limited infilling in villages”. The application states that “the site is clearly within an existing settlement”. This will be addressed below.

The applicant has referred to two cases in the submitted planning statement - an appeal which was allowed for the construction of 8 dwellings in the Green Belt in Guildford in 2016, and a judgement of the Court of Appeal which includes discussion on the meaning of ‘inappropriate development’, also in 2016.

Taking first the Court of Appeal ruling in the case of Lee Valley Regional Park Authority vs Epping Forest DC. The judge found that development listed as exceptions to inappropriate development (now) listed under paragraph 149 of the NPPF were therefore appropriate development in the Green Belt, the most relevant to this case being paragraph 149(e) (limited infilling in villages).

Regarding the Guildford appeal, that site was within a settlement ‘washed over’ by the Green Belt and was considered as appropriate infill development in that location. The original application was not refused on Green Belt grounds and the inspector allowed the appeal on other grounds. It is also notable that the local plan adopted in Guildford in 2019 has removed that site from the Green Belt.

Returning to the proposal under consideration, the nearby area of Copley is not in the Green Belt in either the RCUDP or the draft Local Plan and is therefore not listed as a Named Village Envelope in the Green Belt in RCUDP policy NE7. In fact Copley is better understood as being part of the main built-up area of Halifax and is not a defined settlement in its own right. It instead forms part of a contiguous built form which extends north to Skircoat Green and includes the whole town. The application site is within the Green Belt on the adopted RCUDP and has been retained as such in the draft Local Plan. It can be seen on the following image from the RCUDP that the application site forms part of the Green Belt which seeks to prevent urban sprawl between Halifax and the settlements of Greetland and Elland to the south.



As can be also seen from this image, the application site is surrounded on all sides by Green Belt.

It is therefore considered that the proposed development does not meet the exception at paragraph 149(e) of the Framework (that the proposal is a “limited infill in a village” in the Green Belt), as the “village” itself is not in the Green Belt. The proposal is therefore an encroachment of built form into the Green Belt and is by definition inappropriate development in the Green Belt which would cause harm to its openness and conflict with the purposes of including land within it.

The application site has previously been examined in the preparation of the emerging Local Plan and was rejected as a potential housing site (Site Ref LP1569). The summary of the site assessment is as follows:

This is a gently sloping greenfield site. It(sic) site is detached from the urban area and would therefore not form a logical settlement boundary if developed. Development of the site would harm the rural character of the area and fail to support the key principles of sustainable development. West Yorkshire Ecology have also raised concerns regarding the lowland mixed deciduous woodland on half of this site. The site will not be taken forward as a site allocation.

Taking all the above into consideration, and notwithstanding the fact that the proposal would contribute to the housing supply for the district, the development is contrary to policy GNE1 of the Replacement Calderdale Unitary Development Plan and paragraphs 147 and 148 of the National Planning Policy Framework and is therefore unacceptable in principle.

Residential Amenity

Policy BE2 establishes that development should not significantly affect the privacy, daylighting or amenity space of existing and prospective residents and other occupants. Annex A of RCUDP sets out guidelines to help assess whether such impacts arise. There is a short row of residential dwellings to the east of the site, the nearest of which is No 8 Dean Wood View. The proposed dwellings are laid out in a linear format and Plot 10 would be the nearest to No 8. Given the comfortable separation distance and the large plot to the side of No 8 the proposal is not

considered likely to result in overshadowing or a loss of outlook for that dwelling nor is it likely to increase overlooking, however this would be assessed in full at reserved matters stage.

Layout

RCUDP Policy BE1 and National Design Guidance call for development to make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design. The linear layout of the proposal is considered to be in keeping with the existing dwellings to the east and the prevailing housing styles further along the A6026 to the west. Although the submitted drawings show elevations of 3 storey dwellings, scale and appearance have been reserved for later consideration therefore these elevations are considered to be indicative only.

Highways and Movement

The Highway Authority had no objection to the proposal and advised that the proposed site layout provided adequate visibility for vehicles entering and leaving the site. The Authority agreed with public comments suggesting that the 40mph speed limit on this section of Wakefield Road be reduced to a 30mph limit. Had the proposal been acceptable this would have been explored further and a Section 106 agreement entered into with the developer to fund the relevant Traffic Regulation Order. Highway officers commented that the number of parking spaces proposed was excessive and that visitor parking should be reduced to one parking space only.

Air Quality

Paragraph 112(e) of the NPPF establishes that development should be designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles. Had the proposal been otherwise acceptable the applicant would have been asked to provide details of electric vehicle charging points as part of the development.

Flood Risk and Drainage

RCUDP Policies EP14 and EP20 establish that ground and surface water will be protected, and development will not be permitted if it would increase the risk of flooding due to surface water run-off or obstruction. Applicants will need to demonstrate that adequate foul and surface water drainage infrastructure is available to serve the proposed development and that ground and surface water is not adversely affected.

Sustainable Drainage Systems should be incorporated where appropriate in accordance with RCUDP Policy EP22. For major developments, paragraph 165 establishes that sustainable drainage systems should be incorporated "*unless there is clear evidence that this would be inappropriate*".

Both Yorkshire Water and the Lead Local Flood Authority had no objections to the proposal subject to the submission for approval of a detail foul and surface water drainage scheme. Subject to this condition the proposal complies with Policies EP14, EP20 and EP22.

Protected Species and Biodiversity

Paragraph 180 of the NPPF states that when determining planning applications, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The applicant's own calculations within the Biodiversity Metric demonstrate that the proposals will result in a Biodiversity Net Loss of 67%. This is accounted for by the complete loss of the neutral grassland and 49% loss of lowland broad-leaved woodland (a Habitat of Principal Importance under the Natural Environment and Rural Communities (NERC) Act 2006). Both these habitats lie within the Wildlife Corridor and the woodland also lies within the Wildlife Habitat Network (which represents a refinement in the mapping of the Wildlife Corridor). In addition to the direct loss of habitat, the proposals will result in disturbance by humans and pets, noise and lighting. The proposal would therefore have an unacceptably adverse impact on habitats and protected species contrary to policies NE15, NE16 and NE17 of the Replacement Calderdale Unitary Development Plan and paragraph 180 of the National Planning Policy Framework.

Protected Trees

The Council's Arboricultural Officer had no in principle objection to the removal of some of the trees protected by this group order, provided that suitable replacement planting was incorporated into the scheme at reserved matters stage. Officers are of the opinion that the remaining trees would retain an important buffer between the site and the railway line directly to the north, and conditions relating to tree protection measures during construction would have been applied to an approval had the proposal been otherwise acceptable.

Planning Obligations

The proposed development of 10 dwellings would require a contribution for secondary school places of £37,234, and the West Yorkshire Combined Authority requested a contribution of £5,115 towards bus passes to encourage sustainable travel.

The Planning Balance

The proposed development of 10 dwellings in the Green Belt is considered to be inappropriate development and would therefore cause harm to the openness of the Green Belt and conflict with the reasons for including land within it. Whilst it is acknowledged that the proposal would contribute to the housing shortfall in the District this does not outweigh the harm caused, and neither are there any other material considerations which would justify a departure from the development plan. Accordingly, the proposal is recommended for refusal.

CONCLUSION

The proposal is not considered to be acceptable. The recommendation to REFUSE planning permission has been made because the development is not in accordance with policies GNE1, NE15, NE16 and NE17 of the Replacement Calderdale Unitary Development Plan and paragraphs 147, 148 and 180 of the National Planning Policy Framework, nor have there been any material considerations to indicate that an exception should be made in this case.

Richard Seaman
For and on behalf of
Director of Regeneration and Strategy

Date: 7th March 2022

Further Information

Should you have any queries about this application report, please contact: -

Leon Carroll on 07596 889568

Reasons

1. The proposed development would harm the openness of the Green Belt by reason of inappropriateness and there are no very special circumstances or material considerations which would outweigh the harm caused. The proposal is therefore contrary to policy GNE1 of the Replacement Calderdale Unitary Development Plan and paragraphs 147 and 148 of the National Planning Policy Framework.
2. The proposed development would result in significant loss of habitat within the Wildlife Corridor and Wildlife Habitat Network thereby causing unacceptable harm to protected species and failing to provide a Net Biodiversity Gain contrary to policies NE15, NE16 and NE17 of the Replacement Calderdale Unitary Development Plan and paragraph 180 of the National Planning Policy Framework.

Time Not Before: 1500 - 03

Application No: 21/01208/VAR

Ward: **Calder**

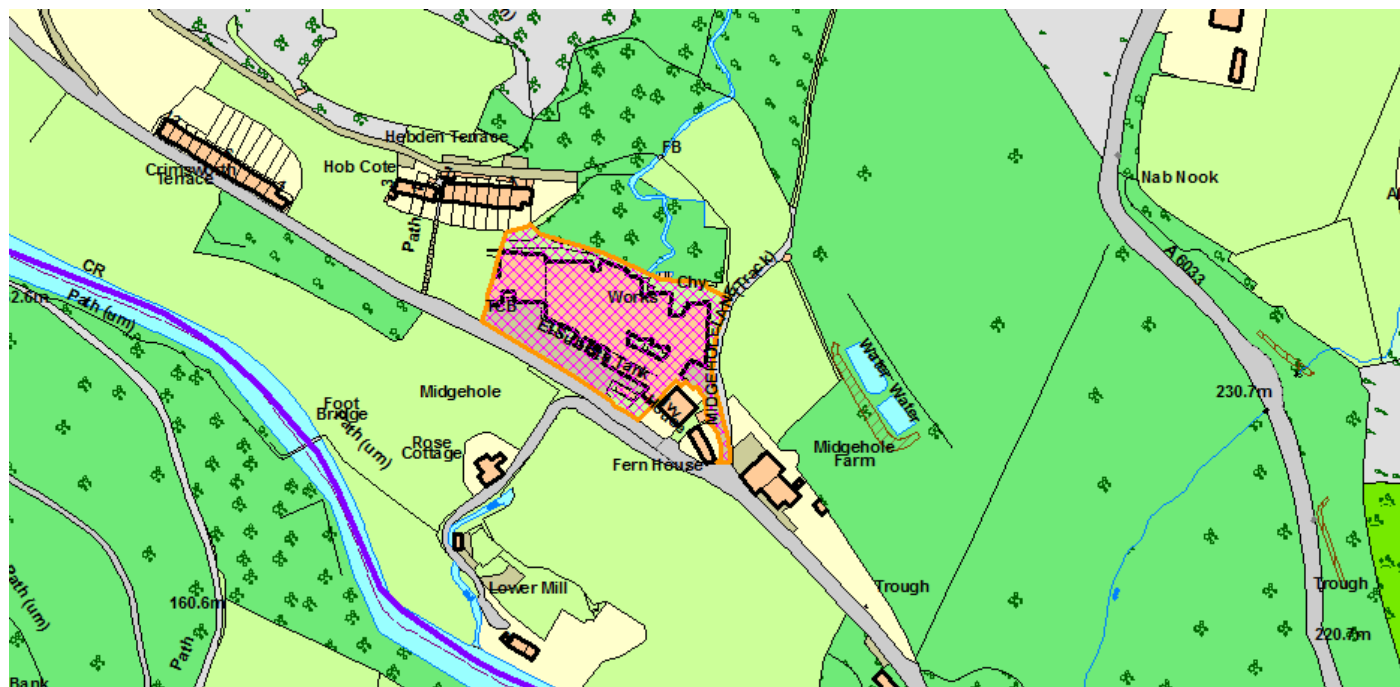
Area Team: **North Team**

Proposal:

Variation of condition 1 on planning applications 18/00576/OUT and 19/01340/RES

Location:

Crimsworth Dyeworks Midgehole Road Hebden Bridge Calderdale HX7 7AN



Applicant:

Mr Richard Smith

Recommendation: **PERMIT**

Parish Council Representations:

N/A

Representations:

Yes

Departure from Development Plan:

Yes

Consultations:

Lead Local Flood Authority

Highways Section

Countryside Services (E)

Yorkshire Water Services Ltd

Wadsworth Parish Council

Education Services

Community Engagement

Housing Services

Description of Site and Proposal

The application site lies to the north of Midgehole Road, Hebden Bridge. The site is a former dye works and the majority of the buildings have been demolished and the site cleared. Some retaining walls and smaller structures remain on site but will be cleared prior to development.

The northern part of the site includes a silted mill dam. To the east and west is residential development, with open land to the north and south. The site is located within the Green Belt and Special Landscape Area.

The application relates to the variation of Condition 1 on both outline planning approval 18/00576/OUT and reserved matters approval 19/01340/RES. Specifically, the site layout has been amended to take account of a culvert which crosses the site, the exact location of which was only discovered once the former mill buildings were demolished. The alterations to the layout are relatively minor and affect only Plots 11-14, with a rearrangement of parking spaces and a net increase of two spaces. The site access road is unaffected by the changes.

The application also includes details relating to a discharge of condition application and a non-material amendment – details previously approved have been resubmitted for completeness so that the revised planning conditions reflect the information already submitted.

The application is accompanied by the following supporting documents:

- Design and Access Statement
- Biodiversity Mitigation and Enhancements
- Culvert Capacity Calculation
- Invasive Non-Native Species Protocol
- Flood Tank Storage Area 1 and 2
- Phase 1 and Phase 2 Ground Investigation and Remediation/Verification Strategy

The application has been referred to planning committee as a variation of a previous committee approval in line with the scheme of delegation.

Relevant Planning History

00/01217/FUL: Replacement of former building with factory owners dwelling and garages. Approved 11th January 2001

14/00212/OUT: Conversion of part of dyeworks to create 15 residential units, demolition of dyeworks (part) and outline application for redevelopment of part of the site with residential dwellings and formation of new access (Outline). Withdrawn

14/01484/OUT: Conversion of part of dyeworks to create 7 residential units, demolition of dyeworks (part) and outline application for redevelopment of part of the site with 7 residential dwellings and formation of new access (Outline) (amended plans). Approved 6th November 2015

18/00576/OUT: Demolition of existing buildings to facilitate residential development of 14 dwellings (Outline). Approved 12th February 2019

19/01340/RES: Construction of fourteen dwellings (Reserved matters pursuant to 18/00576/OUT) (Amended Plans). Approved 4th August 2020

18/00576/DISC1: Submission of information to Discharge Conditions on application 18/00576 - conditions 7, 8, 9, 10, 12, 13 and 15. Partially discharged 30th July 2020

18/00576/NMA: Non-Material Amendment to 18/00576/OUT: rewording of conditions 8 and 15. Approved 31st March 2020

Key Policy Context:

Replacement Development Plan	Calderdale Designation/Allocation	Unitary	Green Belt Special Landscape Area Wildlife Corridor Site of Ecological Interest
Replacement Development Plan	Calderdale policies	Unitary	GNE1 Containment of the Urban Area BE1 General Design Criteria BE2 Privacy, Daylighting and Amenity Space BE5 The Design and Layout of Highways and Accesses H9 Non Allocated Sites E5 Safeguarding Employment Land and Buildings NE12 Development Within the Special Landscape Area NE14 Protection of Locally Important Sites NE15 Development in Wildlife Corridors NE16 Protection of Protected Species NE21 Trees and Development Sites EP9 Development of Contaminated Sites EP14 Protection of Groundwater EP20 Protection of Flood Risk EP22 Sustainable Drainage Systems
National Planning Policy Framework Paragraphs/ National Design Guide			5 Delivering a sufficient supply of homes 8 Promoting healthy and safe communities 9 Promoting sustainable transport 11 Making effective use of land 12 Achieving well-designed places 14 Meeting the challenge of climate change, flooding and coastal change 15 Conserving and enhancing the natural

	environment 16 Conserving and enhancing the historic environment
Other Relevant Planning Constraints	Bat Alert Area British Coal Standing advice Area Potentially Contaminated Land
Other Material Planning Considerations	Calderdale Climate Emergency Declaration Emerging Local Plan

Publicity/ Representations:

The application was publicised with site and press notices because it is a departure from the Development Plan and affects a Public Right of Way. In addition, 19 neighbour notification letters were sent.

1 letter of objection and no letters of support were received.

Summary of points raised:

[Officer comments in italics]

Objection

- Not in keeping with surroundings.
- Overshadowing
- Loss of view *[Loss of view is not a material planning consideration]*

Wadsworth Parish Council Comments

No response received.

Summary of Consultee Comments

Lead Local Flood Authority- No objection to the variation of condition 1. Conditions related to drainage and flood risk (7, 8 & 9) are already dealt with and discharged in application 18/00576/DISC1.

Yorkshire Water – No objection to variation of Condition 1 and our previous comments/conditions regarding this development are still applicable.

Highway Authority - There is no objection to the revised site plan layout.

Countryside Services - I have no objections to the variation of Condition 1. Previous comments still apply. The number of integrated bat roosting features should be increased from 6 to 10 and located in S and W elevations. The locations and specifications should be shown on the elevation drawings. The pre-demolition culvert bat survey should be submitted.

Education Services - No further comments.

West Yorkshire Police Architectural Liaison Officer – No objection to the proposed change of condition 1.

Assessment of Proposal

The application seeks to vary condition 1 on previous approvals 18/00576/OUT and 19/01340/RES relating to the approved plans.

Condition 1 of 18/00576/OUT is as follows:

The development shall be carried out in accordance with the schedule of approved plans listed (below) in this decision notice, unless variation of the plans is required by any other condition of this permission.

Location Plan received 09.05.2018

Topographical Survey Dwg No CBRE001 SP/1 received 09.05.2018

Demolition Plan Dwg No (18610)2 received 09.05.2018

Indicative Site Layout Dwg No (18610)3 Revision E received 18.01.2019

Swept Path Analysis Dwg No 1810403 received 13.12.2018

Swept Path Analysis Dwg No 1810404 received 13.12.2018

Swept Path Analysis Dwg No 1810405 received 13.12.2018

Swept Path Analysis Dwg No 1810406 Revision D received 18.01.2019

Swept Path Analysis Dwg No 1810407 Revision D received 18.01.2019

Swept Path Analysis Dwg No 1810408 received 13.12.2018

Swept Path Analysis Dwg No 1810409 Revision D received 18.01.2019

Swept Path Analysis Dwg No 1810410 received 13.12.2018

Swept Path Analysis Dwg No 1810411 received 13.12.2018

Swept Path Analysis Dwg No 1810412 received 13.12.2018

Swept Path Analysis Dwg No 1810413 received 13.12.2018

Swept Path Analysis Dwg No 1810414 received 13.12.2018

Swept Path Analysis Dwg No 1810416 Revision B received 18.01.2019

Swept Path Analysis Dwg No 1810418 Revision A received 18.01.2019

Swept Path Analysis Dwg No 1810401 received 13.12.2018

Swept Path Analysis Dwg No 1810402 received 13.12.2018

Reason: For the avoidance of doubt as to what benefits from planning permission and to ensure compliance with the Development Plan and National Planning Policy Framework.

Condition 1 of 19/01340/RES is as follows:

The development shall be carried out in accordance with the schedule of approved plans listed (below) in this decision notice, unless variation of the plans is required by any other condition of this permission.

Landscape Master Plan Dwg No R/2276/1D received 06.04.2020

Landscape Details Dwg No R/2276/2C received 06.04.2020

Location Plan received 08.11.2019

Layout Plan Dwg No (18610)3 Revision I received 02.07.2020

Proposed Plans and Elevations Unit 10 Dwg No (18610)7 Revision G received 10.07.2020

Proposed Plans and Elevations Unit 11 Dwg No (18610)8 Revision H received 10.07.2020

Proposed Plans and Elevations Units 1-3 Dwg No (18610)4 Revision G received 02.07.2020

Proposed Plans and Elevations Units 4-6 Dwg No (18610)5 Revision G received 02.07.2020

Proposed Plans and Elevations Units 7-9 Dwg No (18610)6 Revision G received 02.07.2020

Proposed Plans and Elevations Units 12-14 Dwg No (18610)9 Revision G received 02.07.2020

Reason: For the avoidance of doubt as to what benefits from planning permission and to ensure compliance with the Development Plan and National Planning Policy Framework.

The alterations to the layout are relatively minor and affect only Plots 11-14, with a rearrangement of parking spaces and a net increase of two spaces. The site access road is unaffected by the changes. Plots 11-14 have all been shifted to the north west in order to avoid development taking place over the culvert which crosses the site in a north east to south west direction. No changes are proposed for the layout of Plots 1-10 therefore the impact of the proposal on neighbouring occupants of Hebden Terrace to the north is no greater than the previous approvals. The revised layout will move Plot 11 further away from Ivey House to the south west of the site which will actually reduce any impact on the occupants of that dwelling.

Consultee comments were received from the Lead Local Flood Authority, Yorkshire Water, the Highway Authority, Countryside Services, Education Services and West Yorkshire Police Architectural Liaison Officer. None of the consultees had any objection to the revised layout.

The amended layout is not considered to have any greater material impact on visual or residential amenity, the highway network, the Green Belt or Special Landscape Character Area, wildlife and biodiversity and drainage or flood risk than the scheme already approved. Subject to the following conditions the application under Section 73 of the Town and Country Planning Act 1990 is considered to be acceptable and is therefore recommended for approval.

CONCLUSION

The proposal is considered to be acceptable subject to the conditions specified below. The recommendation to approve the application has been made because the development is in accordance with the policies and proposals in the Replacement Calderdale Unitary Development Plan and National Planning Policy Framework set out in the 'Key Policy Context' section above and there are no material considerations to indicate otherwise. The proposal represents an acceptable minor material change to the approved the outline application (as amended by a non-material amendment) and reserved matters applications.

Richard Seaman
For and on behalf of
Director of Regeneration and Strategy

Date: 28th February 2022

Further Information

Should you have any queries about this application report, please contact: -

Leon Carroll on 07596 889568 or leon.carroll@calderdale.gov.uk

Conditions

1. The development hereby permitted shall begin not later than 3rd August 2022.
2. The development shall be carried out in accordance with the schedule of approved plans listed above in this decision notice, unless variation of the plans is required by any other condition of this permission.
3. No dwelling shall be occupied until the parking and manoeuvring facilities shown on the permitted plans for that dwelling have been provided and sealed and made available for the occupiers of that dwelling. These facilities shall thereafter be retained.
4. Notwithstanding the provisions of Part 4, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, before construction works commence, details shall be submitted in writing to and approved in writing by the Local Planning Authority in respect of the provision of a contractor's compound and staff car parking area within the site. Such details shall include the provision of protective fencing to the boundaries of the construction site. The details so approved shall thereafter be implemented in advance of construction works commencing and shall be retained for the duration of construction works unless otherwise agreed in writing by the Local Planning Authority.
5. Prior to commencement of the development hereby permitted, a scheme for the prevention of mud or other material being deposited onto the public highway, including full details of any equipment on the site used to clean the hardstanding areas, access, wheels and chassis of vehicles, equipment location and means of drainage, shall be submitted in writing to and approved in writing by the local planning authority. The permitted scheme shall be implemented on commencement of works. The scheme shall be updated where the local planning authority consider mud on the road to be a recurrent problem by the operator or their agents in liaison with and to the written approval of the local planning authority. The updated scheme shall be implemented within a timescale to be agreed. In the event of mud or other material being deposited onto the public highway, immediate remedial and preventative action shall be taken, including suspension of operations if necessary.
6. The development hereby approved shall not be carried out otherwise than in accordance with the details of drainage, and foul and surface water disposal received by the Local Planning Authority on 1st September 2021.
7. No removal or management of any tall vegetation, including brambles, ivy, trees and shrubs, shall be carried out between 1st March and 31st August inclusive unless a competent ecologist has undertaken a bird survey immediately before such works have been undertaken and provided written confirmation that no birds will be harmed or disturbed and/or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation should be submitted to the Local Planning Authority.
8. The development hereby permitted shall not be carried out otherwise than in accordance with the Invasive Non-Native Species Protocol ref 190347/Invasive/Rev.2 dated 15th January 2020 and received by the Local Planning Authority, on 1st September 2021.
9. The development hereby permitted shall not be carried out otherwise than in accordance with the Biodiversity Mitigation and Enhancements Report ref 190347/Rev3. Dated 10th February 2020 and received by the Local Planning Authority, on 1st September 2021.

10. Prior to the first occupation of the development hereby permitted, an external lighting scheme that shall limit light spillage to the woodland to the north of the development site shall be submitted to the local planning authority. The approved scheme shall be implemented before first use of the site and shall be retained thereafter.
11. The development hereby permitted shall not be carried out otherwise than in accordance with the findings of the Phase II Ground Investigation and Remediation and Verification Strategy Report No 4011 dated March 2020 and received by the Local Planning Authority on 1st September 2021. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy so approved. In the event of contamination not previously considered being identified the local planning authority shall be notified of the extent of that unforeseen contamination and of the further works necessary to complete the remediation of the site.
12. Prior to the construction of the foundations of the dwellings hereby approved no construction materials, plant or machinery be brought onto site until the trees to be retained are protected by suitable fencing as recommended in British Standards 5837:2012 Trees in Relation to Design, Demolition and Construction. This fencing shall be retained until the completion of the development and no materials, plant or equipment shall be stored, no bonfires shall be lit nor any building or excavation works of any kind shall take place within the protected fencing.
13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner; and shall be so retained thereafter, unless any trees or plants within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased. These shall be replaced in the next planting season with others of similar size and species, (unless otherwise agreed in writing by the Local Planning Authority) and these replacements shall be so retained thereafter.
14. In connection with any garage, driveway, vehicle hardstanding or car-port hereby approved for construction within the boundary of a dwelling, prior to the occupation of that dwelling, there shall be installed a facility to permit the recharge of an electrical battery-powered vehicle. Unless otherwise required by the location the installation(s) shall comply with IEE regulations, IEC 61851-1 Edition 2, and BSEN 62196-1. The facility shall be so retained thereafter.
15. Notwithstanding any details shown on the permitted plans the facing and roofing of the development shall not begin until details of the proposed natural facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Before the development hereby permitted is first brought into use, the development shall be constructed in accordance with the details so approved and shall be so retained thereafter.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt as to what benefits from planning permission and to ensure compliance with the Development Plan and National Planning Policy Framework.

3. To ensure that adequate off-street parking is available for the development and to ensure compliance with Policy BE5 of the Replacement Calderdale Unitary Development Plan.
 4. In the interests of highway safety and to ensure that adequate off-street parking is available during the construction period and in the interests of amenity and to ensure compliance with policy BE5 of the Replacement Calderdale Unitary Development Plan.
 5. In the interests of highway safety and to ensure compliance with policy BE5 of the Replacement Calderdale Unitary Development Plan.
 6. In the interests of flood prevention and to ensure compliance with policies EP14, EP20 and EP22 of the Replacement Calderdale Unitary Development Plan.
 7. In the interests of conservation and to protect the ecological species and in order to ensure compliance with policy NE16 of the Replacement Calderdale Unitary Development Plan.
 8. In the interests of amenity and biodiversity, and so as to ensure compliance with Policy NE17 of the Replacement Calderdale Unitary Development Plan.
 9. In the interests of conservation and enhancement of local flora and fauna and in order to ensure compliance with policies NE16 and NE17 of the Replacement Calderdale Unitary Development Plan.
 10. In the interests of conservation and enhancement and in order to ensure compliance with policies NE16 and NE17 of the Replacement Calderdale Unitary Development Plan.
 11. To ensure that any ground contamination is identified and remediated and to ensure compliance with Policy EP9 of the Replacement Calderdale Unitary Development Plan and National Planning Policy Framework paragraphs 170, 178 and 179.
 12. To ensure compliance with policy NE21 of the Replacement Calderdale Unitary Development Plan.
 13. In the interests of amenity and to help achieve a satisfactory standard of landscaping and to ensure compliance with policies BE3 and NE12 of the Replacement Calderdale Unitary Development Plan.
 14. In the interests of sustainability and to ensure compliance with section 9 of the National Planning Policy Framework.
 15. To ensure the use of appropriate materials in the interests of visual amenity and to ensure compliance with policies BE1 and NE12 of the Replacement Calderdale Unitary Development Plan.
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