

---

**Report of the Head of Strategic Investment**

**STRATEGIC PLANNING COMMITTEE**

**Date: 10-May-2018**

**Subject: Planning Application 2018/90865 External refurbishment and alterations to units 9-10, 12 and 17-20, installation of security fencing, replacement of external lighting and formation of carpark extension Unit 20, The Ringway Centre, Beck Road, Huddersfield, HD1 5DG**

**APPLICANT**

Berkeley Square  
Common Investment

**DATE VALID**

15-Mar-2018

**TARGET DATE**

14-Jun-2018

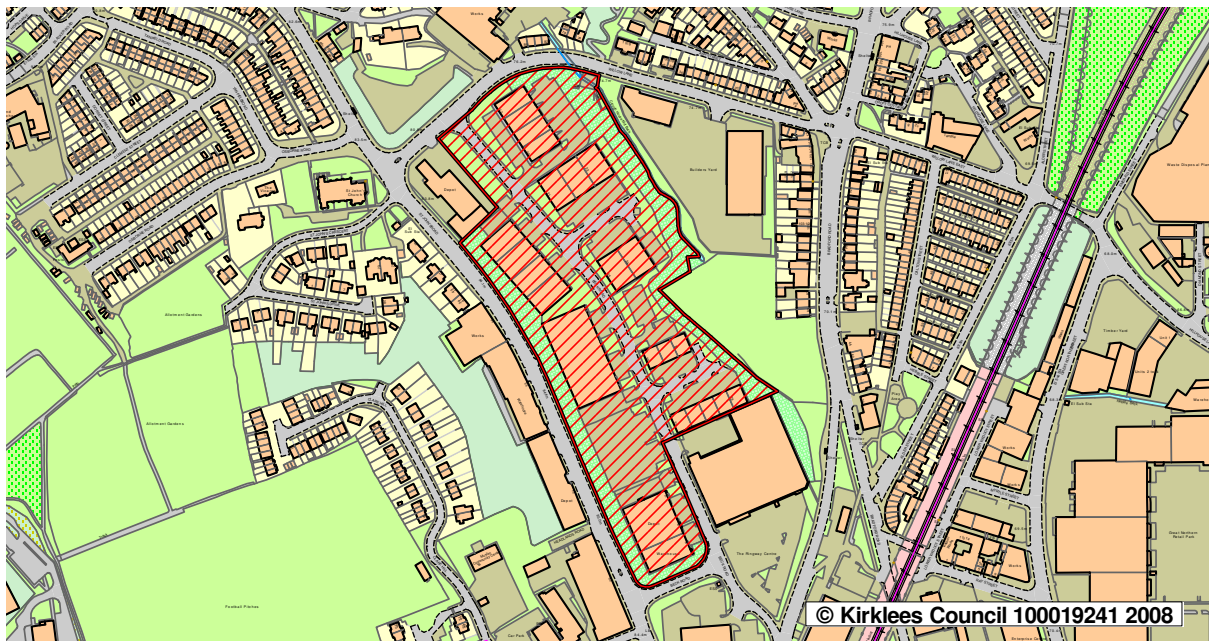
**EXTENSION EXPIRY DATE**

---

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: Greenhead**

Yes

Ward Members consulted  
(Referred to in report)

## **RECOMMENDATION**

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment 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 seeking external refurbishment and alterations to several units on the Ringway Centre, the installation of security fencing, the replacement of external lighting and the formation of a car park extension.

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 Ringway Centre is a purpose built industrial estate, built c.1980s. It comprises 28 units of varying sizes. Uses include warehousing and integral office spaces, with more recent additions including breweries and gyms. Each unit is served by individual or shared tarmac area and service yards, accessed from Beck Road which runs through the middle of the site. The site is landscaped with mature trees, many which benefit from TPOs, and grassland.

2.2 The site is to the north of Huddersfield Town Centre's ring road, with several retail units between. Saint John's Road to the west hosts similar industrial units. To the east is woodland and open derelict land leading to Bradford Road. To the south are two grouped retail parks.

### **3.0 PROPOSAL**

3.1 The proposal seeks the following works to units 9, 10, 12 and 17 – 20;

- Over-clad the front elevations of units 9, 10 and 12 with profiled metal cladding in Grey/Anthracite.
- Over-clad the front elevations of units 17 – 20 with new dark grey horizontal profile cladding sheets, with contrasting lighter coloured sections between the curtain walling.
- The side and rear elevations of each unit are to be spray painted to match the colour of the front elevation.
- The existing roof coverings (asbestos, defective) will be replaced with a new built roofing system. It will be finished externally with light grey profiled metal

sheeting. This will increase the roof heights by 200mm (due to the thickness of insulation required by building regulations).

- Units 9, 10 and 12 are to have their timber openings replaced with grey/anthracite aluminium frames.
- The existing numbering serving each unit will be replaced for larger, clearer numbers fixed to the face of the cladding.

3.2 Security fencing is to be installed in various locations around the site. The fencing is to be 2.4m metal mesh v-guard to match that existing elsewhere on site. Please see the attached plans for full details on fence locations, with the following as a summary;

- Between the side and rear of units 20 and 21, set back from the road.
- Adjacent the pavement fronting the road between units 21 and 25.
- Between the rears of units 10 and 11.
- Along the front and rear of the car park between units 25/24 and 26/27/28.
- Adjacent the pavement fronting the road between units 26 and 33.
- To the rear of unit 11.

3.3 The car park to the front of units 9 and 10 is to be extended, into the adjacent grassed area, by 7.0m x 10.0m (70sqm). It is to be surfaced in macadam, to drain into the existing outlets.

3.4 The site's external lights are to be changed to new LED fittings.

#### 4.0 **RELEVANT PLANNING HISTORY (including enforcement history)**

##### 4.1 Application Site

Given the site's commercial use and large area there are numerous planning applications within the site. This includes past recladding, extensions and fencing. The following are those considered directly relevant to the current proposal;

##### *Newey and Eyre Ltd Unit 25*

2018/90936: Works to trees TPO 29/17 – Consent Granted

**Note:** Approved the removal of several trees, protected by TPOs, around the site, principally due to damage to drainage network.

##### *Unit 23*

2016/91400: Erection of 2.4m weld mesh security fencing and gate to front and installation of three windows to external end wall – Conditional Full Permission

##### *Units 2/3*

2015/94097: Change of use from B8 warehouse to D2 health and fitness use and ancillary car parking – Conditional Full Permission

## Unit 21-23

2014/90897: Erection of 2.4m high palisade fencing and matching access gates – Conditional Full Permission

### 4.2 Surrounding Area

The surrounding area has no relevant planning history.

### 5.0 **HISTORY OF NEGOTIATIONS (including revisions to the scheme)**

5.1 No negotiations were undertaken as the plans as originally submitted were deemed acceptable.

### 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 designated as '*Area where Industry and Warehousing Development will normally be permitted*'.

6.3 The site is designated as a Priority Employment Area on the PDLP Proposals Map.

### 6.4 Kirklees Unitary Development Plan (UDP) Saved Policies 2007

- **NE9** – Development proposals affecting trees
- **BE1** – Quality of design
- **BE2** – Design principles
- **BE23** – Crime prevention
- **T10** – New development and access to highways
- **B1** – Business and industry: strategy
- **B4** – Premises and sites with established use, or last used for business and industry
- **TC1** – Huddersfield Town Centre
- **TC12** – Area where Industry and Warehousing Development will normally be permitted'

## 6.5 Supplementary Planning Guidance / Documents

- **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
- **PLP33** – Trees

## 6.6 National Planning Policy Framework

- **Paragraph 17** – Core planning principles
- **Chapter 1** – Building a strong, competitive economy
- **Chapter 7** – Requiring good design
- **Chapter 11** – Conserving and enhancing the natural 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 Council's adopted Statement of Community Involvement.

7.2 The end date for publicity was the 27<sup>th</sup> of April, 2017.

7.3 No public representations have been received.

### *Ward member involvement*

7.4 As major development the proposal was brought to the attention of local ward members. The local ward is Greenhead, with the members being Councillor Carole Pattison, Councillor Mohan Sokhal and Councillor Sheikh Ullah.

7.5 Cllrs Sokhal and Ullah have provided no comments. Councillor Pattison requested an update on the process of the application but provided no comment.

## 8.0 **CONSULTATION RESPONSES**

### 8.1 Statutory

No statutory consultees were required.

### 8.2 Non-statutory

Crime Prevention: An informal discussion was held. Support the application.

K.C. Trees: No objection subject to condition. Advised that discussions and a separate tree works application on site are ongoing (ref. 2018/90936).

K.C. Lead Local Flood Authority: An informal discussion was held. No objection.

## 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). The dimensions of sustainable development will be considered throughout the proposal.
- 10.2 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'. The policy states that development for these uses, which the proposal is deemed to be, will be supported.
- 10.5 Consideration must also be given to the emerging local plan. The site is allocated as a Priority Employment Area, which seeks to protect employment uses. The proposal will not impact on the employment at the site. 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.

- 10.6 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 issues

- 10.7 The replacement lighting fixtures and car park extension are considered to have a limited impact upon the area's visual amenity. The lighting fixtures will be similar in appearance to those they are replacing, while the car park extension is modest, replacing a grassed area and low bushes.
- 10.8 The new fences, to be 2.4m in height, are extensive and will be prominently visible in several locations. Nonetheless the site is an '*area where industrial and warehousing development will normally be permitted*' and has a visual character to reflect this. Other sections of fencing, some with a matching design, are already present within the site (as approved via 2016/91400). While the proposal will add fencing to areas where it currently is not present, it is not anticipated to appear incongruous within its setting, nor would it harm visual amenity, and therefore does not raise concerns from officers.
- 10.9 Considering the works to the commercial units, including the fenestration changes, over-cladding, painting and re-roofing, these would result in a visual modernisation of the buildings that would not be visually unattractive. The colour of the over-cladding/paint has been confirmed by the agent to be Anthracite (RAL7016) which is acceptable for a commercial area, and can be secured via condition.
- 10.10 Specific to the re-roofing, to replace the defective asbestos roof covering, the works will result in the roofs raising a modest 200mm (due to modern insulation). However the buildings have a feature parapet which will result in the modest increase not being readily visible.
- 10.11 Considering the above, officers are satisfied that the proposed development would not harm visual amenity, or appear incongruous within the setting of the area. The proposed is deemed to comply with Policies D2 and BE1 of the UDP, PLP24 of the PDLP and Chapter 7 of the NPPF.

#### Residential Amenity

- 10.12 The site is separate from nearby dwellings. Furthermore the nature of the works do not raise concerns relating to noise pollution, overshadowing impacts or result in an overbearing development. Officers conclude that the development would not prejudice residential amenity, in accordance with PLP24 and Paragraph 17 of the NPPF.

#### Highway issues

- 10.13 The proposed recladding and painting is not anticipated to distract drivers. The fences, while 2.4m in height, are set back from the road and will not block driver sightlines. Furthermore, as mesh, they are see-through.
- 10.14 Turning to the car park extension, it will not change the existing car park's access arrangements onto Beck Road. While details of layout have not been provided, at 7.0m x 10.0m it can be anticipated to accommodate a maximum of 4 additional cars. This limited number is not deemed detrimental to highway safety or efficiency.
- 10.15 The proposed works are not deemed harmful to the safe and efficient operation of the highway, in accordance with T10 and PLP21.

### Other Matters

#### *Local economic impact*

- 10.6 Chapter 1 of the NPPF, B1 of the UDP and PLP1 of the PDLP add weight in favour of economic development. The proposal will assist the applicant in their business aims and objectives and therefore weight is attributed to the economic benefit this will provide.

#### *Impact on protected Trees*

- 10.17 There are several area Tree Preservation Orders (TPO) alongside individual Trees protected by TPOs. The proposed works do not require, nor does this application seek, the removal of any protected trees.
- 10.18 Notwithstanding this the re-cladding will likely necessitate the pruning of adjacent protected trees, and the proposed fencing will be close to the root spread of protected trees. K.C. Trees do not object to the proposal, however they request that an Arboricultural Method Statement be provided, via condition, to detail how works will be undertaken without causing damage to protected trees. Subject to this condition officers are satisfied that the proposal complies with NE9 of the UDP and PLP33 of the PDLP.

#### *Crime prevention*

- 10.19 The design and access statement gives the following rationale for the fence;
- 'The fencing will be located in areas where fly tipping, drinking, drug taking and illegal soliciting are currently an issue on-site, to restrict access in those areas, and improve overall security and the public image of the wider estate'.*
- 10.20 Officers discussed the application with the Police Architectural Liaison Officer (PALO), who have provided the following statement on activity at the site;
- Historically, the layout of the units in the Beck Road Business and Retail Parks created several hidden, isolated areas which became vulnerable to crime and anti-social behaviour. This has been particularly the case affecting the units running along the eastern side of the site, where access and egress has also been able to be gained on foot leading to and from Bradford Road / Willow Lane.*



*I can confirm that the anti-social behaviour referred to in the D&A statement has been a problem for many years, but has not been the only problem affecting resident businesses, some of which have also suffered from time to time with overnight burglary and criminal damage occurrences.*

*The opportunity for various types of crime and disorder will be reduced with the measures as proposed in the application.*

- 10.21 Policies BE23, PLP24 and Paragraph 8 of the NPPF add weight in favour of development which enhances crime mitigation and prevention, which PALO has confirmed the proposal would achieve.

#### Representations

- 10.22 No public representations have been received.

### **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 The proposal seeks to enhance the existing industrial and commercial facilities provided at the Ringway Centre. The principle of the development is considered acceptable, and there has been assessed to be no detrimental impact to the local area, subject to the conditions which have been outlined.

- 11.3 This application has been assessed against relevant 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 (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Strategic Investment)**

- Three year time limit
- In accordance with plans
- Arboricultural Method Statement
- Over-cladding and paint to be RAL7016 (Anthracite)
- Car parking area to be constructed, surfaced and maintained with attached existing parking area

### **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=2018%2f90865>

Certificate of Ownership: Certificate A signed