
Report of the Head of Development Management

STRATEGIC PLANNING COMMITTEE

Date: 30-Mar-2017

Subject: Planning Application 2017/90022 Erection of extension to existing factory St Andrew's Road, Huddersfield, HD1 6SB

APPLICANT

Kjetil Bogstad

DATE VALID

09-Jan-2017

TARGET DATE

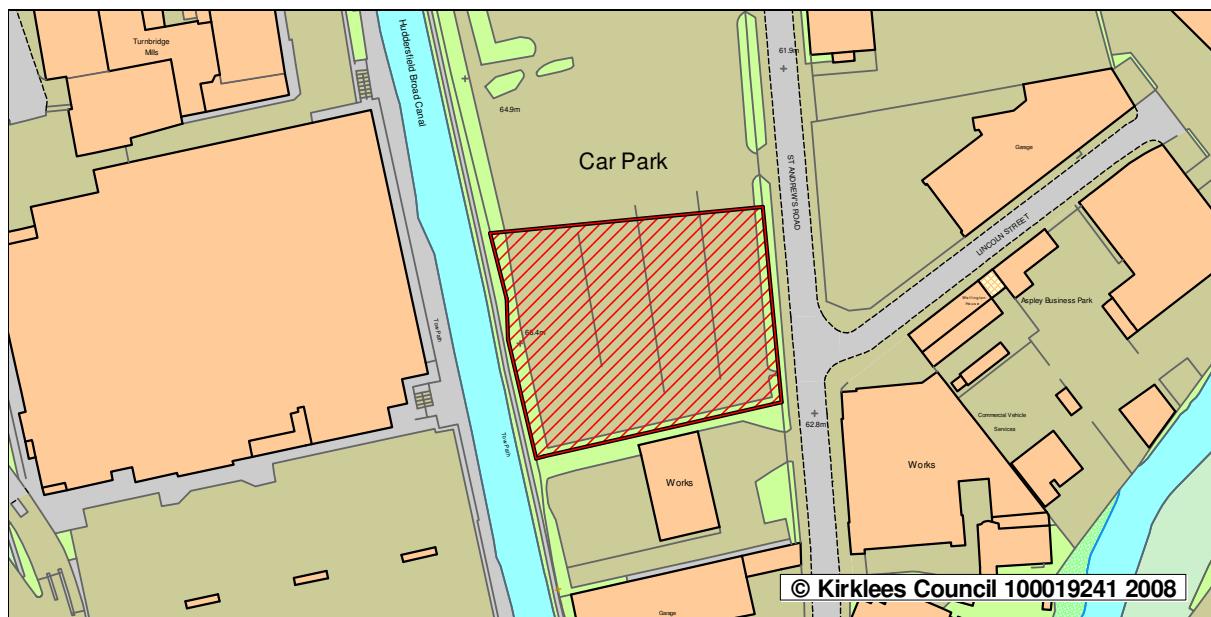
10-Apr-2017

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Dalton

yes

Ward Members consulted
(referred to in report)

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 This application is brought to Committee under the scheme of delegation and in the interests of transparency the site is owned by Kirklees council.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site comprises an area of 0.43 ha, and is located on the western side of St Andrews Road, Huddersfield. To the west is the Huddersfield Broad Canal and towpath; on the opposite side of the canal is Sainsbury's supermarket and car park. To the north of the site is the existing site and factory building for Polyseam, and this application is on adjoining land to provide an extension to that factory.
- 2.2 The surrounding area is comprised predominantly of business and industrial uses.
- 2.3. There are a number of mature trees around the site, a number of these particularly in the SW corner are covered by a Tree Preservation Order, also the line of the Broad Canal is designated as a Green Corridor on the Unitary Development Plan
- 2.4. The site is allocated for Business Use on the Kirklees Unitary Development Plan (Site B6.1)

3.0 PROPOSAL:

- 3.1 Full permission is sought for the erection of an extension to the existing factory. The extension originally proposed totals 2,743 sq m and would be of a similar design and appearance ie 9.5m high portal framed construction with black panelling
- 3.2. The existing access to the site would need to be closed and relocated on the southern edge of the site. This access would serve the loading /unloading area at the rear of the site. 5 additional parking spaces are indicated. The proposal is for an “in” “out” arrangement for delivery vehicles, with loading / off loading in a rear yard next to the canal towpath.
- 3.3 The applicant indicates that currently 40 people are employed on the site, and an extension could lead to a total of 120 jobs.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 2009/90169.Erection of 4 no storey office headquarters- Approved (not implemented).
- 4.2 2015/92014. Industrial unit- Approved and largely complete, on adjoining land

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The existing factory building was approved in 2015 and is now complete. As part of the processing of that application a Tree Preservation Order was placed on a number of trees along the boundary with the canal tow path.
- 5.2. The current application proposes the removal of all trees on the site, as well including 2 which are in the SW corner that are TPO'd.
- 5.3. A request to reduce the size of the extension, which would enable the retention of the trees, and result in a very small reduction in floor area was not agreed by the applicant who stated that they needed the amount of space that they had applied for.
- 5.4. Compensation for the loss of the trees and the harm to the canal SSI, has been agreed in accordance with the guidance contained in para 118 of the National Planning Policy Framework. This will take the form of £20,000, to be used within 24 months of the commencement of development towards replacement planting/biodiversity enhancement works along the canal.

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within

the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was published for consultation on 7th November 2016 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council considers that, as at the date of publication, its Local Plan has limited weight in planning decisions. However, as the Local Plan progresses, it may be given increased weight in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. Pending the adoption of the Local Plan, the UDP (saved 2007) remains the statutory Development Plan for Kirklees.

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- 6.2 B6.1 Employment allocation
 - B1 – Employment needs of the district
 - B5 Extensions to business premises
 - TC12 Proposals for warehousing and industry will normally be permitted
 - BE1 – Design principles
 - BE2 – Quality of design
 - BE23 – Crime prevention
 - T10 – Highway safety
 - T19 – Parking standards
 - G6 – Land contamination
 - NE3- Site of Scientific Interests
 - NE9 – Retention of mature trees
 - D6 – Land adjoining green corridor
 - R18 Development adjacent to canals and rivers

National Planning Guidance:

- 6.4 Part 1 Building a strong, competitive economy
- Part 4 Promoting sustainable transport
- Part 7 Requiring good design
- Part 8 Promoting healthy communities
- Part 10 Meeting the challenge of climate change, flooding and coastal change
- Part 11 Conserving and enhancing the natural environment
- Part 12. Conserving and enhancing the historic environment

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application has been publicised by site notices, and in the local press. The final date 17/2/17. No representations have been received.

8.0 CONSULTATION RESPONSES:

8.1 Statutory

KC Highways DM- Recommend conditions should permission be granted, including the updating of the Travel Plan for the existing factory

KC Flooding and Drainage- No objections recommend condition.

The Environment Agency- Remove initial objection, an acceptable Flood Risk Assessment has been submitted. Recommend condition

The Coal Authority- Previous comments on Phase 1 of the development apply ie No objections subject to appropriate conditions.

8.2 Non-statutory

KC Environmental Health- No objections recommend condition.

Police Architectural Liaison Officer- No adverse comments.

Canals and Rivers Trust- Have concern about the boundary treatment alongside the towpath. They seek assurance that the site will be properly remediated, to avoid potential pollution of the canal which is an SSI. (NB Remediation of the existing site has been satisfactorily undertaken without effect on the canal and it is considered that this can be satisfactorily dealt with via condition.)

KC Trees- The design will require the loss of 2 protected trees located along the canal frontage. These are important trees offering substantial public amenity when viewed from the canal tow path and nearby supermarket car park. We have already lost a protected mature tree along this frontage for the initial unit. This extension will remove the vast majority of tree coverage along the canal tow path at this point which will have a significant detrimental impact on public amenity and the aesthetics of the area, something the TPO is in place to protect. In addition the canal is a designated local wildlife site and is a wildlife corridor that forms part of local green infrastructure. These trees form an integral part of this green infrastructure and chapter 11 of the NPPF sets out that LPA's should protect and enhance green infrastructure. In light of the above the tree officer cannot support any application that requires the loss of these trees or brings vehicles, structures etc, immediately adjacent to, or beneath them.

9.0 MAIN ISSUES

- Principle of development
- Highways Issues
- Urban design issues
- Landscape/ trees
- Flood risk and drainage

10.0 APPRAISAL

Principle of development

- 10.1 The National Planning Policy Framework part 1 “Building a strong competitive economy” is committed to securing economic growth in order to create jobs and prosperity and indicates that the planning statement should encourage and support sustainable development and not act as an impediment to economic growth
- 10.2 Policy B1 of the UDP indicates that the employment needs of the district are met by “providing land to accommodate the requirements of the existing Kirklees businesses and the establishment of new businesses.”
- 10.3. This site is part of a larger business allocation (B6.1) that has already had part of the site developed for industry. As such there is no objection in principle to an industrial extension on this site
- 10.4 Policy B5 of the UDP states that “ *Proposals for the extension of business premises will be permitted provided the amenity of occupiers of neighbouring properties, visual amenity and highway safety are safeguarded*”.
- 10.5. There is no issue with neighbours amenity, and the issues of both visual amenity and highway safety are dealt with subsequently in this assessment.

Highways Issues

- 10.6. The site is currently used temporarily for car parking, however as part of the original approval for Polyseam on the adjacent land (which was also use the car parking), it has been identified that the displace parking can be accommodated within the vicinity and as such there is no objection to the loss of what was always intended to be temporary parking on this employment allocation.
- 10.7. There is no objection in principle to the use of this site for additional industry and the relocated access point is acceptable. Given the size of the extension and its proximity to the canal towpath, the servicing/delivery arrangements need to be used as an access and egress as internal turning is not feasible.
- 10.8. The parking area for visitors and staff is located at the northern end of the site next to Turnbridge Road. An additional area of car parking is annotated to the south of the extension a total of 5 are shown.
- 10.9. The parking numbers identified are a shortfall upon the Councils parking standards, however the site is located in a highly sustainable location with good access to public transport. Also it is acknowledged that it isn't actually possible to park on the surrounding roads eg St. Andrews Road, Turnbridge Road because of restrictions.

- 10.10. The existing factory has had a Travel Plan produced and accepted, and it is considered that should the extension occur delivering additional jobs, then an updated Travel Plan could deliver the necessary level of control over parking for staff, as well as incentivise alternative modes of travel ie bus, car share, and cycling.

Urban Design issues

- 10.11 The existing Polyseam building is a 9.5m high black panelled portal framed structure, with the main entrance being on the northern side of the building near the junction with Turnbridge Road. The proposal seeks to extend this building, at the same height, and utilising the same materials to the south fronting both onto St Andrews Road, and the canal towpath.
- 10.12 The existing building is considered a positive addition in the street scene. The proposed building mirrors this in design which again is considered to have a positive impact on the street scene.
- 10.13 The scale and style of the extension mirrors the host building, and the style and scale of building are reflective of a number of industrial buildings in the area. As such together with the extended landscaped strip and boundary treatments to soften the impact along St Andrews Road the appearance of the development should make a good contribution to visual amenity.
- 10.14 The site also backs onto the canal towpath which runs parallel to the site. There are a number of trees along the western edge of the site, in between the site and the towpath, these are covered by a TPO. The trees to the northern edge around the site have been largely retained, and make a positive contribution to the character of the towpath.
- 10.15. To the southern boundary there are 2 no TPO'd trees that are proposed to be lost as a result of this development. These trees are considered to afford visual amenity to the character of the towpath. As such the loss of these trees is considered to be harmful and consideration towards mitigating the loss is appropriate.
- 10.16. It isn't feasible to provide replacement trees within this site but an offer to fund additional planting in the vicinity along the canal side has been made by the applicants. The applicants have agreed to pay a sum of £20,000 towards tree planting/bio-diversity enhancement along the canal side, this money is to be used within 24 months. As such satisfactory mitigation for the harm caused by the loss of the trees can be delivered and no objections are raised to the loss of the trees in these circumstances.

Flood Risk /Drainage

- 10.17 The site is located predominantly in Flood Zone 2 with an area adjacent to the canal within Flood Zone 1. As such a Flood Risk Assessment has been submitted with the application, and this is accompanied by a sequential test.

- 10.18. The Sequential Test has identified an appropriate search area which extends to the Town Centre, greater Huddersfield, Cooper Bridge and includes parts of the Colne Valley. The sites identified within this report have been assessed having regard to their availability, size and the specific requirements of the Polyseam business. A number of the sites identified are already committed or unavailable and the remainder have specific constraints which make them unsuitable for the end user. Also in this case the site is adjacent to the existing Polyseam factory and the proposal is for an extension to that factory, and splitting the business between sites is inefficient.
- 10.19 As such it is considered that the Sequential Test has been carried out in a fair and robust manner and has been satisfied.
- 1020 The proposed industrial use falls within the category of “less vulnerable” development, which is acceptable in Flood Zone 2 and therefore no exceptions test is required.
- 10.21 As part of the FRA flood mitigation measures have been identified, including specified finished floor level for the building(these are consistent with those identified and implemented as part of the existing Polyseam building). The Environment Agency raised no objections and recommend that the flood mitigation measures be conditioned.

11.0 CONCLUSION

- 11.1 The site is allocated for employment use on the UDP and the proposal will deliver new employment opportunities via the expansion of a local firm, within a highly sustainable location.
- 11.2 The technical issues relating to this site ie remediation, flood risk mitigation, and drainage, have already been satisfactorily addressed as part of the original application for Polyseam, factory unit, which is now built.
- 11.3 The scale and style of building are considered acceptable for this location, and also to enhance the street scene along St Andrews Road. The harm caused by the loss of protected trees adjacent the canal towpath, has been satisfactorily mitigated.
- 11.4 As such conditional full approval is recommended.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Development Management)

1. Standard 3 years commencement
2. In accordance with approved plans
3. Landscape/ Maintenance

4. Samples of materials for the proposed building
5. Unexpected remediation
6. Drainage.
7. Finished floor levels in accordance with the FRA
8. Highway surfacing to be laid out prior to first use
9. Existing access closed off
10. Updating of the Travel Plan to respond to enlarged building
11. Details of mitigation scheme for the loss of trees submitted (prior to any work being carried out on the trees).

Background Papers:

Application and history files.

Website link to be inserted here

Certificate of Ownership – Notice served on/ or Certificate A signed: