
Report of the Head of Strategic Investment

STRATEGIC PLANNING COMMITTEE

Date: 07-Sep-2017

Subject: Planning Application 2017/92235 Erection of new education building with the associated landscaping University of Huddersfield, Queens Street South, Huddersfield.

APPLICANT

The University of
Huddersfield

DATE VALID

06-Jul-2017

TARGET DATE

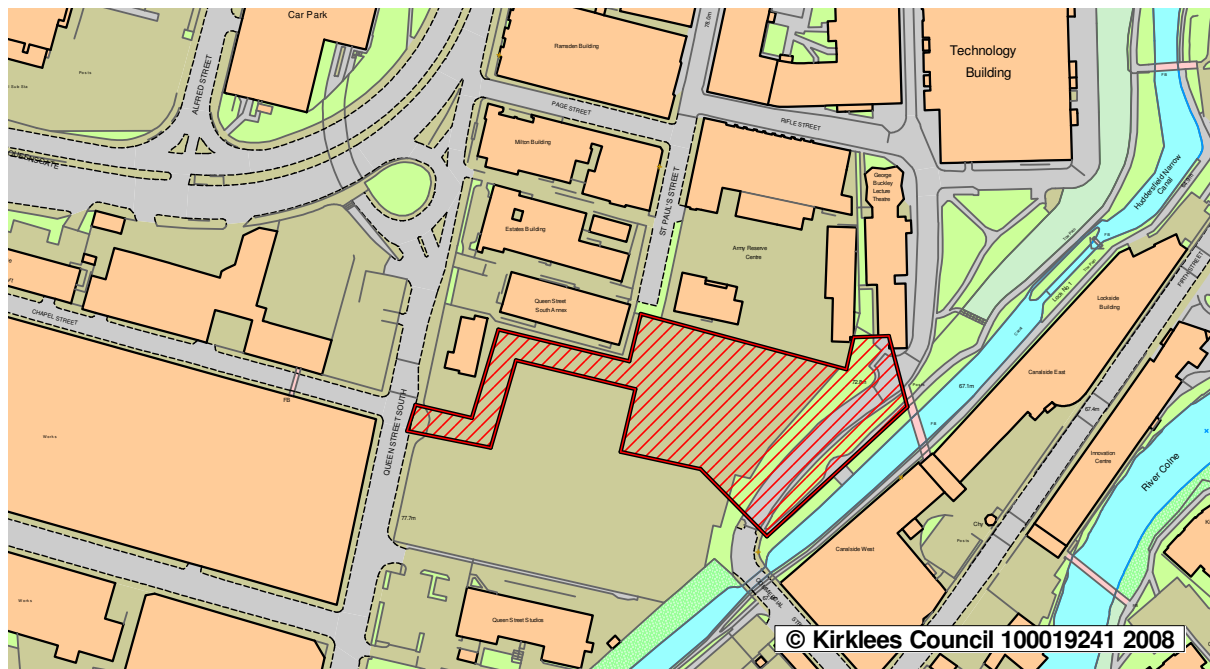
05-Oct-2017

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: Newsome

Yes

Ward Members consulted

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 is a full planning application which is brought to Strategic Committee because the proposal seeks non-residential development within a site area which exceeds 0.5ha.
- 1.2. This report is a formal recommendation following a Position Statement presented to members at the Committee meeting on the 10th of August, 2017.
- 1.3 During the Position Statement meeting members were supportive of the principle of development and provided positive feedback on the design and architectural merits of the proposal. Members did raise questions in regards to highway arrangements and whether there was an impact on nearby listed buildings. These considerations have been responded to within this report.

2.0 SITE AND SURROUNDINGS

- 2.1 The application covers an area of 0.64 hectare. The majority of the site is within land previously occupied by industrial and warehouse units of the Broadbent Works. These were demolished circa 2015/2016, leaving the site cleared and vacant. The remainder of the site, to the east, includes a car park, canal side path and vegetation accessed from University Road. A circa 5.0m retaining wall separates the former Broadbent Works site to University Road.
- 2.2 The site is bound to the north by the University's Queensgate campus. The campus consists of numerous buildings. The architectural styles and appearances of the buildings within the Queensgate campus vary greatly, demonstrating their period of construction and original purpose. To the east and south is the Huddersfield Narrow Canal, which has various mill buildings fronting onto it on the opposite bank. The canal is on a ground level approx. 5.0m below that of the main site. To the west is Queen Street South: accessed from Queen Street South are various industrial units and Queen Street Studios, a university teaching building.

- 2.3 There are various listed buildings and structures within the area. Examples include the Thomas Broadbent and Sons Ltd Bath House (west) Army Reserve Centre (north) and Canalside East and West Buildings (east). All noted, and within the area, are Grade 2 Listed.
- 2.4 Queen Street South connects to Huddersfield Town Centre's ring road, with the site being approximately 5 minute walk from the town centre.

3.0 PROPOSAL

- 3.1 The application seeks planning permission to construct a 4 level education centre. It is to be named the Barbra Hepworth Building. The building is to be split level, presenting three storeys to St Paul's Street and four to University Street. A mezzanine floor will connect the lower ground level to the ground floor.
- 3.2 The overall floor space created is to be 7,405sqm on a building footprint of 2,310sqm. It is to house the Art, Design and Architecture teaching facilities and is to be the first of the new western area of Queensgate campus. The Barbra Hepworth Building is not to provide traditional classrooms, instead hosting flexible spaces of various workshops, dark rooms, studios and other specialised rooms. Ancillary facilities include a café space, materials library, social areas and toilets.
- 3.3 Materials of construction include ashlar stone, aluminium cladding and large areas of glazing with an aluminium veil feature over. The proposal would create 10 fulltime jobs. No parking spaces are proposed, with the development resulting in a net loss of 25 parking spaces for the campus as a whole (690 to 665).
- 3.4 External works include soft landscaping along the canal front and alterations to University Road. Engineering works are proposed to create stairs, in the form of an amphitheatre, linking the ground level of the building to University Road and the canal.

4.0 RELEVANT PLANNING HISTORY

4.1 Application site

2009/92065: Erection of office, warehouse and factory extension including external alterations – Conditional Full Permission*

2010/91327: Change of use of foundry to office, new roof and wall cladding, and new windows – Conditional Full Permission*

2010/90113: Listed Building Consent for demolition of existing buildings – Consent Granted*

2013/92907: Outline Application for demolition of existing buildings and erection of educational development (D1) with associated access (Listed Building) – Conditional Outline Permission (Unimplemented, expired)

2013/92920: Listed Building Consent for demolition of existing buildings – Consent Granted

2016/90487: Discharge of conditions 16 and 17 on previous application 2013/92907 for demolition of existing buildings and erection of educational development (D1) with associated access (Listed Building) – Discharge of Conditions Approved

* - Refers to development which has since been demolished.

4.2 Application site adjacent / Surrounding Area

Huddersfield Narrow Canal

99/92753: Formation of footpath links including ramped access, seating areas and associated landscaping – Conditional Full Permission (Implemented)

Huddersfield University Campus

96/90053: Change of use from government offices to teaching and office use – Conditional Full Permission (Implemented)

2003/94676: Erection of extension to West Building to accommodate media and the student union and alterations to adjoining car park. Formation of temporary car park on site of great hall (partly within a Conservation Area) – Conditional Full Permission (Implemented)

Former Huddersfield Examiner / Land at Queen Street South, Huddersfield

2010/92802: Change of use from offices to higher education use – Conditional Full Permission (Implemented)

2012/92398: Formation of new car park – Conditional Full Permission (Implemented)

5.0 HISTORY OF NEGOTIATIONS

5.1 Officers requested additional information on several **considerations** during the course of the application. Discussions were held on landscaping, ecological impact, crime/terrorism mitigation and the university's ongoing travel plan which resulted in additional plans and supporting documents being provided. This was sufficient to overcome the initial concerns.

5.2 Final negotiations are taking place in regards to the proposal's relationship with the adjacent canal and water management on site. The outcome of these discussions will be provided to members within the committee update.

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 Huddersfield Town Centre Insert Map the site is allocated as an area where industrial and warehousing development will normally be permitted. Furthermore the site falls within identified Derelict Land (Site No. DL7.3).

6.3 The site is Unallocated on the PDLP Proposals Map. The Huddersfield Narrow Canal is allocated as a core walking/cycle network, local wildlife site and Habitat Network.

6.4 Within both the UDP and PDLP the site is adjacent to the Huddersfield Town Centre Conservation Area.

6.5 Kirklees Unitary Development Plan (UDP) Saved Policies 2007

- **G6** – Land contamination
- **D2** – Unallocated land
- **NE9** – Development proposals affecting trees
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE11** – Building materials
- **BE23** – Crime prevention
- **EP4** – Noise sensitive locations
- **EP11** – Ecological landscaping
- **T1** – Transport: Strategy
- **T10** – Highway Safety
- **T16** – Pedestrian access
- **T19** – Parking standards
- **DL1** – Derelict and neglected land
- **DL2** – Reclamation of derelict land
- **DL3** – Identified derelict land
- **R18** – Development adjacent to the canal
- **TC1** – Huddersfield Town Centre
- **TC12** – Proposals for the development of industry and warehousing

6.6 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
- **PLP7** – Efficient and effective use of land and buildings
- **PLP20** – Sustainable travel
- **PLP21** – Highway safety and access
- **PLP23** – Core walking and cycling network
- **PLP24** – Design

- **PLP28** – Drainage
- **PLP30** – Biodiversity & Geodiversity
- **PLP31** – Strategic Green Infrastructure Network
- **PLP32** – Landscape
- **PLP33** – Trees
- **PLP34** – Conserving and enhancing the water environment
- **PLP35** – Historic environment
- **PLP51** – Protection and improvement of local air quality
- **PLP53** – Contaminated and unstable land

6.7 National Planning Guidance

- **Paragraph 7** – Sustainable Development
- **Paragraph 17** – Core Planning Principles
- **Chapter 4** – Promoting sustainable transport
- **Chapter 7** – Requiring good design
- **Chapter 8** – Promoting healthy communities
- **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 historical environment

6.8 Other Considerations

- Guidelines for Regeneration: Firth Street Area Huddersfield. November 2002

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 4th of August, 2017.

7.2 One representation has been received. The representation raised concerns with the proposal. The following is a summary of the concern raised;

- While the commenter has no specific objection to the proposal, concern is raised over the security impact, during construction and afterwards, upon the adjacent Huddersfield Drill Hall.

8.0 **LOCAL MEMBER INVOLVEMENT**

8.1 The application is within Newsome Ward. The Members for Newsome Ward are Cllr Karen Allison, Cllr Andrew Cooper and Cllr Julie Stewart Turner. Following validation of the application local members were informed of the application.

8.2 Cllr Julie Stewart Turner and Cllr Andrew Cooper have expressed concerns over the proposal's lack of parking and the University's wider travel plans. Concerns include university students and visitors, such as during conferences, parking in local residential areas which cause disruption to residents.

8.0 CONSULTATION RESPONSES

8.1 Statutory

Canal and Rivers Trust: Raised concerns over ecological impact and have requested various conditions and either a condition or legal agreement to secure a financial contribution to improve the canal towpath.

The Coal Authority: No objection.

8.2 Non-statutory

Counter Terrorism Security Advisor: Have provided advice on crime mitigation measures which is currently being considered by the applicant.

Huddersfield Civic Society: No comment.

K.C. Business, Economy and Regeneration: Supportive of the proposal.

K.C. Conservation and Design: Supportive of the design, however have requested a condition for material samples to be submitted.

K.C. Ecology Unit: Initially requested further details on ecological impact. These were provided and, subject to condition, K.C. Ecology is now supportive of the proposal.

K.C. Environmental Health: No objection subject to conditions and notes related to contamination.

K.C. Highways: No objection.

K.C. Strategic Drainage: Have raised concerns regarding surface water discharge, access and seek further mitigation on canal flooding. Officers and Strategic Drainage are working proactively with the applicant to resolve the outstanding matters.

K.C. Trees: No objection subject to specific trees on Commercial Street being retained. Subsequent plans have clarified that the desired trees are to be retained.

Yorkshire Water: Raised initial objection to the proposal. Following discussions between Yorkshire Water, officers and the applicant and the submission of an amended plan Yorkshire Water support the development subject to appropriate conditions.

9.0 MAIN ISSUES

- Principle of development
- Urban design and landscaping
- Residential amenity
- Highway impact
- Drainage impact
- Other considerations
- 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). The dimensions of sustainable development will be considered throughout the proposal.
- 10.2 Conversely 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]'

All these considerations are addressed later in this assessment.

- 10.4 The application must also be considered against TC12, as the site is within an 'area where industrial and warehousing development will normally be permitted'. While not falling within these criteria, the policy does not exclude other development. Given the site's close proximity to the larger university campus, and the gradual change in the character of the area, the use is considered appropriate within the area. In keeping with this, the site was historically allocated as Derelict Land within the UDP. Currently it is a vacant and levelled brownfield site. Policy DL1 states that derelict land will be brought back into beneficial use, to assist in the regeneration of the district. Subsequently to the adoption of the UDP, the 'Guidelines for Regeneration: Firth Street Area' document has been published (2002). Within the document the area is designed as 'Town Centre Fringe' which is largely business orientated. Within this area regeneration is to be encouraged to bring about the revitalisation of the area. Paragraph 4.3 of the document states that *'the influence of the University is an important factor throughout the Firth Street area'* and *'significant investment has been made by the University leading to substantial improvements'*.
- 10.5 Consideration must also be given to the emerging local plan. The site is without notation on the PDLP Policies Map. PLP2 states that;

All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the

character of these places, as set out in the four sub-area statement boxes below...

The site is within the Huddersfield sub-area. Policy PLP3, 'location of new development', requires development to reflect the characteristics of the surrounding area, while also supporting employment in a sustainable way. PLP7 relates to the efficient and effective use of land and buildings. The listed qualities and criteria of these policies will be considered where relevant later in this assessment.

Weight of previous outline permission

- 10.6 Until recently the site benefitted from Outline Planning Permission, via 2013/92907, for 'demolition of existing buildings and erection of educational development (D1) with associated access (Listed Building)'. 2013/92907's grant of permission expired January 2017, without development commencing. While the permission has expired, the Planning Practice Guidance details that weight should be afforded to extant and recently expired permissions, where there has been no material change in circumstances'.
- 10.7 The proposal differs from 2013/92907 in that it is a full application. Nevertheless 2013/92907 established the principle of development to be acceptable. It is noted that since 2013/92907 the PDLP has gained weight as a policy document. Nonetheless the policies of the PDLP do not conflict with the proposal's principle of development.
- 10.8 Given the above it is concluded that the principle of development is acceptable. However consideration must be given to the local impact, outlined below.

Urban design and landscaping

- 10.9 The proposal would introduce an additional large scale building to the campus which would be seen both at close quarters and at a distance. This includes views from within the campus, Firth Street and Huddersfield Ring-road. The development would therefore have the potential to impact significantly on the visual amenity of the area, both during the day and at night when artificially illuminated. However, this needs to be considered in the context of other development in the area.
- 10.10 The University campus hosts buildings of various architectural designs. This includes re-purposed traditional buildings and purpose built education buildings. The mixture of historic and contemporary designs reflects the evolution of the campus over many decades. Furthermore the scale and massing of the buildings vary through the campus. It is considered that the Barbra Hepworth Building's scale would be in keeping with existing development on the campus, including the adjacent Canalside East and West buildings, the Oastler Building and the Central Services Building.
- 10.11 Considering the design of the above named buildings, each is unique in appearance and architectural form while suitably harmonising with one another and the overall character of the university. Assessing the Barbara Hepworth Building's design, the contemporary style and strong architectural image are considered to harmonise well with the other large buildings of the

university. Likewise the mixture of materials is considered appropriate, with the stone base providing a traditional grounding to the building while the cladding provides a lightweight modern element. Notwithstanding this, if minded to approve, a condition will be sought requiring samples of the material to be provided for review. Regarding the glazing screen, the submitted design and access statement describes it as a 'textiles design' through a digital means to create an architectural 'veil'. This is considered to provide architectural interest of the building, in keeping with other feature pieces on other university buildings.

- 10.12 Landscaping works are proposed to the site's east, connecting the building's level 0 to the lower University Street and Huddersfield Broad Canal. Through both hard and soft landscaping the level change is to be accomplished by terraced spaces and stairs, alongside accessible ramped routes. The tiers are to be used as both a connection route and a social space. The proposed arrangement is considered an acceptable response to the site's level change and will provide a high quality social space overlooking the canal and neighbouring listed buildings, Canalside East and West. From a design perspective the removal of several of the site's current trees, and the proposed replacement trees and planting, are considered appropriate.
- 10.13 In summary, subject to the above detailed conditions, officers are supportive of the proposed design. It is considered that the development complies with Policies D2, NE9, BE1, BE2 and BE11 of the UDP, PLP24 and PLP32 of the PDLP and Chapter 7 of the NPPF.

Impact on Local Heritage Assets

- 10.14 There are various listed buildings around the site. These include Thomas Broadbent and Sons Ltd Bath House (west) Army Reserve Centre (north) and Canalside East and West Buildings (east). The buildings are all Grade 2 Listed. Section 66 of Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of listed buildings. In considering whether to grant planning permission for development which affects a listed building or it's setting the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.15 In accordance with Chapter 12 of the NPPF consideration must be given to the specific heritage value of the adjacent heritage assets. The Broadbent Bath House has social importance, given its rarity as a purpose built bathhouse for foundry workers. It retains original features internally, including fixtures and fittings. The Canalside East and West buildings are traditional mills, with architecture and character reflecting their origins. The Reserve Centre is likewise listed for its architectural merits and character as a purpose built drill hall. As none of the referenced Listed Buildings are within the site, the proposal will not directly impact upon their historic fabric/architecture. However consideration must be given to their setting.
- 10.16 In regards to the Bath House, the building's original setting has been lost through the demolition of the Broadbent Works, leaving it isolated adjacent to the current vacant site. The submitted heritage statement asserts that; '*The proposed development is an opportunity to provide a new broader setting to the listed building, removing this sense isolation, while ensuring that harm to*

the heritage asset is less than substantial'. Officers do not object to this assessment.

- 10.17 The proposed development is more distant to the other Listed Buildings, with each also being larger in scale than the Bath House and possessing more of an individual identity. As has been assessed the design of the Barbra Hepworth Building is considered appropriate in its setting and will not cause harm to the setting, and therefore significance, of the neighbouring heritage assets. The public benefit of the proposal is considered to outweigh the less than substantial harm to neighbouring listed building which has been identified. It is therefore concluded that the proposed development complies with S66 of the Act, PLP35 of the PDLP and Chapter 12 of the NPPF.

Residential amenity

- 10.18 There are no residential properties to the site's north, east or west. The closest building to the south, Canalside West, is university teaching space. Further to the south, in excess of 100.0m, is the Melting Point apartment complex.
- 10.19 While the proposed structure is large in scale, taking into account the separation distance, the comparable scale of previous development on site and that the Melting Point apartment complex does not directly face the application site, it is not considered that the proposal would result in overbearing, overshadowing or overlooking which would materially impact upon the amenity of residents of the Melting Point.
- 10.20 As the development includes an external public space noise pollution is a consideration. Nonetheless, the public space is not designed for performance or group activity, and will not create an undue level of noise. Therefore it is not anticipated to cause harm to the amenity of nearby residents, or be disruptive to nearby study spaces.

Highway impact

- 10.21 Currently inaccessible, the site of the former Broadbent Works benefits from vehicular access points on Queen Street South and St Paul's Street. The eastern part of the application site includes University Road, which adjoins to Commercial Street.
- 10.22 The proposal seeks to convert University Street into a pedestrian focused environment. This is to be achieved through removable bollards to restrict access. Similar works are to take place on St Paul's Street as part of the new Western Campus masterplan. This is to include a pedestrian link to Queens Street South and a Plaza; however details on this are currently limited and are not under consideration. Two pedestrian accesses into the Barbra Hepworth Building are proposed, one onto level 1 from St Paul's Street and another to level 0 from University Street. The design and access statement stipulates that; *'It is the intention generally to create new public realm [within the campus] with pedestrian priority. Vehicle access will be limited to accessible parking, service and emergency use only. This change of priority creates a safe and welcoming environment with increased flexibility for functional spaces'*.

- 10.23 The University has an ongoing Travel Plan, which covers the period 2009 to 2017. The Travel Plan sets out a range of strategies, objectives and targets aimed to promoting sustainable modes of transport. Initiatives promoted by the Travel Plan include, but are not limited to;
- Provision of 5 cycle shelters throughout the campus
 - Provision of on-site motorcycle parking.
 - Staff being provided with discounted travel passes
 - Subsistence travel from certain student accommodation
 - Funding (£40k in match funding) to the Huddersfield Active Travel Project
- 10.24 In addition to the above measures is the University's Car Parking Strategy. The strategy seeks to remove all general parking from within the University's Queensgate Campus (while retaining adequate accessible spaces). General parking is being moved to carparks on the campus' peripheries, such as on St Andrews Road and Firth Street. The overall aim of the Travel Plan is to make the campus more permeable, which will assist in prioritising the movements of cyclists, pedestrians and public transport users.
- 10.25 In line with the Car Parking Strategy vehicular access to the proposed building will be limited to emergency services, service vehicles and cyclists. No parking spaces will be provided on site. The 25 parking spaces currently on University Street will be lost, reducing the campus' total number of parking spaces from 690 to 665. The University has stated they intent to provide 25 additional parking spaces within the campus vicinity in the future, however the details are currently not known.
- 10.26 The transport assessment submitted with the planning application provides evidence that the objectives of the travel plan, to reduce single occupancy car journeys and increase sustainable methods of transport, has broadly been successful to date. The current Travel Plan is reaching the end of its period. An updated travel plan is currently being produced by the University of Huddersfield and will include a review of the past travel plan, alongside new plans and strategies to continue to enhance travel arrangements.
- 10.27 The application site is considered to be a highly sustainable location. The site is within 200.0m of Huddersfield Town Centre, which benefits from strong public transport links to the local and wider region. Furthermore the site is within close walking distance to numerous student residences with further residences being connected by a dedicated University bus. Taking this into account, in addition to the successes of the University's Travel Plan, the upcoming new Travel Plan and submitted Transport Assessment, it is concluded that the proposed development is acceptable from a Highways perspective. The Council's Highways Development Management Team has reviewed the proposals and has indicated that it does not wish to object to this development.
- 10.28 In summary it is concluded that the proposed development would not result in harm to the safe and efficient operation of the highway. The proposal is therefore considered to accord with UDP policies T10, T16 and T19 and PDLP policy PLP21.

Drainage impact

- 10.29 The site is within Flood Zone 1. Foul and surface drainage are proposed via the mains sewer.

- 10.30 Yorkshire Water raised initial concerns as the proposal had inadequately considered public water supply and sewerage infrastructure on site. Following the consultation response discussion took place between the applicant and Yorkshire Water. This resulted in an amended layout plan. Yorkshire Water was re-consulted and, subject to conditions relating to ground works near pipes, systems of drainage, disposal of surface water and stand-off distances, no longer object to the proposal.
- 10.31 Regarding surface water there is no substantive objection to the development, however officers and K.C. Strategic Drainage have requested final technical detail relating to surface water discharge, access and seek further mitigation on canal flooding. Review of the submitted information, and any required conditions, will be provided to members within the committee update.

Other considerations

Impact on Huddersfield Narrow Canal

- 10.32 Huddersfield Narrow Canal is managed by the Canal and River Trust, who have been consulted as part of this application. The Trust has requested that the following be conditioned; structural calculations adjacent to the canal, impact on operations to the waterway, further details on landscaping, and contamination mitigation. In the interest of maintaining the integrity of the canal, officers are supportive of these conditions.
- 10.33 In addition to the above conditions the Canal and River Trust raise concerns over the canal's towpath. The towpath is on the opposite side of the canal to the development; the path along the proposed development side of the canal is owned and managed by the University. The Canal and River Trust are of the opinion that the development would increase the footfall on the towpath; it is their perspective that the towpath is poor quality and unable to accommodate additional demand. Accordingly the Canal and River Trust requested a legal agreement for a contribution from the University to improve the towpath.
- 10.34 Officers consider that the request does not satisfactorily pass the tree tests for planning obligations and there is insufficient policy context to justify the contribution. The towpath is not a principal access to the proposed development. The primary accesses to the site are University Road/Commercial Street, Queens Gate South, St Pauls Street and the west side canal path, which is under the ownership of the University. These routes provided a much more direct route to the building than the towpath. It is acknowledged that there are university buildings on the east of the canal. Nonetheless the three university teaching buildings on the east side of the canal (Canalside East, Canalside West and the Business School) are served by bridges which allow direct access to the main campus via the west path, preventing the need for use of the towpath. The development will improve access to the canal, enhance the public realm and improve local walking and cycling routes, complying with Policy R18 and the NPPF.
- 10.35 While the request for a contribution from the Canal and River Trust is acknowledged, on the planning balance it is concluded that, subject to the above mentioned conditions, the development will have a positive impact on

the Huddersfield Narrow Canal, improving access and public interaction. Therefore the proposal is deemed to comply with Policies D2 and R18 of the UDP, PLP21 and 34 of the PDLP and Chapters 8 and 11 of the NPPF.

Impact on ecology

- 10.36 The site abuts the Huddersfield Narrow Canal Local Wildlife Site, which also forms a key component of the local green infrastructure resource, and has been included in the Kirklees Wildlife Habitat Network designation of the emerging Local Plan. Furthermore the site is within the identified bat alert layer.
- 10.37 The current landscape proposals will result in the loss of trees and shrubs adjacent to the canal. The vegetation currently contributes to the green infrastructure resource and is likely of particular value for foraging bats. The vegetation also provides a screening function by limiting light spill onto the canal corridor. Given this concern further clarification was sought on the proposed landscaping scheme and the development's impact on local ecology.
- 10.38 The strip of vegetation immediately adjacent to the canal (approx.3.0m wide), including several mature trees, is to be retained. Within the site areas of soft landscaping are to include non-native tree planting and native wildflower seeding. While the loss of established habitat is noted the above scheme is considered acceptable in principle, balancing the need for ecological preservation, providing a usable social space and enhancing the canal frontage. Conditions are considered necessary to ensure suitable implementation and maintenance of the site's landscaping and ecological value.
- 10.39 Subject to the abovementioned conditions the development is considered to comply with Policies D2, NE9 and EP11 of the UDP, PLP30 and PLP32 of the PDLP and Chapter 11 of the NPPF.

Impact on the local economy

- 10.40 Chapter 1 of the NPPF established a general principle in favour of supporting economic development and growth. Paragraph 19 outlines the requirement for planning to '*operate to encourage growth and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system*'.
- 10.41 The proposed would have a direct benefit for the growth of the university. The Design and Access Statement stipulates that the Barbra Hepworth building is intended to be the catalyst and creative height of the new western campus area. The statement goes on to say;

The application proposals represent another major investment by the University in upgrading, enhancing and extending its facilities and represent a significant boost to the objectives of their planned growth and the delivery of their overall Masterplan Framework.

- 10.42 Indirectly the development will benefit Huddersfield Town Centre and the surrounding area through the creation of permanent jobs, temporary jobs

during construction and the overall growth of the university. Considering the 'Kirklees Publication Draft Local Plan: Submitted for examination April 2017', the industrial units to the site's west are allocated as a 'priority employment zone'. Nevertheless the proposal is not considered detrimental to the business operations taking place.

- 10.43 In summary the proposal is considered to have a beneficially impact upon the local economy, in accordance with Chapter 1 of the National Planning Policy Framework.

Crime prevention

- 10.44 Advice has been provided by the Counter Terrorism officer to the applicant. In accordance with Paragraphs 58, 69 and 164 of the NPPF a condition is to be imposed requiring the submission of the development's counter-terrorism mitigation and prevention measures, for review by the Counter Terrorism Agency, if minded to approve.

Pollution/Contamination

- 10.45 UDP Policy G6 and PDLP Policy PLP53 state that development proposals will be considered having regard to available information on the contamination or instability of the land concerned. The future development of this site could result in existing on site contaminants being disturbed or the introduction of materials which could lead to the pollution of surface water or ground water regimes. Bearing in mind the proximity of this site with regard to the Huddersfield Narrow Canal, it is considered that it is important to ensure this risk is fully examined.
- 10.46 A Phase II Geo-Environmental Assessment has been submitted with the application, which has been reviewed by K.C. Environmental Health. The report is considered satisfactory, and identified that there are areas of contamination present on the site. Therefore conditions are to be imposed requiring a remediation and validation strategies to be submitted for review and implemented, if minded to approve.
- 10.47 Other contamination concerns relate to dust created during development, which can be a nuisance to nearby residents and businesses. In the interest of preventing this, a condition is to be imposed requiring a scheme to be submitted specifying measures to mitigate dust impacting on 3rd parties.
- 10.48 Subject to these conditions the proposal is deemed to comply with the requirement of Policy G6, PLP53 and Chapter 11 of the NPPF in regards to contamination.

Coal mining legacy

- 10.49 Part of the site falls within an area identified as being at high risk of containing unrecorded historic coal mining workings at shallow depth. A Phase II Geo-Environmental Assessment has been provided with the application which has been reviewed by the Coal Authority. The Coal Authority has confirmed that they are satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately investigated.

- 10.50 Subject to a suitably worded condition, to ensure the recommendations and guidance contained within the Phase II Geo-Environmental Assessment are implemented, it is considered that the development complies with the requirements of G6 of the UDP, PLP53 of the PDLP and Chapter 11 of the NPPF.

Representations

- 10.51 One representation has been received raising concern with the proposal. Below are the issues which have been raised that have not been addressed within this assessment.
- While the commenter has no specific objection to the proposal, concern is raised over the security impact, during construction and afterwards, upon the adjacent Huddersfield Drill Hall.

Response: Consultation is ongoing with the Police Architectural Liaison Officer and the Counter Terrorism Security Advisor. However neither of these groups will look specifically at the relationship with the Drill Hall. Officers have requested that the University provide a statement on this matter, and open a dialogue with the Drill Hall. This is ongoing.

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.
- 11.2 Officers are supportive of the proposed development. The design of the building is innovative and of the highest architectural quality. The development will assist in raising the existing high standard of the surrounding built environment. Furthermore the development will provide a direct benefit to the local economy through investment within a close proximity to Huddersfield Town Centre. There will also be economic benefits through the purchase of locally sourced materials, from within Kirklees and the surrounding region. There will also be an indirect benefit through the enhancement of the University's existing education facilities, further growing the University of Huddersfield as a nationally recognised institution.
- 11.3 This application has been assessed against relevant planning policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS

- 3 year Time limit
- In accordance with plans
- Ecological design and landscape plan and maintenance
- Construction Environmental Management Plan
- Lighting Strategy
- Material samples
- Travel Plan update
- Site remediation / validation

- Dust suppression
- Restricting ground works near pipes
- Systems of drainage
- Disposal of surface water
- Stand-off distances

Background Papers

Application website link: <http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92235>

Certificate of Ownership: Certificate B signed. Notice has been served on Kirklees Council (Physical Resources and Procurement)