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**Report of the Head of Strategic Investment**

**HUDDERSFIELD PLANNING SUB-COMMITTEE**

**Date: 22-Feb-2018**

**Subject: Planning Application 2017/93399 Change of use and alterations, including erection of boundary fence, to former mill (B1 Business) to 30 student bedrooms (C4) Office, Britannia Mills, Colne Road, Huddersfield, HD1 3ER**

**APPLICANT**

Qamar Anwar,  
First4lawyers Ltd

**DATE VALID**

02-Nov-2017

**TARGET DATE**

28-Dec-2017

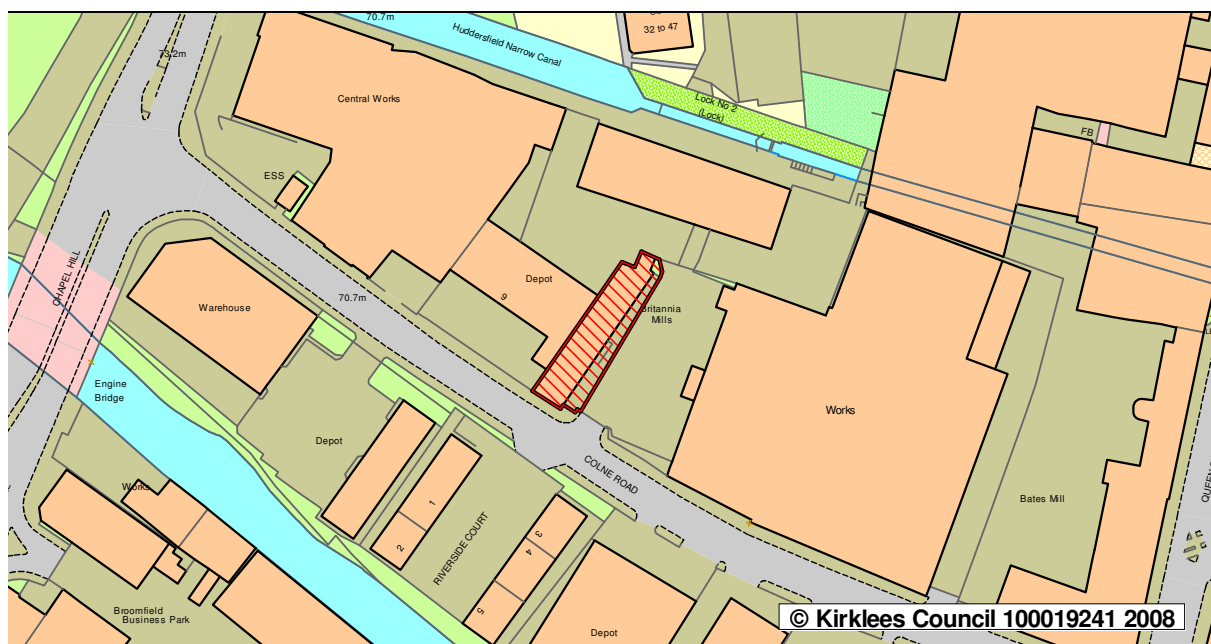
**EXTENSION EXPIRY DATE**

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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**

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**Electoral Wards Affected: Newsome**

No

Ward Members consulted

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## **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 the Environment Agency, specifically their recommended conditions.

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

In the circumstances where outstanding Environment Agency concerns have not been addressed within 3 months of the date of the Committee's resolution then the Head of Strategic Investment shall consider whether planning permission should be refused on the grounds that the proposals are unacceptable on the grounds of flood risk; if so, the Head of Strategic Investment is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

## **1.0 INTRODUCTION**

- 1.1 The application has been brought to committee at the request of Councillor Julie Stewart-Turner. The request is because of concerns over the proposal's lack of parking, and the impact on local highway safety.
- 1.2 The Chair of Sub-Committee confirmed that Cllr Stewart-Turner's reason for making this request was valid having regard to the Councillors' Protocol for Planning Committees. Cllr Stewart-Turner also requested a site visit, which was likewise accepted by the Chair of Sub-Committee.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The Britannia Mills site is located on Colne Road within a key industry hub to the south of Huddersfield Town Centre, with a large number of industrial/commercial buildings located in close proximity to the site. The site and surrounding area forms part of Kirklees Council's 'Priority Employment Area'.
- 2.2 The building and site is bounded on all sides with existing industrial units, with a large Auto-parts supplier to the East and North, and the Council's document printing facility abutting the building to the West. Adjacent the building opposite Colne Road is a clothing distribution centre and a number of electrical wholesalers.

- 2.3 The main vehicular and pedestrian entrance to the site is accessed off Colne Road to the South-east, with the access to the site shared between Britannia Mills and the adjacent industrial units. A large car park is situated to the East of the site but this does not form part of the application site. Space is currently provided for four vehicle parking spaces directly in front of the building. The main vehicular site entrance can be secured with large metal security gates.
- 2.4 The building itself is a traditional 3-storey mill building constructed around 1860. It is faced in stone with a pitched slate roof. The first and second floor have principally UPVC framed windows whilst openings on the ground floor have been blocked up. It is confined to a very limited curtilage with the building on an east/west axis. The main entrance is located on the east elevation. There is an access ramp outside the main entrance and a fire escape along the eastern elevation of the building.

### **3.0 PROPOSAL**

- 3.1 The proposal seeks to convert the unused Britannia Mills office building into a development of 30 student bedrooms in a cluster format of 6 flats. The flats are to be formed in clusters of 5 bedrooms per unit, with communal kitchen and lounge facilities provided to each. Bedroom units will be provided with; private en-suite bathrooms, three quarter size beds, study and storage space.
- 3.2 On the Colne Road elevation former door openings are to be blocked up to form windows. All new and replacement windows are to be double glazed and match the design of the existing windows, bar three feature openings, including the main access, which are to be aluminium framed with aluminium extruded feature window frame. Signage is proposed, to state 'Britannia Mills', written vertically on the main elevation.
- 3.3 The existing boundary wall with Colne Road is to have a pedestrian gateway formed. The stone 'Britannia Mills' is to be repaired and moved to facilitate this. A 2.1m steel fence is to be erected along the boundary with the adjacent works (Wood Auto Supplies Ltd) forming a confined area. A bin storage area with a footprint of 4.035m x 2.7m is to be constructed adjacent to the access to Wood Auto Supplies Ltd, with gate facing the access. No parking spaces would be retained on site but space for 20 cycles provided.

### **4.0 RELEVANT PLANNING HISTORY**

#### *4.1 Application Site*

The application site has no planning or planning enforcement history.

#### *4.2 Surrounding area*

There are numerous planning applications for neighbouring sites relating to their commercial uses. None are considered directly relevant to the current proposal.

## **5.0 HISTORY OF NEGOTIATIONS**

- 5.1 Officers expressed initial concerns relating to the highways impact of the proposal and the proposed noise mitigation. Following discussions a highways statement was provided and, on balance, deemed acceptable given the nature and scale of the development. Additional information was added to the proposal's acoustic survey which addressed the noise mitigation concerns.
- 5.2 Further to this the Environment Agency initially raised concerns regarding flood risk. The applicant, officers and the Environment Agency have negotiated together and reached an agreed outcome. The formal Flood Risk Assessment has been updated and sent onto the EA for comment. Their response has 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 Examination in Public began in October 2017. 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. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant 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, within an area designated for Industry and Warehousing (TC12) and also within identified derelict land (DL1/DL2/DL3).
- 6.3 The site is allocated as Priority Employment Accept on the PDLP Proposals Map.
- 6.4 Kirklees Unitary Development Plan (UDP) Saved Policies 2007
- **G6** – Contaminated land
  - **D2** – Unallocated Land
  - **BE1** – Design Principles
  - **BE2** – Quality of Design
  - **BE12** – Space about buildings
  - **EP4** – Development and Noise
  - **T10** – Highway safety
  - **T19** – Parking standards
  - **DL1** – Derelict and neglected land (strategy)
  - **DL2** – Reclamation of derelict land
  - **DL3** – Derelict land

- **B4** – Premises and sites with established use, or last used for, business and industry
- **H1** – Housing (Strategy)
- **H8** – Conversion to residential use
- **TC1** – Huddersfield Town Centre
- **TC12** – Industry and Warehousing

#### 6.5 Kirklees Publication Draft Local Plan (submitted for examination April 2017).

- **PLP 1** – Presumption in favour of sustainable development
- **PLP 2** – Place shaping
- **PLP 3** – Location of new development
- **PLP 8** – Safeguarding employment land and premises
- **PLP 21** – Highway safety and access
- **PLP 24** – Design
- **PLP 27** – Flood risk
- **PLP 28** – Drainage
- **PLP 30** – Biodiversity and geodiversity
- **PLP 51** – Protection and improvement of local air quality
- **PLP 52** – Protection and improvement of environmental quality
- **PLP 53** – Contaminated and unstable land

#### 6.6 National Planning Guidance

- **Paragraph 17** – Core planning principles
- **Chapter 1** – Building a strong competitive economy
- **Chapter 6** – Delivering a wide choice of high quality homes
- **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

#### 6.7 Other

- KMC: Guidelines for Regeneration – Firth Street Area (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. The end date for publicity was the 15th of November, 2017.

7.2 Two representations have been received, each in objection to the proposal. The following is a summary of the concerns raised;

- A gate shown accesses onto neighbouring land, where there is no right of access.
- Concerns over the proposal's impact on operational flexibility of adjacent business, Woods Auto Supplies Ltd. The business is manned most days from 0730 – 2000 (with no hours of use restrictions). Deliveries happen throughout the day via vans, HGVs and Lorries. Residential uses are not compatible adjacent to the business and industries ongoing, and future noise complaints may put undue pressure on the adjacent business. Thus the proposal fails B4 of the UDP.

- Student will be required to cross Woods Auto Supplies Ltd site's entrance. Because of limited turning availability within the site, Lorries are required to either reverse in or out of Woods Auto Supplies Ltd's site. Students crossing the site would therefore form an additional hazard that does not currently exist.

7.3 Councillor Julie Stewart-Turner requested that the application be brought to committee due to concerns of lack of parking and the impact on the local highway network.

## **8.0 CONSULTATION RESPONSES**

### **8.1 Statutory**

The Environment Agency: Initially objected due to flood risk concerns. Following discussions between the applicant, agent and EA a resolution has been agreed. The EA has been provide with the updated FRA, and their response is pending.

The Canal and Rivers Trust: No comment.

K.C. Highways: No objection subject to condition limiting use to student accommodation.

### **8.2 Non-statutory**

K.C. Ecology: No objection subject to conditions.

K.C. Lead Local Flood Authority: No objection subject to condition.

K.C. Environmental Health: Initially raised concerns and requested clarification. This has been provided. Conditions requested relating to noise mitigation and contamination, if minded to approve.

Crime Prevention (PALO): No objection subject to condition.

## **9.0 MAIN ISSUES**

- Principle of development
- Urban Design issues
- Residential Amenity
- Highway 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. Further to the above the Council are unable to demonstrate a 5 year supply of housing land. Therefore relevant policies for the supply of housing should not be considered up to date. Notwithstanding this the site is not subject to policies which restrict the supply of housing. 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 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. The listed qualities will be considered where relevant later in this assessment.

#### *Conversion from office to residential*

- 10.5 The proposal would result in the loss of an employment site. Therefore Policy B4 of the UDP falls to be considered. B4 outlines a range of considerations to be taken into account in proposed changes of use of premises last used for business and industry. Additionally the site is allocated as being within a Priority Employment Zone. Policy PLP8 states;

*2. Within Priority Employment Areas, proposals for redevelopment resulting in a non-employment end use, or for the conversion or change of use of sites and premises in use or last used for employment, will only be supported where:*

*a. it can be demonstrated that the site or premises are no longer capable of employment use; and*

*b. the proposed use is compatible with neighbouring uses and where applicable, would not prejudice the continued use of neighbouring land for employment.*

10.6 In accordance with the above policies consideration must be given to the suitability of the site for continued employment use. The following considerations have been raised;

- **Age of the building**

10.7 Built circa 1860, the building is dated and not optimum for modern office use. Prior to its sale it was occupied by the council for a number of years. To bring the building up to modern standards would require a significant investment, however as outlined below local economic factors make this unlikely to occur. For example the site has no lift access and poor internal layout and circulation.

- **Lack of Parking**

10.8 As an office the site has 4 parking spaces. Based off the site's floor space 45 members of staff can be anticipated. While in a sustainable location, where a lower level of parking can be acceptable, the provision of parking is deemed poor. The lack of parking forms a detriment to the site's attractiveness to office business.

- **Economic factors**

10.9 The applicant has provided a Marketing Report from Walker Singleton which details local office trends. Demand for office properties is low, with the limited demand for town centre offices being supplied by more modern, larger and flexible facilities elsewhere, with parking provision.

10.10 Occupation would require a substantial void period, below market low rent and likely be on a short term lease, along with an initial cost to update the building. These considerations conclude it not to be financially viable, and officers have no cause to dispute this.

- **No other appropriate commercial use**

10.11 Given the layout of the building, its age and lack of appropriate vehicular access arrangements, the building does not lend itself to other commercial uses, such as manufacturing. Because of its location officers would express concern over a retail use.



- 10.12 The site is surrounded by more modern facilities. It is noted that other historic buildings are nearby, such as Thomas Broadbent and Sons on Queen Street South. Nonetheless these buildings differ in character, with Thomas Broadbent and Sons being principally manufacturing, with a floor area numerous times larger than the site.
- 10.13 Weighing the above officers are satisfied that the proposal has demonstrated that the premises are no longer reasonably capable of reasonably accommodating an office use, and no alternative viable employment use is considered appropriate. Both B4 and PLP8 require consideration of a proposal's impact on the operation flexibility of neighbouring uses.
- 10.14 To the rear (west) of the site are offices. No windows face towards the offices and there is anticipated to be limited scope for interaction between residents and these officers. To the south, cross Colne Road, is a wholesaler. With the intervening road, interactions will be limited.
- 10.15 To the immediate east are Wood Auto Supplies Ltd who have provided representation expressing concerns over the impact on their business. The business is manned most days from 0730 – 2000 (with no hours of use restrictions). Deliveries happen throughout the day via vans, HGVs and Lorries. Residential uses are not compatible adjacent to the business and industries ongoing, and future noise complaints may put undue pressure on the adjacent business.
- 10.16 The concerns relate principally to noise generation and how this will impact on future occupiers. The impact on future residents, including noise generation from adjacent business, is fully considered within sections 10.27 – 10.32 in this report. In summary officers are satisfied with the level of noise mitigation proposed will satisfactorily dampen incoming noise from the adjacent business. The proposed fencing will ensure the two uses are separate, and while other concern has been expressed over students crossing Wood Auto Supplies Ltd's, it is an existing pedestrian route. It is concluded that the proposal will not unduly impact upon the operation flexibility of Wood Auto Supplies Ltd, subject to the noise mitigation measures being implemented.
- 10.17 While Policies B4 and PLP8 are noted, Policy PLP7 states that the efficient and effective use of land and buildings includes '*the reuse or adaptation of vacant or underused properties*' and '*giving priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value*'. The NPPF adds weight in favour of this, stating;

*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.*

- 10.18 Some limited weight is also given to the 'Guidelines for Regeneration – Firth Street Area' document, which outlines the council's strategy for the area dating from 2002, although this is now post dated by the publication draft Local Plan. In summary the document supports the continuous regeneration of the area, so as to revitalise the Firth Street Area, with a particular focus on former textile mills being suitable for residential conversion.
- 10.19 In summary, it is concluded that the property is unlikely to be economically viable for B1 use in the near future with there being more appropriate modern facilities available. Furthermore the site does not lend itself to other commercial uses, such as warehousing or manufacturing. Officers are satisfied that it can be demonstrated that the premises is no longer reasonably capable of employment use. Therefore the proposal is not considered detrimental to the employment viability of the wider Priority Employment Zone.
- 10.20 In regards to a change of use to residential, planning policies, including H1 and H8 of the UDP, PLP7 and PLP11 of the PDLP and Chapter 6 of the NPPF, establish a general principle in favour of residential development. This is subject to various considerations which will be outlined below.
- 10.21 It is therefore concluded that the change of use from B1 to C3 is acceptable in principle, subject to the local impact, to be assessed below.

#### Urban Design issues

- 10.22 No extensions to the building are proposed. Alterations principally including around changing existing openings from doors to windows, or re-opening currently bricked up openings.
- 10.23 All replacement windows are to match those existing, ensuring a uniform appearance. The exception to this are three feature windows, to be aluminium and include extruding aluminium frames. As the majority of windows will match those existing, with the feature windows are set within being kept to aluminium and set within the site, officers are satisfied that the fenestration will respect the original character of the building
- 10.24 In regards to external works, the proposed fencing separating the site from the adjacent business will have a utilitarian design in keeping with nearby fencing, therefore conforming to the character of the wider area. This is considered the case too for the bin store; while located towards the front of the site it is not anticipated to appear incongruous within its setting. From public views it will principally be behind the section of original stone walling, which is to remain.
- 10.25 The inclusion of signage is typical for student accommodation and will reflect that used elsewhere in the area. The amount proposed is considered reasonable and the retention of the site's original name-stones will assist in retaining the building's heritage.
- 10.26 The proposed works are considered to respect the building's original character, while reflecting its new use in an appropriate manner. The proposal is deemed to comply with Policies D2, BE1 and BE2 of the UDP, PLP24 of the PDLP and Chapter 7 of the NPPF in regards to design.

### Residential Amenity

- 10.27 There are no neighbouring residential dwellings in the area that would be impacted by the proposal. Notwithstanding this consideration must be given to the amenity of future residents.
- 10.28 The internal sizes of the proposed flats and individual rooms are considered acceptable, being in keeping with the space standards of nearby student accommodation. Each flat provides all necessary amenities, with each bedroom being en-suite and served by a communal kitchen/living room. While it is noted outdoor space is limited, this is not atypical for student accommodation. Furthermore, given the site's proximity to the town centre and university campus future occupiers will be able to use open spaces and other leisure facilities within the town.
- 10.29 Each habitable room would be served by a well proportionated window. The closest window separation distance from the application site to the adjacent works building is 19.6m, increasing to a maximum of 27.5m given the buildings' splayed layout. Given these distances it is not considered that the adjacent building would cause harmful overbearing or overshadowing upon residents. It is noted that ground floor residents would face the site's boundary fence at a closest distance of 1.6m, however as hit and miss fencing it is not anticipated, on balance, to cause harmful overbearing.
- 10.30 In regards to noise pollution from the adjacent works and road, the application is supported by an acoustic survey. This was reviewed by K.C. Environmental Health, who raised several questions. These were addressed and the applicant has confirmed that all windows are to be replaced and will meet the noise report's standard of sound insulation performance recommended within the survey, with additional noise mitigation measures being implemented at the units adjacent to Colne Road. This can be secured via condition.
- 10.31 In regards to outlook, residents will overlook the adjacent businesses. Taking into account other conversions in the area, it is not out of keeping for residents to overlook commercial businesses although the close relationship between the two uses is noted. As set out above officers are satisfied with the noise mitigation measures proposed and it is not considered that the proximity to the adjacent business would materially impact upon the amenity of future residents. Furthermore any future resident will be aware of the site's layout and outlook before occupation.
- 10.32 Considering the above, officers are satisfied that future residents would have an acceptable level of amenity. This is for student accommodation only as this would ensure that the accommodation would not form occupier's principal residence. It is concluded that on this basis the proposal complies with Policy D2 of the UDP, PLP24 of the PDLP and Paragraph 17 of the NPPF.

### Highway issues

- 10.33 The proposed development, for 30 residents, has no vehicle parking spaces and no dedicated drop off point. 20 cycle parking spaces are proposed, which can be secured via condition. The proposal is actively seeking student accommodation, as opposed to open market units.

- 10.34 The proposed development is on the edge of Huddersfield town centre and has good access links to its facilities and transport hubs, the majority of which are within appropriate walking distances and all are within cycling distance. There are a number of pedestrian crossing facilities between the development site and the town centre to promote ease of access. The site is therefore considered a sustainable location.
- 10.35 In addition to its sustainable location student accommodation has a low traffic generation rate, with students having typically low car ownership. Further Colne Road benefits from double yellow TRO (however loading/unloading is allowed), preventing residents parking on the road. As the site has no parking, and on-street parking is prevented via TRO, students will be actively discouraged to bring vehicles. Any occasional short term parking, such as visitors or family members, can be accommodated at the nearby car parks on Colne Road, approx.100.0m away.
- 10.36 Inevitably during moving in/out day traffic will peak. Nonetheless loading/unloading is permitted on Colne Road, or the car park 100.0m away can be utilised. All whitegoods are to be provided, preventing the need for future residents to bring large bulky goods with them. Additionally the applicant has confirmed that moving in / out will take place during weekends. Therefore the majority of adjacent businesses will be closed, limiting local highway usage. Two days of peak traffic a year is not considered materially harmful to the safe and efficient operation of the Highway Network.
- 10.37 Consideration must also be given to the site's current use. The site's current office use can be anticipated to accommodate 45 members of staff. Applying T19's parking standards, a 735sqm office building would be expected to accommodate a maximum of 29 parking spaces while it is only able to provide 4. While the figure of 29 may be reduced due to the site's proximity to the town centre, officers conclude that the existing B1 use has a higher demand for parking than the proposed student accommodation.
- 10.38 It is noted that objection has been raised to students crossing the access of Wood Auto Supplies Ltd. While the proposal will bring more footfall into the area it will not be a materially significant increase. The access already crosses a public pavement, therefore being an established pedestrian route, and is wide with good sightlines. It is not considered the arrangement would impact on the safe or efficient operation of the highway and would not form a justifiable reason for refusal.
- 10.39 Weighing the above consideration, subject to the site being occupied by student residents (securable via condition), officers are satisfied that the development will not cause material harm to either the safe or efficient operation of the local highway network. Therefore officers conclude that the proposal complies with Policy T10 of the UDP and Policy PLP21 of the PDLF.

## Other Matters

### *Drainage issues*

- 10.40 The site is within Flood Zone 3, however as the proposal only seeks a change of use within the same vulnerability classification neither the sequential or exceptions test are required. The proposal has been reviewed by the Lead Local Flood Authority, who raised concerns regarding flood risk. However, subject to a condition requiring details of a flood evacuation plan being provided, they offer no substantive objection to the proposal.
- 10.41 The Environment Agency raised concerns over the ground floor self-contained flats, because of anticipated floor levels. While the applicant amended the plans to raise the ground floor level, this did not overcome the concerns. Following this discussed have taken place between officers, the Environment Agency and the applicant's Flood Risk Consultant. The applicant has agreed to further mitigation measures, as requested by the EA, and the FRA assessment is being updated. Subject to the updated FRA complying with the EAs advise, it will overcome the concerns expressed.
- 10.42 The updated FRA has been received and sent onto the EA for final comment. 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 formal response and wording of conditions from the Environment Agency.

### *Contaminated land*

- 10.43 Given the history use of the site concern is held over ground based contamination. If minded to approve it is considered necessary to condition the investigation and remediation, along with other appropriate measures, to ensure the site is safe for habitation. This is to comply with the guidance of Policy G6 of the UDP and PLP53 of the PDLP.

### *Impact on local ecology*

- 10.44 The site is within the council's bat alert layer and is adjacent to a habitat network and the application is supported by a Bat Survey. In summary no evidence of bat usage or roosting was found and the nature of works is not considered detrimental to local bat population. It is however suggested that a second nocturnal survey be undertaken prior to works being undertaken.
- 10.45 The report and its recommendations have been reviewed by K.C. Ecology. They concur with the findings, subject to the recommendations (including the additional survey work) be secured via condition. Subject to this officers are satisfied that the proposal complies with Policy PLP30 and Chapter 11 of the NPPF.

### *Crime prevention*

- 10.46 The plan has been reviewed by the council's Police Architectural Liaison Officer. No objection to the principle of development is held, however it is requested that details on the proposal's specific crime prevention measures be submitted to, and approved by, the Local Planning Authority. In the interest of crime prevention, in accordance with BE1 of the UDP and PLP24 of the PDLP this is deemed a reasonable condition to impose.

## Representations

10.46 Two representations have been received raising concern with the proposal. Below are the issues that have not been addressed within this assessment.

- A gate shown accesses onto neighbouring land, where there is no right of access.

**Response:** This was raised with the applicant and the gate in question has been removed.

- Councillor Julie Stewart-Turner requested that the application be brought to committee due to concerns of lack of parking and the impact on the local highway network.

**Response:** The impact on the local highway impact has been considered in detail within sections 10.33 – 10.39 of this assessment.

## **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 Officers concluded while the proposal would include the loss of an employment site, which is within a priority employment area as identified by the PDLP, the building is no longer appropriate for its historic office use. Furthermore there is no reasonable other commercial use for the site. At a time of general shortage, the provision of residential is supported in principle. The proposal is not anticipated to impact upon the flexibility and operations of adjacent businesses.

11.3 The proposal would be visually attractive and future residents would have an acceptable level of amenity. Subject to the site being occupied by students, officers are satisfied that the proposal will not result in a materially harmful impact upon the safe and efficient operation of the Highway.

11.4 It is noted that there are standing objections from the Environment Agency, however this has informally been addressed with minor agreed alterations to the Flood Risk Assessment being undertaken. Therefore officers are seeking delegation to the Head of Strategic Investment to resolve these outstanding matters in a timely manner.

11.5 Subject to technical confirmation from the Environment Agency it is considered that the development would constitute sustainable development and is therefore recommended for approval.

## **12.0 CONDITIONS**

1. Time Limit
2. In accordance with plans
3. In accordance with Traffic Statement
4. Student accommodation
5. Flood evacuation plan
6. Flood mitigation measures
7. Crime prevention
8. Cycle spaces provided
9. In accordance with noise plan
10. Ecology information
11. Contaminated land (Investigation Phase 1)
12. Contaminated land (Investigation Phase 2)
13. Contaminated land (Phase 2 Implemented)
14. Contaminated land (Remediation Strategy)
15. Contaminated land (Validation)

### **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=2017/93399>

Certificate of Ownership: Certificate A signed.