
Report of the Head of Strategic Investment

STRATEGIC PLANNING COMMITTEE

Date: 07-Sep-2017

Subject: Planning Application 2017/92268 Erection of extensions, alterations to roofs and elevations and installation of sprinkler tank and pump house Cummins Turbo Technology, St Andrew's Road, Huddersfield, HD1 6RA

APPLICANT

Cummins Turbo
Technologies Ltd

DATE VALID

29-Jun-2017

TARGET DATE

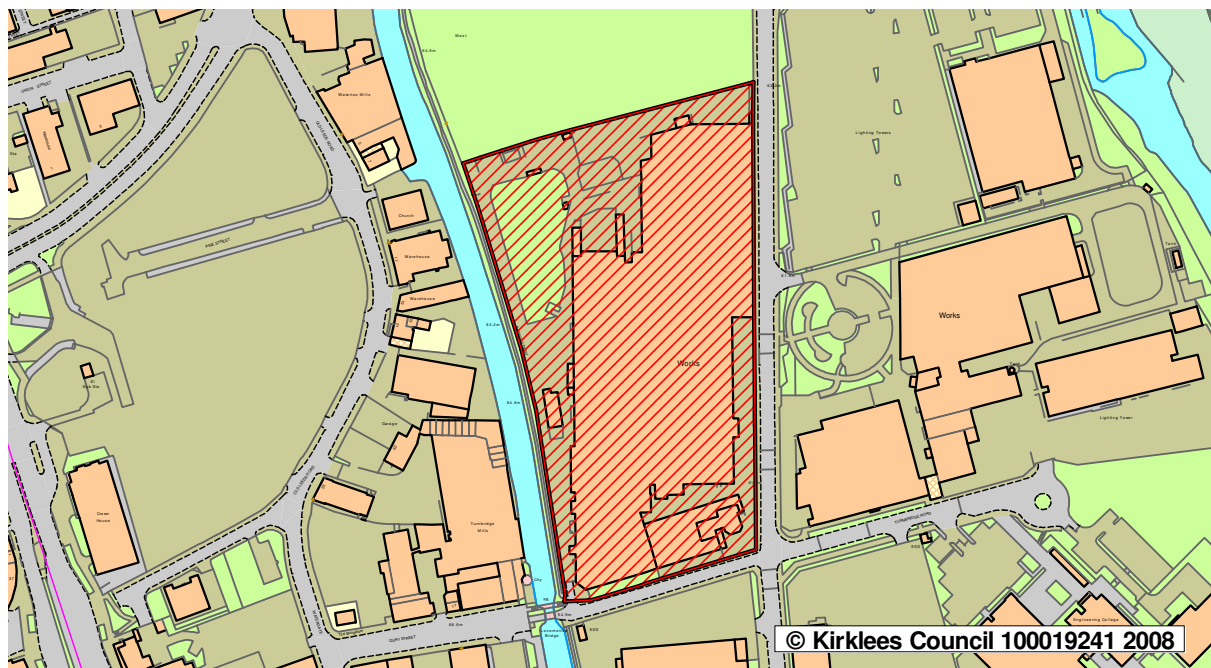
28-Sep-2017

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

RECOMMENDATION

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to:

Finalise negotiations on outstanding technical matters relating to Yorkshire Water and The Coal Authority.

Complete the list of conditions including those contained within this report (and any added by the Committee).

1.0 INTRODUCTION

- 1.1 This is a full planning application seeking the erection of extensions, alterations to the roof and elevations and the installation of a sprinkler tank and pump house to a commercial / industrial building.
- 1.2 The application is brought to Strategic Committee given the size of the site's area, which exceeds 0.5 ha, in accordance with the Council's delegation agreement.

2.0 SITE AND SURROUNDINGS

- 2.1 The site is approx.280m to the east of Huddersfield Town Centre's ring-road (Southgate), adjacent to St Andrew's Road. The surrounding area principally consists of commercial and light industrial premises.
- 2.2 Cummins is an engineering firm split over two compounds on the east and west sides of St Andrew's Road. Both compounds host large structures; however as the newer site the east has more modern designed buildings. Engineering, deliveries, offices and staff facilities are present on both sites.
- 2.3 The application relates to the west site, which has an area of 2.65 ha. The principal building on site covers the majority of the site area and is split into several bays. The vehicle access onto St Andrew's Road is to the site's north. The site is boarded by St Andrew's Road to the east, Huddersfield Broad Canal to the west and the former gasworks site to the north. To the south is Quay Street, which includes a Locomotive Bridge over the canal which is a scheduled monument.

3.0 PROPOSAL

- 3.1 The roof of Bay 9 and 10 are to be raised, replacing the current north-light style roofs with flat roofs. This includes a maximum increase in height of 3.35m for Bay 9 and 3.6m for Bay 10. Bay 9 and 10's east and west elevations, and new roofing, are to be re-clad in insulated metal cladding (Kingspan KS1000RW Trapezoidal profiled insulated panels). The desired colour is grey; however the shade is unknown at this stage (it has been requested that this be secured via condition). The existing lower course of brickwork, where remaining visible, will be re-pointed using a colour matching mortar.
- 3.2 The Bay 9 extension is to provide a stairwell. It is to be located within bay 9's existing right angle, adjacent to St Andrew's Road. The extension is to project 5.4m and be 8.3m wide. It is to be two storeys, with a flat roof with a maximum height of 9.45m. It is to be faced in dark grey cladding panels (Benchmark by Kingspan ACM).
- 3.3 A link extension is to be formed between bays 11 and 12. The extension is to provide covered access between the bays and two loading bays for Lorries into Bay 11. Located within an existing right-angle formed by the building, it is to have a maximum length and width of 40.1m and 12.8m respectively. The roof is to be double pitched. The central ridge is to be 7.35m high and the eaves 5.9m. The west elevation is to include a canopy which projects 5.2m with a maximum height of 6.0m. The canopy is to shelter external storage.
- 3.4 To the north of bay 11 an infill extension is to form within an existing recession in the building. It will be 11.0m wide and project 5.4m, bringing it flush to the existing rear wall. The roof is to be mono-pitched and will tie into the existing roof. It will be faced in cladding to match the host building.
- 3.5 A sprinkler pump house and water tank is to be provided to the site's rear, adjacent to the boundary with the Canal. The pump house is to have a footprint of 6.5m x 7.6m. The roof is to be mono-pitched with a maximum height of 5.2m. It is to be faced in profiled steel sheet cladding. The tank is to be circular, with a diameter of 10.9m and height of 11.1m. It is to be constructed in galvanized steel, and will be grey/metallic in colour.
- 3.6 Other alterations include the addition of a new access gate on the north vehicular access from St Andrew's Road and changes to the internal yard's layout to accommodate the Bay 11 extension.

4.0 RELEVANT PLANNING HISTORY

- 4.1 The site and adjacent premises have numerous previous planning applications in relation to the area's established commercial use. None of the reviewed Planning Applications are considered relevant to the current application.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 Initial concerns were held over the impact upon the setting of the canal and local ecology. These were supported upon receipt of the Canal and River Trust's consultation. Nonetheless, following a meeting where discussions

between the case officer, applicant and agent took place agent, conditions for landscaping details and ecological enhancements were considered an appropriate course of action.

- 5.2 Objections were received from the Coal Authority and Yorkshire Water, with each group seeking further details. The requested details have been provided by the applicant and the Coal Authority and Yorkshire Water have been formally re-consulted. Their responses have not been received to date.

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 submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The weight to be given to the Local Plan will be determined 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 Policies 2007) remains the statutory Development Plan for Kirklees.

- 6.2 On the UDP Proposals Map the site is Unallocated.

- 6.3 The site is allocated as Priority Employment Area on the PDLP Proposals Map.

6.4 Kirklees Unitary Development Plan (UDP) Saved Policies 2007

- **D2** – Unallocated land
- **NE9** – Development proposals affecting trees
- **BE1** – Quality of design
- **BE2** – Design principles
- **EP4** – Noise sensitive locations
- **T10** – New development and access to highways
- **T19** – Parking standards
- **B1** – Business and industry: strategy
- **B4** – Premises and sites with established use, or last used for business and industry
- **R18** – Canals and rivers

6.5 Kirklees Publication Draft Local Plan: Submitted for examination April 2017

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP3** – Location of new development
- **PLP8** – Safeguarding employment land and premises
- **PLP21** – Highway safety and access
- **PLP24** – Design

- **PLP27** – Flood risk
- **PLP30** – Biodiversity & Geodiversity
- **PLP32** – Landscape
- **PLP52** – Protection and improvement of environmental quality
- **PLP53** – Contaminated and unstable land

6.6 National Planning Guidance

- **Paragraph 17** – Core planning principles
- **Chapter 1** – Building a competitive, strong economy
- **Chapter 7** – Requiring good design
- **Chapter 10** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 11** – Conserving and enhancing the natural environment
- **Chapter 12** – Conserving and enhancing the historic environment

7.0 **PUBLIC/LOCAL RESPONSE**

7.1 The application has been advertised via site notice and through neighbour letters to addresses bordering the site. This is in line with the Councils adopted Statement of Community Involvement. The end date for publicity was the 21st of August, 2017.

7.2 Objection

One representation in objection to the proposal has been received from a local business. The following is a summary of the concerns raised;

- Works have commenced on site.
- Trees and vegetation have been removed, in what is considered the bird nesting season. Question as to whether appropriate survey work has been done.
- Concerns over visual impact and noise pollution upon nearby residents from the development. Request some form of landscaping scheme to mitigate harm.

8.0 **CONSULTATION RESPONSES**

8.1 Statutory

The Canal and River Trust: Does not object to the proposal, however offered general advice in regards to impact on nearby heritage assets, visual amenity and contamination.

The Coal Authority: Raised objection as the submitted Geo-environmental Investigation Report failed to adequately address risk from local coal mining legacy. Following this the applicant submitted a Coal Mining Risk Assessment to address the Coal Authority's concerns. No response has been received to date.

The Environment Agency: No objection in principle and no conditions considered necessary. However the Environment Agency has requested

several informative notes should be placed on the decision notice, if minded to approve.

8.2 Non-statutory

K.C. Conservation and Design: No objection.

K.C. Environmental Health: No objection, however requested conditions on site remediation and validation. This is in line with the submitted geotechnical appraisal.

K.C. Strategic Drainage: No objection.

K.C. Trees: As the site has been cleared of trees, K.C. Trees has no objection in principle, however requested a condition for boundary treatment/landscaping in the interest of ecological enhancements.

Yorkshire Water: Object to the proposal as the proposed development was within the stand-off distance of pipes unidentified on the plans. In response the applicant provided details plans mapping the pipe locations and moved the propose pump house outside of the 4.0m stand-off distance. These plans have been re-submitted to Yorkshire Water however no response has been received to date.

9.0 **MAIN ISSUES**

- Principle of development
- Design considerations
- Residential amenity
- Impact on local economy
- Highway issues
- Drainage issues
- Other matters
- Representations

10.0 **APPRAISAL**

Principle of development

Sustainable Development

10.1 NPPF Paragraph 14 and PLP1 outline a presumption in favour of sustainable development. Paragraph 7 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation (Para.8).

10.2 The dimensions of sustainable development will be considered throughout the proposal. Paragraph 14 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Land Allocation

- 10.3 The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states;

Planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]'

- 10.4 Consideration must also be given to the emerging local plan. Within the PDLP Policies Map the site is allocated as a Priority Employment Area. PLP8 states that;

Proposals for development or re-development for employment generating uses in Priority Employment Areas will be supported where there is no conflict with the established employment uses in the area

- 10.5 Where relevant these considerations are addressed later in this assessment. Subject to the review of the aforementioned considerations, the principle of development is considered acceptable.

Design Considerations

- 10.6 The proposal seeks alterations to a large scale building which would be seen at both close and longer distances. However, this needs to be considered in the context of other development in the area. Buildings on St Andrew's Road are varied in their age, design and appearances. Features they have in common are their large scale and characteristics as commercial properties.
- 10.7 The proposed works to Bays 9 and 10, including the rising of the roof, the re-cladding and two storey extension, would cumulatively result in a modernized appearance for the building; in the site's context this is not considered to be a cause for concern by officers. While the works will increase the height and massing of the building it is not considered to do so in a way that would materially harm the visual amenity of the building or cause the building to appear out of keeping within the area. The type of materials proposed will result in an uncomplicated and modern appearance in keeping with other similarly clad buildings nearby. To ensure a suitable end material and colour are proposed, samples of facing materials, to include the colour, are to be secured via condition.
- 10.8 The other proposed extensions to the building are located further into the site and to the rear, limiting their impact upon the area's streetscene. Nonetheless their design is considered to suitable harmonise with the host building and would not appear incongruous to the site's established visual character.
- 10.9 The proposal includes the installation of a pump house and water tank away from the existing structure, adjacent to the boundary with Huddersfield Broad Canal. The pump house is small in scale with a design typical of an industrial outhouse: officers hold no objection to the design and appearance of the pump house. The water tank is large in scale, having a diameter of 10.9m and height of 11.1m. Given its scale it will be prominent in the area and be

visible from long distances on certain approaches, such as on the canal towpath. It is to be constructed in unpainted galvanised steel.

- 10.10 Concern has been raised by the Canal and River Trust and a local business in regards to the water tank's impact upon the canal's setting. Furthermore, approx. 180m to the south of the tank's location, are two heritage assets; Turn Bridge, an ancient monument and Turnbridge Mill's chimney, which is Grade 2 Listed. Given its origins the canal does retain elements of a historic setting. Nonetheless there are also examples of modern utilitarian and industrial structures in close proximity to the canal front. The most prominent example of this is the gas works and gas holder to the site's north.
- 10.11 Considering the advice from the Canal and River Trust, in addition to correspondence with the application's agent, officers considered it reasonable to impose a condition requiring details of landscaping along the boundary with the canal. While planting would not screen the 11.0m high water tank, it will provide a general softening to the site's appearance adjacent to the canal and mitigate the presence of the structure. Regarding the impact upon the heritage assets, given the separation distance between the site and Turn Bridge / Turnbridge Mill's chimney, it is not considered the proposal would impact upon their heritage significance. This perspective is shared by K.C. Conservation and Design.
- 10.12 It is concluded that, subject to the referenced conditions, the proposal would visually harmonise with its setting. The proposal is deemed to comply with Policies D2, BE1, BE2 and R18 of the UDP, PLP21 and PLP32 of the PDLP and Chapters 7 and 12 of the NPPF.

Residential Amenity

- 10.13 The closest residential properties are in excess of 200.0m of the site, to the north-west. Other buildings in the area are commercial uses, including retail, offices and manufacturing.
- 10.14 Given the separation distance of the site to third party residential dwellings it is not considered that the proposal would result in detrimental overbearing, overshadowing or overlooking to residential amenity. The separation distance also prohibits harm through noise pollution; nonetheless the proposal is not anticipated to increase the current noise pollution at the site.
- 10.15 Representations have been received regarding the proposal's impact upon the amenity of nearby office workers. This relates to the view toward the proposed pump-house and sprinkler tower. While the impact upon the amenity of office workers is a consideration, lesser weight is afforded compared to the impact upon the amenity of a residential property. Nonetheless, there is no right to a view. Despite the height of the sprinkler tower, as it has a separation distance of over 35.0m to the closest office, it is not anticipated to cause materially harmful overbearing to office users.
- 10.16 It is concluded that the proposal would not detrimentally impact upon residential amenity or that of nearby office workers. Therefore the proposal is deemed to comply with Policy D2, PLP24 and Paragraph 17 of the NPPF.

Impact on Local Economy

- 10.17 Chapter 1 of the NPPF establishes a general principle in support of economic development, with economic development forming one of Sustainable Development's three roles.
- 10.18 Paragraph 19 states '*The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth... significant weight should be placed on the need to support economic growth through the planning system*'. This guidance is supported by Policy B1 of the UDP and PLP8 of the PDLP, which seek to support and enhance local business and employment sites.
- 10.19 This proposal is part of a wider plan to rationalise Cummins' operations on this split site, where principally manufacturing will be undertaken on the west site, with research and development on the east site. While the proposal will not lead to a direct increase in jobs on site, through modernisation and improvement to the existing site the design and access statement comments that the proposed works will guarantee a long term future for the site and employment in the Huddersfield area. It is noted that, in the short term, the proposal will provide employment in construction.
- 10.20 Officers considered that the proposal would aid in the economic growth of Cummins Turbo Technologies Ltd, therefore according with the objectives of Chapter 1 of the NPPF, Policy B1 of the UDP and Policy PDP 8 of the UDLP.

Highway issues

- 10.21 The proposed development is not to lead to a material increase in the site's demand for parking.
- 10.22 The proposal will enhance internal vehicular manoeuvres and will allow lorry sized vehicles to be directly loaded from bays, as opposed to through forklift trucks. Furthermore a dedicated waiting and security area is to be formed by the access from St Andrew's Road. Currently the main gate fronts onto the footpath; the gate is left open to allow for uninterrupted access. This created a security concern. If the gate must be closed, it causes delivery vehicles to back up on the Highway. The proposed dedicated waiting and security area will address both these concerns.
- 10.23 The proposed development is not anticipated to impact upon the safe and efficient operation of the highway, in compliance with policies T10 and PLP21.

Drainage issues

- 10.24 The site is within flood zones 1, 2 and 3. Nonetheless all works within flood zones 2 and 3 are to take place over existing drained hard standing. The pump-house and water tank are within flood zone 1. Furthermore the green space they are to replace is concrete lined, therefore preventing infiltration. Therefore it is concluded that the proposal would not increase local flood risk and K.C. Strategic Drainage do not object to the proposal.
- 10.25 Various Yorkshire Water pipes are underneath the site. Initially the submitted plans did not record the pipe locations and the pump-house was to be located within a pipe stand-off zone. Therefore Yorkshire Water objected to the proposal. The plans were amended to include the pipe locations and the

pump-house was re-positioned outside of the identified area. Yorkshire Water has been re-consulted on the amended plans however no response has been received to date. Nonetheless officers anticipate that the amended plan should overcome Yorkshire Water's concern.

- 10.26 So as to work proactively with the applicant and in the interest of a prompt decision officer's request that members delegate power back to the Planning Authority to await the response from Yorkshire Water.

Other Matters

Ecological impact

- 10.27 The site is adjacent to Huddersfield Broad Canal, a Wildlife Habitat Network, and is within the bat alert layer and the recorded swift nesting zone. Therefore development has the potential to impact upon any local species.
- 10.28 Notwithstanding the above the existing buildings on site are considered to have limited ecological value or roost potential. This is due to their materials of construction and current use. Therefore no detrimental ecological impact is anticipated through the proposed extensions. However the pump-house and sprinkler tank are closer to the canal, within an area which previously hosted trees and vegetation, used as a garden by employees. Recently the trees have been felled and the vegetation removed. The site clearance took place without the need for planning permission. As the pump house and sprinkler tank are to be built on now vacant land, there is not anticipated to be a detrimental impact to local species through their installation.
- 10.29 Notwithstanding the above the NPPF seeks for Planning Applications to enhance local ecology and a site's ecological value. Therefore it is considered appropriate and necessary to condition that an Ecological Assessment take place to explore opportunities for ecological enhancement on site, potentially alongside the above referenced Landscape Plan. Subject to this condition the proposal is deemed to comply with Chapter 11 of the National Planning Policy Framework and PLP30 of the PDLF.

Coal mining legacy

- 10.30 The site is within the identified High Risk Coal Mining area published by the Coal Authority. Therefore the development may be at risk of historic coal mining activity in the area. The Coal Authority have objected to the proposal as the submitted Geo-Technical Appraisal submitted alongside the application does not sufficient address the relevant ground/land stability issues. Following these concerns being raised the applicant has submitted a Coal Mining Risk Assessment and the Coal Authority has been re-consulted. No response has been received to date.
- 10.31 So as to work proactively with the applicant and in the interest of a prompt decision officer's request that members delegate power back to the Planning Authority to await the response from the Coal Authority.

Representations

10.32 One letter of objection has been received. Below are the issues which have been raised that have not been addressed within this assessment and the case officer's response.

- Works have commenced on site.
- Trees and vegetation have been removed, in what is considered the bird nesting season. Question as to whether appropriate survey work has been done.

Response: Planning permission is not required for the clearance of vegetation. Furthermore as the trees in question do not benefit from a TPO or are within a Conservation Area, permission is also not required to fell them. Regarding nesting birds, it is the applicant's responsibility to ensure appropriate survey works take place prior to works taking place. The objector has been informed if they have evidence of a bird crime to contact the RSPB. Other works that have taken place on site include excavation and surfacing. Industrial sites benefit from Permitted Development for such works, with the works that have taken place considered to fall within their Permitted Development rights.

11.0 CONCLUSION

11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. This application has been assessed against relevant policies in the development plan and other material considerations.

11.2 The scale of the proposed development is considered relatively minor in comparison to the size of the existing structures on site. Nonetheless the proposed works do not raise concerns in regards to visual amenity, highway safety or residential amenity. It is considered that the potential impacts upon local ecology and the adjacent canal have been mitigated to an acceptable degree. The benefits of assisting a local business in terms of investment and employment retention / generation are given significant weight by officers

11.3 It is noted that there are standing objections from The Coal Authority and Yorkshire Water. However officers consider that these matters have been resolved although we are awaiting technical confirmation from these consultees. Therefore officers are seeking delegation to the Head of Strategic Investment to resolve these outstanding matters in a timely manner.

11.4 Subject to technical confirmation from The Coal Authority and Yorkshire Water is considered that the development would constitute sustainable development and is therefore recommended for approval.

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

1. 3 year Time limit
2. In accordance with plans
3. Samples of facing materials
4. Landscape Assessment
5. Ecological Assessment
6. Conditions as reasonably required by the Coal Authority
7. Conditions as reasonably required by the Yorkshire Water

Background Papers

Application and history files can be accessed at:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92268>

Certificate of Ownership: Certificate A signed