Kirklees COUNCIL

Originator: Victor Grayson

Tel: 01484 221000

Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 24-Jun-2020

Subject: Planning Application 2019/90467 Conversion of former college buildings into 33 apartments including demolition of link canopy, partial demolition of link building, erection of additional storey to link building, and internal and external alterations (Listed Building within a Conservation Area). Highfields Centre, New North Road, Huddersfield, HD1 5LS

APPLICANT
Andrew Mear, San Pedro Properties Ltd

DATE VALID	TARGET DATE	EXTENSION EXPIRY DATE
25-Feb-2019	27-May-2019	24-Jun-2019

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

Ward Councillors consulted: Yes

Public or Private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and to secure a Section 106 agreement to cover the following matters:

1) Sustainable transport – Measures to encourage the use of sustainable modes of transport including implementation of a Travel Plan and payment of £1,000 per year Travel Plan monitoring fees (for five years).
2) Management – The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including surface water drainage until formally adopted by the statutory undertaker).
3) Public art – £15,000 contribution towards public art provision in Huddersfield Town Centre.

In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

1.0 INTRODUCTION:

1.1 This is an application for full planning permission, for a residential development of 33 dwellings. It is accompanied by an application for listed building consent (ref: 2019/90583).

1.2 The application would normally have been determined under delegated powers, however viability matters necessitate determination by the Huddersfield Sub-Committee. Meetings of that committee (to which this application could have been presented) were, however, cancelled due to Coronavirus Covid-19.

2.0 SITE AND SURROUNDINGS:

2.1 The application site is 0.39 hectares in size and is located at the corner of New North Road (the A629) and Highfields Road.

2.2 The site accommodates the following buildings and structures:

- Building A – The 2-/3-storey main building fronting New North Road, Grade II listed (Historic England ref: 1279306).
- Building B – The 2-storey Georgian building, accessed from Highfields Road. Grade II listed (Historic England ref: 1313890).
- Link building and tower – The single-storey building between building A and 60 New North Road, and a 2-storey tower connected to building B.
- Toilet block – The detached single-storey building on Highfields Road, between buildings A and B.
- Listed railings – The perimeter railings, gates and stone piers to the site's New North Road and Highfields Road frontages, Grade II listed (Historic England ref: 1279329).

2.3 The site's buildings are currently vacant, and were last lawfully used by Kirklees College for educational activities (class D1 use).

2.4 The application site includes a hard-surfaced yard, a car park, and hard and soft landscaped areas within its curtilage.

2.5 Surrounding uses are predominantly residential, however buildings to the northwest (on New North Road) are in educational and office use. Nearby residential buildings include the terraced houses of 52 to 60 New North Road, and the flats of Highfield Court (the former Highfield Congregational Church) to the north.

2.6 This part of New North Road slopes downhill from northwest to southeast. The application site's hard-surfaced yard at its west end is below the level of the adjacent footway.

2.7 The application site is within the Greenhead Park / New North Road Conservation Area. Several buildings surrounding the site are Grade II listed – the site is in fact within one of the densest groups of listed buildings in Kirklees.

2.8 There are no trees within the site that are protected by a Tree Preservation Order, however there are trees of amenity value to the east of building B, and these are afforded protection by the site's conservation area status. The site is within an SSSI Impact Risk Zone.

2.9 The application site is within a Development High Risk Area as defined by the Coal Authority.

2.10 No public rights of way cross the application site.

2.11 The application site is unallocated in the Local Plan. The boundary of Huddersfield Town Centre (as defined in the Local Plan) is approximately 200m to the southeast.

3.0 PROPOSAL:

3.1 The applicant seeks full planning permission for alterations and the conversion of the site's buildings to residential use. 33 residential units would be created.

3.2 The site's main building (building A) would accommodate 22 flats. Building B would accommodate eight flats.

3.3 The glazed element of the existing link building would be demolished, and the link building would be extended with an additional storey (at first floor level) to create a 2-bedroom house.

3.4 The elements connecting the existing link tower to the link building and building B would be demolished, and the link tower would be converted to create a 3-storey 1-bedroom house.

3.5 The former toilet block would be altered externally and converted to a 1-bedroom house. Part of the external area to the southeast of the former toilet block would be excavated to provide an outdoor amenity space for this unit.

3.6 11x 1-bedroom, 19x 2-bedroom and three 3-bedroom units would be created.

3.7 No affordable housing is proposed.

3.8 10 parking spaces would be provided in the existing hard-surfaced yard at the west end of the site, and a further 16 spaces would be provided in the existing rear car park to the northeast of building B.

3.9 Private amenity spaces would be provided for some of the ground floor units. Communal outdoor amenity space is proposed to the north of building B. No publicly-accessible open space is proposed.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 89/04856 – Listed building consent granted 12/01/1990 for glazing of arches to cloisters to form studio / display area.

4.2 89/06193 – Planning permission granted 08/12/1989 for erection of two mobile classroom units.

4.3 95/90158 – Planning permission refused 31/03/1995 for erection of two portable buildings and access canopy.

4.4 95/90258 – Listed building consent granted 31/03/1995 for erection of access canopy.

4.5 95/91793 – Planning permission granted 11/08/1995 for erection of two portable building and access canopy for a temporary period of two years.

4.6 95/92023 – Planning permission granted 22/08/1995 for erection of a portable building for use as a classroom.

4.7 99/91235 – Listed building consent granted 21/06/1999 for repairs to roof.

4.8 2000/91350 – Planning permission granted 06/10/2000 for erection of extensions and alterations.

4.9 2000/91351 – Listed building consent granted 06/10/2000 for demolition of outbuildings and erection of link building.

4.10 2002/91386 – Listed building consent granted 30/05/2002 for erection of a plaque.

4.11 2007/91909 – Planning permission granted 20/06/2007 for installation of air conditioning unit.

4.12 2007/91911 – Listed building consent granted 20/06/2007 for installation of air conditioning unit.

4.13 2015/90304 – Listed building consent granted 07/04/2015 for installation of air conditioning unit.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

5.1 The applicant requested pre-application advice from the council in June 2018 in relation to the conversion of the site's existing buildings to provide 33 residential units, and related physical works including the removal of parts of relatively recent extensions and alterations, and the addition of a second storey (forming a new first floor level) to the link building (ref: 2018/20247). Officers met the pre-application team on site on 07/08/2018 and a pre-application advice letter was issued on 31/08/2018. The main points of that advice are summarised as follows:

- Planning permission and listed building consent required for residential conversion and associated works.
- Principle of residential conversion would be policy-compliant, would be sustainable development, and is welcomed.
- Heritage Impact Assessment required.
- Previous works to buildings A and B resulted in significant changes, however historic features have survived. Proposed conversion works are acceptable, subject to details.
- Removal of glazed element to link building welcomed. Extension of link building could result in harm, however this can be outweighed by the removal of the glazed element, subject to details.
- Works to link tower acceptable.
- Alterations to former toilet block acceptable, subject to details.
- Glazing, ventilation, Secured by Design and other design matters need to be detailed.
- Quality and amenity of residential units would generally be acceptable, however eight units would fall short of the Government's unit size standards, and poor outlook proposed for unit in former toilet block.
- Unit size mix acceptable.
- Uses of outdoor spaces should be clarified.
- Adequate thought should be given to accessibility, inclusive design and evacuation.
- Affordable housing required. Officers do not expect to see a development proposal that did not fully comply with the council's Interim Affordable Housing Policy, however a Vacant Building Credit claim could be made.
- No objection to existing hard surfaced areas being used for parking.
- Shortfall in parking spaces acceptable, given site's accessible location and limited available space. Two accessible parking spaces acceptable.
- Travel Plan required.
- Contribution towards Metro cards may be necessary.
- Details of waste storage and collection required.
- Construction Management Plan required.
- Flood Risk Assessment not required, however flood risk should be investigated.
- Trees of amenity value to the east of building B would need to be protected during construction works.

- Biodiversity net gain required. Preliminary Ecological Appraisal and Ecological Impact Assessment required.
- Site is close to an Air Quality Management Area. Air Quality Impact Assessment required.
- Electric vehicle charging points required.
- Noise Impact Assessment required. Details of proposed attenuation or design measures (necessary to protect the amenities of the occupants of the new flats) should be submitted.
- Education contribution and other planning obligations may be required.
- Site is within a Development High Risk Area as defined by the Coal Authority. If the proposed development would involve a change of use with no associated works (to land or buildings) where no engineering works or ground works are proposed, a Coal Mining Risk Assessment would not be required at application stage.
- Local consultation (prior to the submission of a planning application) is encouraged.

5.2 Discussions between the pre-applicant team and officers continued into 2019 regarding the site's entrances, education contribution, pre-application public consultation and unit sizes.

5.3 During the life of the current application, the applicant submitted existing floor plans, a corrected section, an amended schedule of accommodation, amended drawings showing rooflights to units S.1 and S.2 in building A, amended drawings of the former toilet block (showing an additional window and a larger outdoor amenity space), information regarding the use of outdoor spaces, amended drawings showing a reduction in the size of the first floor extension to the link building, information regarding ground gas monitoring, information regarding secondary glazing, a Flood Risk Assessment, a Planning Statement, an Ecological Impact Assessment, and levels information. Financial viability information was submitted on 09/05/2019, 10/06/2019, 11/07/2019, 12/12/2019, 23/01/2020, 17/04/2020 and 29/05/2020.

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27/02/2019).

Kirklees Local Plan (2019):

6.2 The application site is unallocated in the Local Plan.

6.3 Relevant Local Plan policies are:

LP1 – Presumption in favour of sustainable development
LP2 – Place shaping
LP3 – Location of new development
LP4 – Providing infrastructure
LP7 – Efficient and effective use of land and buildings
LP9 – Supporting skilled and flexible communities and workforce
LP11 – Housing mix and affordable housing
LP15 – Residential use in town centres
LP17 – Huddersfield Town Centre
LP20 – Sustainable travel

LP21 – Highways and access
LP22 – Parking
LP23 – Core walking and cycling network
LP24 – Design
LP26 – Renewable and low carbon energy
LP27 – Flood risk
LP28 – Drainage
LP30 – Biodiversity and geodiversity
LP32 – Landscape
LP33 – Trees
LP34 – Conserving and enhancing the water environment
LP35 – Historic environment
LP47 – Healthy, active and safe lifestyles
LP48 – Community facilities and services
LP49 – Educational and health care needs
LP50 – Sport and physical activity
LP51 – Protection and improvement of local air quality
LP52 – Protection and improvement of environmental quality
LP53 – Contaminated and unstable land
LP63 – New open space

Supplementary Planning Guidance / Documents:

6.4 Relevant guidance and documents are:

- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Kirklees Housing Strategy (2018)
- Kirklees Strategic Housing Market Assessment (2016)
- Kirklees Interim Affordable Housing Policy (2020)
- Kirklees Joint Health and Wellbeing Strategy and Kirklees Health and Wellbeing Plan (2018)
- Kirklees Biodiversity Strategy and Biodiversity Action Plan (2007)
- Negotiating Financial Contributions for Transport Improvements (2007)
- Providing for Education Needs Generated by New Housing (2012)
- Highway Design Guide SPD (2019)
- Waste Collection, Recycling and Storage Facilities Guidance – Good Practice Guide for Developers (2017)
- Green Street Principles (2017)
- Huddersfield Blueprint (2020) and draft Huddersfield Town Centre Blueprint SPD (2020)
- Viability Guidance Note (2020)

Climate change

6.5 On 12/11/2019 the council adopted a target for achieving “net zero” carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate

change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Newsome Neighbourhood Plan:

6.6 A Neighbourhood Plan is being prepared for Newsome, however no draft plan has been published yet.

National Planning Policy and Guidance:

6.7 The National Planning Policy Framework (2019) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of the proposal. Relevant paragraphs/chapters are:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment
- Chapter 17 – Facilitating the sustainable use of materials.

6.8 Since March 2014 Planning Practice Guidance for England has been published online.

6.9 Relevant national guidance and documents:

- National Design Guide (2019)
- Technical housing standards – national described space standard (2015, updated 2016)
- Fields in Trust Guidance for Outdoor Sport and Play (2015)

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been advertised as a major development, as a development that would affect the setting of a listed building, and as a development either within a conservation area or that affects its setting.

7.2 The application has been advertised via three site notices posted on 28/02/2019, an advertisement in the local press dated 08/03/2019, and letters delivered to addresses adjacent to the application site. This is in line with the council's adopted Statement of Community Involvement. The end date for this initial publicity was 29/03/2019.

7.3 No representations were received.

7.4 Further information, drawings and documents were submitted by the applicant after the consultation period ended, however these illustrated amendments to the proposals and provided technical or background information that did not necessitate reconsultation.

8.0 CONSULTATION RESPONSES:

8.1 **Statutory:**

KC Highways Development Management – Transport Statement and Travel Plan refer to Unitary Development Plan, and should be updated. Proposed 26 parking spaces is an under-provision based on the number of units proposed, however the site is close to the town centre, and proposed provision is acceptable. The width of the two access points should be of a minimum 4.5m to accommodate two-way vehicle movements. Concerns are raised over the available visibility currently achievable – suitable sightlines at both access points should be demonstrated. The proposed site access at the most northwestern part of the site appears tight – swept paths of turning manoeuvres at the site entrance should be demonstrated. Although bin stores are indicated on plan 18.007(9)008, these should be of a suitable size to accommodate the required number of bins for a fortnightly collection. The refuse storage and collection facilities should be in line with the council's good practice guidance.

KC Lead Local Flood Authority – LLFA approve of the application subject to the plans provided being implemented. No conditions necessary.

Coal Authority – No objection, subject to a condition securing site investigation works and the implementation of remedial works (should the site investigation establish a need).

8.2 **Non-statutory:**

KC Biodiversity Officer – No objection, subject to conditions securing mitigation in relation to bats, and implementation of the proposed landscaping scheme. Applicant's information identifies the presence of a bat roost within the eastern building. This is a small roost of lower conservation value and satisfactory impact avoidance measures have been proposed within the supporting ecological report. Satisfied that significant ecological harm can be avoided and, through implementation of the landscaping scheme proposed within the ecological report, a net gain can be achieved.

KC Conservation and Design – [commenting on parallel listed building consent application 2019/90583] – No objection. Detailed comments on each building:

Building A: Externally there are few changes proposed. What changes there are relate to the removal of the glazed link which is of no importance, the insertion of more traditional window/door frames into the arcade that formed the playground and the removal of M and E equipment from the outside walls. The main changes are internal but there is little of significance inside, mainly due to the late 20th century alterations carried out by the college. The most major of interventions carried out by the college was the insertion of a mezzanine floor into assembly room which removed its significance in terms of

the vastness of the room and the top lighting. This mezzanine is to be lowered to allow the conversion to apartments in this area but due to the harm already caused it is felt that this would not have any greater impact than before. As stated previously there is little of significance internally, apart from doors and windows that are to be retained and repaired, the scrolled trusses, the plan form which in the main is to stay as existing and finally the vertical boarding in the former classrooms that are an indication of the raked seating that would have been present. All these features should be retained where possible.

Building B: These are a pair of houses which again have suffered from alterations by the college and have little internal significance. What remains of the significance internally will be retained and the alterations reversed. No objection to the work proposed.

Link Building: This has little or no significance but the proposals could have impact on the setting of the main building due to the increase in height. Having said that, there is a marginal impact and what impact there is can be outweighed by the removal of the glazed link.

In conclusion where there is harm caused by the limited alterations, these are felt to be less than substantial as defined by the NPPF. As such the harm should be balanced against the public benefit accrued by the proposal which includes providing a viable use. A use for which the building was constructed (educational) is unlikely to be forthcoming, and the best long-term use would be residential. Therefore, the public benefit overrides the limited harm caused by the proposal.

KC Education – £69,778 education contribution required.

KC Environmental Health – Phase 1 contaminated land report is satisfactory. Conditions related to site contamination recommended. Applicant's Environmental Noise Report makes a satisfactory assessment of the existing noise climate and makes satisfactory recommendations for noise mitigation and noise control measures. Condition requiring the installation of the recommended noise mitigation and control measures is necessary. Condition recommended regarding electric vehicle charging points. Air quality mitigation measures to protect the future occupiers are not necessary. The proposed development would not have a significant detrimental impact on the air quality in the area, therefore air quality mitigation measures to protect the area are also not necessary.

KC Landscape – £101,716 open space contribution required. Query as to who would be responsible for managing and maintaining landscaping, including the proposed rainwater pond. Detailed advice provided regarding landscaping and refuse storage and collection.

KC Strategic Housing – 20% affordable housing provision required. On-site provision is preferred. In the Huddersfield South sub-area there is a significant need for 3-bedroom affordable homes (and larger), and demand for 1- and 2-bedroom affordable homes, including homes for older people. Seven of the 33 units should be affordable. Advice provided regarding Vacant Building Credit.

KC Trees – No objection.

West Yorkshire Combined Authority – To encourage the use of sustainable transport as a realistic alternative to the car, developer needs to fund a package of sustainable travel measures, namely sustainable travel incentives to encourage the use of sustainable modes of transport. Based on bus-only residential Metro cards, the contribution appropriate for this development would be £16,516.50.

West Yorkshire Police Designing Out Crime Officer – No objection in principle. Boundary treatments should be retained at their existing heights. External lighting should be provided. Detailed advice provided regarding additional boundary treatments, doors and windows, car and motorcycle parking, cycle storage, alarms and CCTV.

Yorkshire Water – No comment.

9.0 MAIN ISSUES

- Land use and principle of development
- Climate change and sustainability
- Design and conservation
- Residential amenity and quality
- Affordable housing
- Highway and transportation issues
- Refuse storage and collection
- Flood risk and drainage issues
- Trees, landscaping and biodiversity
- Environmental and public health
- Ground conditions
- Representations
- Financial viability and planning obligations

10.0 APPRAISAL

Land use and principle of development

10.1 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

10.2 The Local Plan sets out a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum.

10.3 The application site is unallocated in Local Plan. The educational (D1) use of the site is not protected by Local Plan policies, and it is noted that the site's buildings were vacated when Kirklees College relocated to its Waterfront Quarter site and are no longer required for educational use. The site is not within a defined shopping frontage (or other area where specified non-residential uses are encouraged or protected), and residential uses already surround the site (including immediately next door at 60 New North Road).

10.4 The Local Plan encourages the provision of more residential accommodation within the borough's town centres. Although the application site is not within Huddersfield Town Centre (as defined in the Local Plan), the spirit of the Local Plan's town centre policies is relevant to the current application. Policy LP15 states that proposals for residential uses in town centres will be supported subject to several criteria, all of which would be met by the proposed development (where applicable, and subject to conditions). Policy LP17 confirms the council's intention to create new space within Huddersfield for town centre living. Town centre living is also encouraged in the draft Huddersfield Town Centre Blueprint SPD (2020).

10.5 Other policies throughout the Local Plan promote the re-use of existing buildings and the use of brownfield (previously-developed) land to meet development needs and support the regeneration of areas (this is identified as a Strategic Objective at paragraph 4.5), and policy LP24 states that proposals should promote good design by ensuring high levels of sustainability through the re-use and adaptation of existing buildings. Similar policy is set out in chapter 11 of the NPPF.

10.6 The proposed creation of 33 residential units at the application site accords with these planning policies.

10.7 Provided that adequate measures to protect residential amenity are implemented (including in relation to sound insulation), it is considered that the proposed residential use is compatible with existing, nearby, non-residential uses.

10.8 The applicant's proposals are considered to be sustainable development, given the proposed re-use of the existing buildings (which would involve a significant saving of embodied energy and carbon, when compared with a scheme involving demolition and the erection of new buildings), the site's proximity to public transport and other facilities, and the sizes, qualities and amenities of the proposed residential units.

10.9 Given the above considerations, and subject to conservation and other matters being appropriately addressed, it is considered that the conversion of the site's building to residential (C3) use is acceptable in principle, and is indeed welcomed.

10.10 The 33 dwellings proposed would contribute towards meeting the housing delivery targets of the Local Plan.

Climate change and sustainability

10.11 Little information has been provided by the applicant in relation to climate change and the sustainability of the proposed development. Officers note, however, that measures would be necessary to encourage the use of sustainable modes of transport. Adequate provision for cyclists (including cycle storage for residents) and electric vehicle charging points would be secured by condition, should planning permission be granted. A development at this site which was entirely reliant on residents travelling by private car is unlikely to be considered sustainable. As noted above, the proposed re-use of the site's existing buildings would involve a significant saving of embodied energy and carbon, when compared with a scheme involving demolition and the erection of new buildings.

10.12 The application site is a sustainable location for residential development, as it is highly accessible and is close to Huddersfield Town Centre, which has a wide range of facilities to meet many of the daily, social, employment and community needs of residents of the proposed development.

10.13 Further reference to, and assessment of, the sustainability of the proposed development is provided later in this report in relation to transport and other relevant planning considerations.

Design and conservation

10.14 The application site includes three statutory listings, and other buildings that are curtilage-listed. The application site is also within the Greenhead Park / New North Road Conservation Area. Several buildings surrounding the site are Grade II listed, including 52 to 60 New North Road, 59, 63 and 66 New North Road, and Highfield Court – the site is in fact within one of the densest groups of listed buildings in Kirklees.

10.15 The site's existing buildings make a positive contribution to the character and appearance of the Greenhead Park / New North Road Conservation Area, is located on one of the key approaches to Huddersfield Town Centre, and contributes positively to the setting of other heritage assets due to the appropriate relationship (in terms of scale, age and materials) it has with adjacent buildings. The site's main building (building A) is handsome and well-proportioned and speaks of the importance of the town centre and its past uses.

10.16 In relation to design and conservation, Local Plan policies LP2, LP7, LP24 and LP35 and chapters 11, 12 and 16 of the NPPF are relevant, as are parts of Local Plan policies LP15 and LP18, and the National Design Guide. When determining the current application, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the council to have special regard to the desirability of preserving the site's (and nearby) listed buildings, their settings and any features of special architectural or historic interest which they possess. Section 72 of the same Act requires the council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Greenhead Park / New North Road Conservation Area.

10.17 Any alterations to the site's existing listed buildings would need to be respectful to them and should reflect their positive attributes. The conservation area, and settings of the adjacent listed buildings, must not be adversely affected by development at this site.

10.18 Re-use of the site's prominent building A, and of the site's other buildings, is very much welcomed in principle in relation to conservation, and significant positive weight can be attached to this part of the proposed development, as it would help to secure a long-term future for the currently-vacant buildings.

10.19 Although building A has been significantly altered internally (most notably with the insertion of a floor within the square, two-storey former assembly hall at the centre of the building), some internal features of historic interest survive, including much of the original plan form, decorative roof trusses, vaulted ceilings, doors, windows, a staircase balustrade and wainscoting (which, with its vertical boarding and sloping top rail, indicate that raked seating once existed in several rooms). Externally, few changes have been made.

10.20 The proposed development would involve very few external changes to building A, which is welcomed. The addition of more traditional window and door frames to the rear arcade (that once formed the covered playground) at ground floor level raises no concerns, subject to details to be secured by condition. The removal of redundant plant from the outside of building A is welcomed.

10.21 Internal works are to be considered under the parallel application for listed building consent (ref: 2019/90583), but can be commented on here for completeness. Internally, the previous insertion of a floor at the centre of the building has removed much of the former assembly hall's significance, particularly in relation to the vastness and top lighting of this room. This previous loss can be taken into account when further internal works are considered. The proposed lowering of the inserted floor is considered acceptable in principle, as it would not have any greater impact upon the significance of the listed building than the previous interventions. The proposed partitioning within building A does not raise significant concerns in principle, however all surviving features of interest, including the above-mentioned doors, windows, roof trusses and wainscoting, must be retained as part of the residential conversion (an appropriate condition will be recommended in relation to the listed building consent application).

10.22 Building B, formerly two residential properties, has been extended and much altered, such that there are few internal features of significance. Those few features would be retained as part of the proposed development. External works proposed to building B would not be significant, and do not raise concerns in principle.

10.23 The link building and link tower have little or no heritage significance, and the removal of the glazed roof (that adjoins the southeast elevation of building A) is welcomed, as it would restore some of the undeveloped space that once surrounded (and formed the immediate setting of) this important heritage asset. The additional storey proposed to the link building is considered acceptable – any marginal harm that it would cause to the setting of building A is clearly outweighed by the removal of the glazed roof. Details of materials of this additional storey would be secured by recommended condition.

10.24 The proposed alterations to the former toilet block, including the insertion of new fenestration and the excavation of an outdoor amenity space, raise no design or conservation concerns, subject to details to be secured by recommended condition.

10.25 Any new or replacement stone will need to be carefully sourced to achieve a good match with the stone of the existing buildings. A relevant condition is recommended, and samples may need to be viewed on site.

10.26 To ensure efficient use of land Local Plan policy LP7 requires developments to achieve a net density of at least 35 dwellings per hectare, where appropriate, and having regard to the character of the area and the design of the scheme. Lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.

10.27 With 33 units proposed in a site of 0.39 hectares, a density of 85 units per hectare would be achieved. This represents efficient use of the site and is considered to be an appropriate density for this accessible site close to Huddersfield Town Centre. In terms of quantum and density the proposed development is compliant with Local Plan policy LP7.

10.28 No character appraisal exists for the Greenhead Park / New North Road Conservation Area; however, Appendix 1 of the since-superseded Unitary Development Plan included the following summary of the conservation area:

> *Victorian terraces and villas surrounding a large contemporary public park with an impressive war memorial. Trinity Street and New North Road are important radial routes into Huddersfield, lined by mainly ashlar stone faced terraced and detached dwellings, and public buildings including the prominent Holy Trinity Church. Also includes Highfields, an earlier area of mainly nineteenth century or older housing of considerable charm.*

10.29 Given the residential uses that already surround the application site, the proposed residential conversion would not introduce a use that is harmful to the significance of the Greenhead Park / New North Road Conservation Area. Similarly, the significance of nearby listed buildings would not be adversely affected by the proposed use. The proposed external works would be limited and appropriately designed (subject to conditions controlling materials and details), such that the significance of these surrounding heritage assets would not be harmed.

10.30 The proposed layout of the site's external spaces is considered acceptable in relation to design and conservation. Little change is proposed for the existing two hard-surfaced areas (on-site parking would be limited to these areas), and soft landscaping and a rainwater pond is proposed elsewhere. A condition requiring full details of hard and soft landscaping is recommended.

10.31 No significant new boundary treatments are proposed around the site's perimeter, however a condition requiring details of any boundary treatments (including those that may be required to separate private gardens to the rear of building A) is recommended.

10.32 In light of the above assessments, it is considered that the relevant requirements of chapters 11, 12 and 16 of the NPPF, and Local Plan policies LP2, LP7, LP24 and LP35 (and relevant parts of policies LP15 and LP17) would be sufficiently complied with. The proposed development is considered compliant with Sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. There would also be an acceptable level of compliance with guidance set out in the National Design Guide.

<u>Residential amenity and quality</u>

10.33 Local Plan policy LP24 requires developments to provide a high standard of amenity for future and neighbouring occupiers, including by maintaining appropriate distances between buildings.

10.34 The proposed development would re-use existing buildings, and new windows would be carefully located, such that neighbouring residents would not experience unacceptable overlooking and losses of privacy. Similarly, no significant losses are expected in relation to neighbouring outlook and natural light – the rearward projection of the proposed first floor link building extension

was amended during the life of the application to ensure such impacts on properties to the southeast (particularly 60 New North Road) would be limited.

10.35 In terms of noise, although residential development may increase activity and movements to and from the site in the evenings and at weekends (when compared with the previous educational use of the site), given the site's location on New North Road, it is not considered that neighbouring residents would be significantly impacted. The proposed residential use is not inherently incompatible with existing surrounding uses.

10.36 A condition requiring the submission and approval of a Construction (Environmental) Management Plan (C(E)MP) is recommended. The necessary discharge of conditions submission would need to sufficiently address the potential amenity impacts of construction work at this site. Details of dust suppression measures and temporary drainage arrangements would need to be included in the C(E)MP. An informative regarding hours of noisy construction work is recommended.

10.37 The quality of the proposed residential accommodation is also a material planning consideration.

10.38 In terms of unit types and sizes, the applicant proposes 11x 1-bedroom, 19x 2-bedroom and three 3-bedroom units. 30 of the units would be flats (some with two levels, making them duplex units). This proposed mix is considered acceptable – such a site close to the town centre is expected to provide mostly 1- and 2-bedroom units, and the proposed three 3-bedroom units would additionally cater for a small number of families or larger households.

10.39 Although the Government's Nationally Described Space Standards (2015, updated 2016) are not adopted planning policy in Kirklees, they provide useful guidance which applicants are encouraged to meet and exceed. Of the 33 dwellings proposed, the majority would meet or exceed the Government's standards. Having regard to the site's constraints, and the proposed re-use of listed buildings, this level of compliance is considered acceptable.

10.40 Given the constraints of the site, the proposed level of provision of outdoor amenity space is considered acceptable.

10.41 Many flats would be single aspect, however this is considered acceptable given the other amenities of the units, and given that a proportion of single aspect units is often unavoidable in a residential conversion of this scale and nature.

10.42 Outlook, natural light and privacy enjoyed by future residents of the development would be adequate. Amendments (including the addition of rooflights to units S.1 and S.2 in building A) made during the life of the application have improved the proposals in relation to amenity to an acceptable level.

10.43 Regarding public open space, it is accepted that on-site provision would not be appropriate at this site, given its constraints. Newsome ward is deficient in Parks and Recreation Grounds, and given that no on-site provision is proposed or suitable in connection with the proposed development, a financial contribution of £101,716 towards off-site provision would be required.

10.44 Although some details of landscaping proposals have been shown on the applicant's drawings, a condition is recommended, requiring further details of

the development's outdoor spaces and their purpose, design, landscaping, boundary treatment and management.

Affordable housing

10.45 Local Plan policy LP11 requires 20% of units in market housing sites to be affordable. A 55% social or affordable rent / 45% intermediate tenure split would be required, although this can be flexible. Affordable housing should be integrated within developments, and dwellings of different tenures should not be visually distinguishable from each other.

10.46 The 20% policy requirement would be equivalent to 6.6 affordable units, therefore this 33-unit development would normally necessitate the provision of seven affordable units.

10.47 Given that the site's existing buildings were vacant at the time the current planning application was submitted, in relation to the proposed conversion of the buildings officers are satisfied that the applicant can claim Vacant Building Credit in accordance with NPPF paragraph 63 (and footnote 28), which states that, to support the reuse of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount equivalent to the existing gross floorspace of the existing buildings. The proposed development involves the conversion of existing buildings and would, therefore, not need to provide any affordable housing. The small amount of new floorspace proposed in the extension to the link building would similarly not trigger a requirement for the provision of affordable housing.

10.48 The financial viability of the proposed development (where relevant to other planning obligations) is discussed later in this report.

Highway and transportation issues

10.49 Local Plan policy LP21 requires development proposals to demonstrate that they can accommodate sustainable modes of transport, and can be accessed effectively and safely by all users. The policy also states that new development will normally be permitted where safe and suitable access to the site can be achieved for all people, and where the residual cumulative impacts of development are not severe.

10.50 Paragraph 108 of the NPPF states that, in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost-effectively mitigated to an acceptable degree. Paragraph 109 adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or if the residual cumulative impacts on the road network would be severe.

10.51 Paragraph 5.4 of the council's Highway Design Guide SPD notes that the council has not set local parking standards for residential development, however as an initial point of reference for residential developments, it is considered that 1- and 2-bedroom flats should provide one parking space, and that 3-bedroom (or larger) flats should provide two. In addition, one visitor parking space per four dwellings is considered appropriate. One cycle space per unit is recommended.

10.52 The proposed development involves the creation of 11x 1-bedroom, 19x 2-bedroom and three 3-bedroom units. Notwithstanding the fact that three of the units (in the link building, link tower and former toilet block) would be houses, the 33-unit scheme would normally be expected to provide 36 parking spaces, plus nine spaces for visitor parking (a total of 45 spaces).

10.62 26 parking spaces are proposed at the site's existing hard surfaced areas. The proposed shortfall in on-site parking is considered acceptable, given the site's relatively accessible location (within walking distance of Huddersfield railway station and bus services), and given the limited available space, the need to provide outdoor amenity space, and the need to protect the settings of the site's (and adjacent) listed buildings. To encourage and facilitate residents' use of alternative, sustainable modes of transport, however, a Travel Plan would need to be implemented (notwithstanding paragraph 5.19 of the council's Highway Design Guide SPD). The applicant has already submitted a draft Travel Plan at application stage, and it is recommended that the submission of an updated Travel Plan (and its implementation) be secured via a Section 106 agreement. Travel Plan monitoring fees of £1,000 per year for five years would be payable (this is a reduced rate applicable to schemes where unit numbers do not exceed 50).

10.63 The applicant's Transport Statement notes that cycle parking would be provided in compliance with the council's standards. It is recommended that this provision be secured by condition.

10.64 The West Yorkshire Combined Authority (WYCA) have commented that, to encourage the use of sustainable transport as a realistic alternative to the car, the applicant would need to fund a package of sustainable travel measures, namely sustainable travel incentives to encourage the use of sustainable modes of transport. Based on bus-only residential Metro cards, the contribution appropriate for this development would be £16,516.50. Officers agree that such a contribution would be appropriate.

10.65 Regarding trip generation, the applicant's Transport Statement suggests that – had each flat been provided with a parking space – 10 or 11 additional vehicle trips would be generated during peak hours. However, given the proposed underprovision of parking, it can reasonably be assumed that actual trip generation would be lower. Given the low numbers of vehicle movements expected, the site's location on the A629 and proximity to Huddersfield's ring road, and the availability of alternative modes of transport, it is considered that the proposed development would not have a severe adverse impact upon local traffic, highway capacity or safety.

10.66 Reference to outdated Unitary Development Plan (UDP) policies in the applicant's submission documents are unfortunate, however the submission of an updated Transport Statement is not essential for the determination of the current application. UDP references will need to be removed from the required updated Travel Plan.

10.67 Highways Development Officers have raised concerns regarding widths, visibility and swept paths of (or at) the site's vehicular access points. These concerns, and potential amendments, have been discussed with Conservation and Design officers, however it is noted that the existing boundary walls, piers and gates are either individually listed or curtilage-listed. It is not recommended that amendments to these entrances be sought, as any meaningful improvements to visibility and manoeuvring space would necessitate

significant works which would be harmful to the listed buildings. Additionally, the applicant's Transport Statement notes that the existing entrance to the west of building A, while awkward, has operated safely for many years, as there have been no recorded injury accidents along Highfields Road within the five years up to December 2017.

Refuse storage and collection

10.68 Refuse storage space will be required for all dwellings, and two external bin stores are illustrated on the applicant's drawings. The minimum required refuse storage capacity is 360 litres per apartment (180 litres for recyclable waste, 180 litres for residual domestic waste). For the 33 apartments proposed, adequate on-site provision of refuse storage (in terms of capacity and location) is possible, although details of arrangements for moving bins on collection day would need to be provided (this responsibility cannot be taken on by the council's refuse collection crews). An appropriate condition is therefore required. This condition also requires details of management to ensure any waste collection points are not used for fly-tipping or dumping of large items for disposal.

Flood risk and drainage issues

10.69 No significant new building footprints or hard surfaces are proposed, and the proposed development would largely make use of the site's existing drainage system. Replacement of an existing drainage channel, and other details relating to surface water, have been discussed with officers, resulting in the Lead Local Flood Authority raising no objection to the proposed development, and proposing no conditions (other than a requirement to comply with the recommendations set out in the applicant's submission documents).

10.70 Foul water from the proposed development would discharge to the existing public sewer network. This proposal has not attracted an objection from Yorkshire Water, and is considered acceptable.

Trees, landscaping and biodiversity

10.71 The proposed development has not attracted an objection from the council' Arboricultural Officer. No new buildings or significant ground works are proposed close to the trees of amenity value to the east of building B, however these trees will nonetheless need to be protected during conversion works, and an appropriate condition is recommended.

10.72 In response to the applicant's Ecological Impact Assessment (submitted during the life of the application), the council's Biodiversity Officer noted the presence of a bat roost at the application site, but commented that this is a small roost of lower conservation value. Satisfactory impact avoidance measures have been proposed by the applicant, such that the council's Biodiversity Officer is satisfied that significant ecological harm can be avoided and, through implementation of the proposed landscaping scheme, a net biodiversity gain can be achieved.

Environmental and public health

10.73 With regard to the West Yorkshire Low Emission Strategy, a condition is recommended, requiring the provision of electric vehicle charging points. In addition, measures to discourage high emission vehicle use and encourage modal shift (to public transport, walking and cycling) and uptake of low

emission fuels and technologies, should be secured via Section 106 obligations.

10.74 An Air Quality Assessment was submitted by the applicant. In response, Environmental Health officers have advised that mitigation measures to protect the future occupiers are not necessary. Furthermore, the proposed development would not have a significant detrimental impact on air quality in the area and therefore air quality mitigation measures to protect the area are also not considered necessary.

10.75 An Environmental Noise Report has been submitted by the applicant. Noise levels experienced by future residents of the proposed development can be brought to acceptable levels through the provision of secondary glazing (and not double glazing, which would be unacceptable for the site's listed buildings), and an appropriate condition is recommended.

10.76 The health impacts of the proposed development are a material consideration relevant to planning, and compliance with Local Plan policy LP47 is required. The applicant has submitted a Health Impact Assessment. Having regard to the proposed dwelling sizes, proximity to facilities in Huddersfield Town Centre, comments of Environmental Health officers, measures to be proposed at conditions stage to minimise crime and anti-social behaviour, and other matters, it is considered that the proposed development would not have negative impacts on human health.

10.77 Regarding the social infrastructure currently provided and available in the surrounding area (which is relevant to the public health impacts and the sustainability of the proposed development), and specifically local GP provision, there is no policy or supplementary planning guidance requiring the proposed development to contribute specifically to local health services. Furthermore, it is noted that funding for GP provision is based on the number of patients registered at a particular practice, and is also weighted based on levels of deprivation and aging population. Direct funding is provided by the NHS for GP practices and health centres based on an increase in registrations.

Ground conditions

10.78 The applicant has submitted a satisfactory Phase 1 contaminated land report. Conditions related to site contamination are recommended in accordance with Environmental Health officer advice.

10.79 The application site is within a Development High Risk Area in relation to coal mining legacy. The Coal Authority has raised no objection to the proposed development, subject to conditions recommending site investigation (and, if needed, remedial work).

Financial viability and planning obligations

10.80 To mitigate the impacts of the proposed development, planning obligations would normally need to be secured via a Section 106 agreement. As confirmed by consultees, these would need to include a £69,778 education contribution, a £101,716 contribution towards the provision of open space, a £16,516.50 contribution towards Metro cards, and Travel Plan monitoring fees totalling £5,000. As noted earlier in this report, officers are satisfied that the applicant can claim Vacant Building Credit such that affordable housing would not need to be provided.

10.81 During the life of the current application, the applicant submitted financial viability evidence, and argued that the proposed development could not provide any planning obligations.

10.82 The applicant's information has been assessed by the council's independent viability consultant, Rider Levett Bucknall (RLB). Officers have also had regard to the council's Viability Guidance Note, approved by Cabinet on 02/06/2020.

10.83 RLB initially asserted that the proposed development can in fact provide the above-listed planning obligations and achieve a 16% profit on the scheme's Gross Development Value (GDV), which is within the industry-accepted range of profit expectations (15-20%), but which – being at the lower end of expectations – presents risk to an applicant pursuing a flatted residential conversion scheme at a constrained site. Following a review of sales values, RLB subsequently concluded that an 11% profit on GDV would be achieved, which would not meet the lower end of industry expectations (15%). Using the same inputs, RLB concluded that a 15% profit on GDV could be achieved if the applicant was excused from the £101,716 open space contribution. The risks involved in scheme that only achieves a profit level at the lower end of industry expectations are again noted, and it is accepted that for such a development a developer could reasonably require a higher profit level.

10.84 Agreement between officers and the applicant has not been reached, with the main matters of dispute relating to two appraisal inputs: benchmark land value and sales values.

10.85 Regarding benchmark land value (BLV), the applicant initially submitted (on 09/05/2019) a viability appraisal that took into account the purchase price of the site (which has been confirmed by officers with Land Registry records), and did not adopt the EUV+ (Existing Use Value, plus a premium) approach to benchmarking. This is contrary to Government guidance (specifically, paragraphs 013 and 014 of online Planning Practice Guidance) and paragraph 3.5 of the council's Viability Guidance Note. The use of purchase price in viability assessments in this way creates an expectation (among developers) that mitigation (such as affordable housing and open space provision) can be negotiated away, and encourages developers to overbid for sites without having due regard to the costs involved in mitigating the impacts of their developments. The reason for using EUV+ in viability assessments is to avoid such scenarios.

10.86 Officers and RLB considered whether an Alternative Use Value (AUV) approach to BLV could be considered for this site, however given the previous D1 use of the site, its limited permitted development allowances, and the limited likelihood of alternative uses being proposed or granted permission, it was concluded that the AUV approach would not be appropriate here.

10.87 The applicant (on 23/01/2020) then submitted a letter (dated 14/12/2017) from an educational organisation interested in purchasing the site. The letter included an offer for the site which was significantly lower than the applicant's purchase price. Officers duly considered this offer and its relevance to BLV, but concluded that it could not be relied on as an AUV (by definition, no alternative use was proposed in the letter – the potential purchaser wished to continue D1 uses at the site). Furthermore, the date of the offer raised doubt as to its comparability to current market values. Crucially, the offer was not a completed market transaction, therefore it could not be regarded as reliable market evidence, and even if an offer (rather than a completed market transaction) were to be given weight as evidence, it would not be good practice to rely on

only one such offer – comparable evidence would be needed to establish a market value.

10.88 Notwithstanding the applicant's case regarding BLV, it is accepted that few, if any, sites are truly comparable to the application site, and officers have not been able to find recent market evidence relating to comparable sites of a similar size and attraction that are similarly located and constrained, and that are subject to similar planning policies and market conditions, which could be used to inform a BLV. In short, no alternative reliable benchmark can be identified.

10.89 Agreement has also not been reached regarding sales values, despite RLB having carried out further reviews of market evidence (and, as a result, narrowing the differences between the parties). Both RLB and the applicant's consultant are satisfied that their respective evidence and conclusions are reliable.

10.90 Other inputs into the applicant's viability appraisal, including in relation to build costs and financing, have not been disputed by RLB, and are considered reasonable.

10.91 The situation regarding financial viability, and the lack of agreement between the parties regarding two key appraisal inputs, is regrettable, however there are important planning considerations relevant to the proposed development which must be taken into account before a conclusion on this matter can be made. Firstly, the proposed development would bring significant public benefit (including regenerative benefit) in the form of securing a future for the site's currently-vacant listed buildings, and the windfall of 33 much-needed residential units that would be provided. These aspects of the proposed development are well supported by planning policies (in the Local Plan and NPPF) and guidance (including, most notably, the draft Huddersfield Town Centre Blueprint SPD) which strongly encourage urban regeneration, town centre living and the re-use of heritage assets. Secondly, it is noted that the previous owner of the site was Kirklees College, and if it is the case that the applicant has overpaid for the site, that overpayment will have been made to a local organisation dedicated to providing services of significant public benefit. Thirdly (and of relevance to the way in which the previous two points can be weighed in the balance of planning considerations), paragraph 57 of the NPPF states that "The weight to be given to a viability assessment is a matter for the decision maker", meaning that the council is free to conclude that the unmitigated impacts of a development (in this case in relation to education, open space provision and sustainable transport) are outweighed by the development's benefits, and/or that other material considerations enable an approval despite a financial viability case not being clearly demonstrated by the applicant. Officers would point out to Members that the three above points carry significant weight, and that the lack of available evidence regarding BLV is also a significant consideration.

10.92 To add to the above considerations, the applicant has taken on board officer advice, and has proposed a £15,000 contribution towards the provision of public art in Huddersfield Town Centre. Of note, the council is currently working on several culture, art and music projects within the town centre in connection with the Huddersfield Blueprint, having regard to the need to diversify uses and introduce more attraction and a wider leisure offer (which will prove essential in attracting people to the town centre, particularly as Covid-19 restrictions are eased). The applicant's offer would make a welcome contribution towards these projects. Furthermore, the applicant has offered to work with

Huddersfield BID to explore whether the contribution can be used to lever in funding from other sources, resulting in a more significant intervention in the town centre.

10.93 In light of the above assessments, it is recommended that planning permission be granted for the proposed development, subject to a Section 106 agreement securing the following planning obligations:

1) Sustainable transport – Measures to encourage the use of sustainable modes of transport including implementation of a Travel Plan and payment of £1,000 per year Travel Plan monitoring fees (for five years).

2) Management – The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including surface water drainage until formally adopted by the statutory undertaker).

3) Public art – £15,000 contribution towards public art provision in Huddersfield Town Centre.

10.94 The provision of training and apprenticeships is strongly encouraged by Local Plan policy LP9, and although the proposed development does not meet the relevant threshold (housing developments which would deliver 60 dwellings or more), any agreement by the applicant to provide a training or apprenticeship programme to improve skills and education would be welcomed. Such agreements are currently not being secured through Section 106 agreements – instead, officers are working proactively with applicants to ensure training and apprenticeships are provided.

11.0 CONCLUSION

11.1 The application site is not allocated in the Local Plan, its current lawful use is not protected by relevant planning policies, and the principle of residential development at this site is welcomed. The provision of 33 residential units at this site would contribute towards meeting the housing delivery targets of the Local Plan.

11.2 The site has constraints in the form of its (and adjacent) listed buildings, the Greenhead Park / New North Road Conservation Area, adjacent residential development (and the amenities of these properties), and other matters relevant to planning. These constraints have been sufficiently addressed by the applicant, or can be addressed at conditions stage. The applicant has proposed an appropriate quantum and density of development. The proposals involve the refurbishment and re-use of currently-vacant listed buildings, and would help to secure a long-term future for them. The proposals respond appropriately to the conservation area, and the quality of residential accommodation is considered acceptable.

11.3 The proposed development would not provide the education, open space and sustainable transport contributions that would normally be required of a scheme of this size and nature, however on balance, and having regard to the significant public benefits of the proposed development and other material planning considerations, it is recommended that this be accepted.

11.4 Approval of full planning permission is recommended, subject to conditions and planning obligations to be secured via a Section 106 agreement.

11.5 The NPPF 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. The proposed development has been assessed against relevant policies in the development plan and other material considerations. Subject to conditions, it is considered that the proposed development would constitute sustainable development (with reference to paragraph 11 of the NPPF) 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 Planning and Development)

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and documents.
3. Submission of a Construction (Environmental) Management Plan (including temporary surface water drainage arrangements).
4. Submission of details of cycle parking.
5. Provision of electric vehicle charging points.
6. Submission of details of waste storage and collection.
7. Submission of details of crime prevention measures.
8. External materials (details and samples to be submitted).
9. Submission of details of windows and doors.
10. Submission of details of boundary treatments.
11. Submission of details of external lighting.
12. Submission of measures to protect residents from noise.
13. Investigation of site (in relation to coal mining) and implementation of remedial work.
14. Site contamination (four conditions).
15. Submission of a full landscaping scheme.
16. Implementation of bat mitigation measures.
17. Implementation of biodiversity enhancement.
18. Implementation of tree protection measures during construction.

Background Papers:

Application and history files.

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f90467

Certificate of Ownership – Certificate A signed