
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 24-Jun-2020

Subject: Planning Application 2019/91121 Conversion and alterations to existing building to create 27 apartments (Formerly 33 apartments) (Listed Building) 23B, Bradford Road, Dewsbury, WF13 2DU

APPLICANT

PADD Ltd

DATE VALID

10-Apr-2019

TARGET DATE

10-Jul-2019

EXTENSION EXPIRY DATE

03-Mar-2020

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: Dewsbury East Ward

Ward Councillors consulted: Yes

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application (full) and listed building consent under application reference: 2019/91120, 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 S106 agreement to cover the following matters:

1. Public open space provisions including off site commuted sum (£30,779) and future maintenance and management responsibilities of open space within the site
2. Sustainable Travel Fund (£16,516.50)
3. 15 affordable dwelling units ('Rent to Buy Initiative' operated by the Owner).
4. (£19,769) towards Education requirements arising from the development
5. (£10,000) towards Travel Plan Monitoring Fee, consisting of five payments of £2,000.

In the circumstances where the S106 agreement has not been completed within 3 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 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 (Reference: 2019/91121) and listed building consent (Reference: 2019/91120), for the conversion and alterations to existing building to create 27 apartments (Formerly 33 apartments) (Listed Building)
- 1.2 The application was to be presented to the Heavy Woollen Sub-Committee, at the request from Councillor Cathy Scott due to concerns in relation to waste storage and parking provision.
- 1.3 Although, application forms refer to 23B Bradford Road, the applicant's agent has confirmed that the planning application and listed building consent relates to 23 and 25 Bradford Road. Furthermore, plans and documentation clearly relate to both buildings.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site consists of two grade II listed buildings known as 23-25 Bradford Road constructed around 1860 and were former rag warehouses. Latterly, the buildings have been used as a commercial premises with various retail uses, ranging from kitchen supply to safety clothing. However, today the buildings lie derelict. The site covers 615m² with the footprint of the former rag warehouses covering the entire site.

- 2.2 The buildings' special architectural and historical interest are defined by Historic England as follows:

*SE 22 SW 1/155 DEWSBURY BRADFORD ROAD (West side) No.23
GV II Rag warehouse c.1860. Ashlar and coursed rubble with ashlar dressings. Slate roofs. East front, three storey, three bay, ashlar rusticated ground floor with central round headed doorway with keystone and a pair of panel doors with overlight. Eitherside are single round headed windows with keystones, now boarded. Above a moulded ashlar band, and three plain sashes in moulded surrounds, with flat hoods, the central window is topped by a segmental pediment. Above again a cill band and three pairs of round headed twin sashes in moulded surrounds. Above a moulded ashlar cornice. West front, four storeys, with four glazing bar windows to each floor.
Listing NGR: SE2440222177*

*SE 22 SW 1/154 DEWSBURY BRADFORD ROAD (West side) No. 25
GV II Rag warehouse. c1860. Coursed rubble with ashlar dressings. Slate roof. Rusticated quoins, moulded plinith and cornice. East front, three storey, three bay. Central segment headed doorway with double panel doors. Eitherside are single round headed windows with moulded surrounds and keystones, now boarded. Above, the first and second floors are identical, with central hoist doorways, now windows, flanked by segment headed glazing bar sashes in moulded surrounds with keystones. Above a dentilated eaves cornice. Rear, west front, four storeys, three bays with three windows to each floor the upper has been partly rebuild in brick.
Listing NGR: SE2440222177*

- 2.3 The application site is approximately 160m east of the Northfields Conservation Area and approximately 200m north west of Dewsbury Town Centre conservation area. The site is bounded by No.27 Bradford Road, which is currently 'Bill Hargreaves Cycles Store' to the north, Dewsbury Beck and a car garage to the west and a car park to the south which is associated with Springfield Sixth Form Centre.

- 2.4 The building's frontage and access is to the east with Bradford Road, which predominantly consists of a number of commercially and employment related premises. Although, residential apartment dwelling units can be found at nearby Sprinkwell Mills.

- 2.5 There is no vehicular access or parking associated with the buildings.

3.0 PROPOSAL:

- 3.1 The proposal is for the conversion and alterations to existing the buildings to create 27no. apartment dwelling units consisting of 5no. studios, 14no. one bed units, 7no. two bed units and 1no. three bed unit over four floors. The basement would be used for bin and cycle storage. There would also be a lift and the necessary circulation space integrated within the buildings.

- 3.2 A courtyard area/amenity space would also be created between the two buildings which would also include bin collection facilities.

- 3.3 No vehicular access or car parking is proposed with the development.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 A number of planning applications have been made but the following is considered to be the most relevant for this planning application:

2005/62/90946/E2 - Change of use to A1 – Refusal 09 March 2005 due to the following reasons:

(1) The proposal is contrary to Policy S1 of the Kirklees Unitary Development Plan, which maintains that existing town and local centres should remain the focus of shopping, commercial, cultural and social activity. The Local Planning Authority believes that in the context of Policy S1, the proposal can reasonably be accommodated within the nearby town centre of Dewsbury.

(2) The proposed development would provide insufficient off street parking for staff and customers and this is likely to lead to vehicles parking on the highway, to the detriment of highway safety and the free flow of traffic in the area. This is contrary to Policies D2 and T10 of the Kirklees Unitary Development Plan

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

- 5.1 Written pre-application advice was provided on 07/02/2019 albeit regarding a different proposal consisting of the conversion of the existing buildings to residential apartments, café and/or offices (Reference: 2018/20313).
- 5.2 Officers considered that the proposal had some positive aspects, and that the provision of residential accommodation would be in a sustainable, accessible location and thus was welcomed in principle. Officers welcomed that the owner was proposing to save the building. However, advised that any harm caused by the proposed development to the site's heritage assets (if limited, unavoidable and justified) would only be accepted in the context of a high quality development proposal that delivered sufficient public benefit. Detailed recommendations were provided to overcome issues associated with heritage, design and amenity. Also, officers requested that any design properly consider how the proposed commercial use could better coexist with the residential use. Requests were also made that the proposed residential dwelling units were of a suitable size, quality and sufficient levels of amenity can be achieved,
- 5.3 The application was originally made for 33no. apartment units, with the addition of a roof extension. Extensive discussions have taken place between officers and the applicant about the proposals regarding the level of harm and viability justification in relation to the internal layouts of the proposed apartments and roof extension. As such, proposals have subsequently been revised with fewer apartments and additional information has been provided to take into consideration the conservation officer comments.
- 5.4 Officers have had discussions and sought further clarification about the proposed collection and storage of waste, which has now been provided.
- 5.5 The Flood Risk Assessment has been amended to address the comments made by the Lead Local Flood Authority and the Environment Agency regarding flood risk and drainage in relation to climate change.
- 5.6 Negotiations have also taken place between strategic housing officers and the applicant regarding a bespoke affordable housing product to be provided.

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 27th February 2019).

Kirklees Local Plan (2019):

- 6.2 Relevant 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
 - 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
 - LP38 – Minerals safeguarding
 - 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
 - LP61 – Urban green space
 - LP63 – New open space

Supplementary Planning Guidance / Documents:

- 6.3 Relevant guidance and documents are:
- Kirklees Strategic Housing Market Assessment (2016)
 - Kirklees Housing Strategy (2018)
 - Providing for Education Needs Generated by New Housing (2012)
 - Kirklees Joint Health and Wellbeing Strategy and Kirklees Health and Wellbeing Plan (2018)
 - West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
 - Kirklees Biodiversity Strategy and Biodiversity Action Plan (2007)
 - Waste Collection, Recycling and Storage Facilities Guidance – Good Practice Guide for Developers (2017)

Fields in Trust Guidance for Outdoor Sport and Play (2015)
Highways Design Guide Supplementary Planning Document (2019)
Kirklees Interim Affordable Housing Policy (2020)

National Planning Policy and Guidance:

- 6.4 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.
- 6.5 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
- 6.6 Since March 2014 Planning Practice Guidance for England has been published online.
- 6.7 On 01/10/2019 the Government published the National Design Guide.
- 6.8 Many policies within the National Planning Policy Framework (NPPF), the Planning Practice Guidance and the National Design Guide are relevant to this proposal and, where relevant, are referred to in the main report text.

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application has been advertised as a major development and affecting a listed building.
- 7.2 The application was first advertised by neighbour notification letters, site notices and press advert which expired on 18th May 2019. One representation was received in relation to site publicity. The concerns raised can be summarised as follows: -
- “Car parking on the site, Where are 33 cars going to park, Parking is bad in this area without another 33 cars min.”*
- 7.3 Ward Councillor Eric Firth queried the proposal’s lack of car parking facilities and expressed concerns regarding how refuse waste would be stored, collected and managed, particularly as this is an issue with other residential conversions in Dewsbury town centre.
- 7.4 As a result of amendments to the planning application, the planning application was again advertised by neighbour notification letters and site notices, which

expired 11th January 2020. One representation was received in relation to site publicity. The concerns raised can be summarised as follows: -

"I am concerned about the impact the development will have on traffic on an already busy road. The flow of traffic is too fast and four accidents have happened at sprinkwell mill on bradford road number 1 in the last 28 months. I am concerned more residents in a communal shared home location will make the road more dangerous, more noise pollution on roads on two sides of an current home at sprinkwell, and add to the pollution levels and have an major impact on quality of life. I am concerned the standard or conversion will affect history and character of the significant history of the town. The amenities in the town have not been developed to sustain more residential and this needs to be addressed before more residential development is allowed. I believe privacy will be affect with the windows and direct they view. This next to a busy already extended car park of lidl supermarket and the traffic into the Dewsbury college also on bradford road will add to and supports my objections. These plans will impact on the apartment and flat conversions that are unoccupied and there more the demand can't be justified to build or convert more."

7.5 Ward Councillor Aleks Lukic provided the following comments:

"Even with Highways' recommended double yellow lines up to Commercial Road I can foresee safety issues from this development being caused by parked vehicles further up Bradford Road. Particularly with the fire station nearby. We should look at whether we should require double yellow lines all the way up to Carlton Road doing the whole lot in one go. Or at least up to Victoria Road."

7.6 Ward Councillor Eric Firth has provided the following comments:

"Could I ask what arrangements have been made for waste collection, 27 apartments will generate lots of waste. In the Town centre there have been a number of conversions and this element has been ignored. I would be delighted to know."

7.7 Responses to the above comments are set out later in this report.

7.8 Amendments made, and additional information submitted, during the life of the application did not necessitate public re-consultation. Local re-consultation is not normally considered necessary when technical supporting information is submitted by applicants. This is in line with the council's adopted Statement of Community Involvement.

8.0 CONSULTATION RESPONSES:

8.1 The following is a brief summary of consultee advice. More details are contained in the Appraisal section of the report, where appropriate:

8.2 Statutory:

Environment Agency: No objections. Advise that the applicant will require an Environmental Permit in accordance with The Environmental Permitting (England and Wales) Regulations 2016 which requires a permit to be obtained for any activities which will take place on or within 8 metres of a main river.

Historic England: Concerns regarding the applications on heritage grounds. Advise on assessing the planning application in relation to heritage policy and

consulting specialist Conservation Officer to ensure that any additional works which may arise avoid or minimise harm to the listed buildings. Depending on the extent of any additional works necessary, a new listed building consent application may be required.

K.C Lead Local Flood Authority: No objection, provided the necessary planning conditions securing a Flood Risk Warning and Evacuation Plan, as well as Surface Water Drainage System Management and Maintenance, along with the submitted documents are appended to any approval.

KC Highways Development Management: No objections, subject to the necessary planning conditions for bin storage and collection facilities. Additionally, planning obligations are sought to secure a package of sustainable travel measures and to necessitate an amendment to a Transport Regulation Order.

The Coal Authority: No objection. The application site does not fall with the defined Development High Risk Area and is located instead within the defined Development Low Risk Area.

8.3 **Non-statutory:**

Northern Gas: No objections.

K.C Biodiversity: No objection, subject to a condition that secures the erection of swift boxes as ecological enhancement.

K.C Conservation and Design: Support the proposals, subject to the imposition of the necessary conditions.

K.C Education: Seek the following planning obligations. Carlton J & I School - £19,769, Westborough High School - £0

K.C Environmental Health: No objection subject to a condition securing the necessary noise mitigation measures, highlighted in the Noise Impact Assessment (Reference: NIA/8185/18/8110/v1/Bradford Rd, Dewsbury, dated 8th November 2018) and a condition requiring the reporting of unexpected contamination

K.C Landscapes: No objection, subject to a planning condition requiring details of the proposed hard and soft landscape of the courtyard area and a planning obligation seeking an off-site financial contribution of £30,779 to public open space.

K.C Public Health: No comments as planning application is now under the newly agreed threshold for commenting.

K.C Strategic Housing: No objection in principle to the proposed bespoke affordable housing proposal.

K.C Waste: No objection. The waste storage provision set out on drawing ref PL07 Rev 3 (proposed ground and lower ground floor plans) received 20/04/2020 is considered acceptable. The proposed approach to managing waste is also acceptable, subject to the suggested condition.

West Yorkshire Police Architectural Liaison Officer: Recommends the use of dividing walls between internal dwellings must be to STS 202 Issue 7 BR1 standard or made from solid materials such as concrete block or brick. Any internal partition wall made up from none solid material such as plasterboard and wooden studwork must be reviewed for security purposes. Also, recommends additional security measures outlined in Secure by Design good practice guidance.

National Amenity Societies: No comments received.

Natural England: No comments.

Yorkshire Water: No comments. Based on the information submitted (foul water to public sewer via building's existing drainage system, with surface water to existing watercourse (Dewsbury Beck), no observation comments are required from Yorkshire Water.

9.0 MAIN ISSUES

- Land use, sustainability and principle of development
- Heritage and urban design
- Residential amenity and quality
- Housing mix and affordable housing
- Highways and transportation
- Waste
- Flood risk and drainage
- Landscaping and ecological considerations
- Ground conditions
- Climate change
- Representations
- Planning obligations
- Other matters

10.0 APPRAISAL

Land use, sustainability and principle of development

- 10.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. The starting point in assessing any planning application is therefore to ascertain whether or not a proposal accords with the relevant policies within the development plan, in this case, the Kirklees Local Plan. If a planning application does not accord with the development plan, then regard should be has as to whether there are other material considerations, including the NPPF, which indicate the planning permission should be granted.
- 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 planning application site includes two derelict buildings on unallocated land within the Local Plan. The buildings are Grade II listed former textile rag warehouses that were last used for retail and storage purposes. The site is not

identified in the Local Plan as being a Priority Employment Area or within the defined Dewsbury Town Centre boundary, thus officers would have no objections to the loss of the employment use.

- 10.4 The Technical Paper Settlement Appraisal, which supports the Local Plan, particularly policy LP3, identifies Dewsbury as having good rail links to Leeds and Manchester and generally a good provision of local shopping. The Paper goes on to recognise how there are attractive buildings and townscape as well as brownfield opportunities from former industrial uses within the Dewsbury and Mirfield sub-area. Additionally, the Paper states that there is a priority in Kirklees Economic Strategy to transform Dewsbury by building on strategic location and driven by integrated housing and economic development in and around its town centre.
- 10.5 The proposal would mean the redevelopment of two derelict buildings, which are part of the Dewsbury historic built environment. The proposal would make a contribution towards the Council's housing supply and potential residents would have the opportunity to live within walking and cycling distance of a variety of shops and services as well as public transport connections. For instance, the site is only 200m away from the town centre as well as near to a supermarket, a sixth form college, a train station and other services found in the immediate locality. These services would in turn benefit from their usage and custom. The Strategic Objective at paragraph 4.5 of the Local Plan promotes the re-use of existing buildings and the use of brownfield (previously developed) land to meet development needs and support the regeneration of areas. Additionally, Local Plan policy LP24(d)(i) states that proposals should promote good design by ensuring high levels of sustainability through the re-use and adaptation of existing buildings, where practicable.
- 10.6 The acceptability of the residential use of the building is influenced by whether the related physical works that are required can be achieved, which has special regard to the architectural and historical significance of the listed buildings. These matters are considered later in this report. Notwithstanding the above, it is considered that the application site is in a sustainable location for residential development.

Heritage and urban design

Significance of the affected heritage assets.

- 10.7 Paragraph 189 of the NPPF requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant has provided a Design and Access Statement, including a Heritage Statement in relation to this matter. In addition, the applicant has provided structural surveys and searched the Historic Environment Records. As such, the provision of these documents means that the application broadly accords with the tests set out in Paragraph 189. However, officers consider that a planning condition may be necessary to ensure that archaeological building recording takes place prior to the development to ensure any features to be lost are suitably recorded.
- 10.8 Paragraph 190 of the NPPF requires that the Local Planning Authority identifies and assesses the particular significance of any heritage assets affected and takes this into account when considering the impact of the proposal on a heritage asset. The proposal affects nos. 23 and 25 Bradford Road, which are

a pair of grade II listed former rag warehouses. The conservation officer has explained how the buildings have different architectural details but are both styled on Venetian palazzi of the Renaissance period. This is an association that is not without meaning, since Venice at that time was pre-eminent in the textile industry and similar buildings were used for the production and storage of fabric. The buildings are typically three-storey, symmetrical with a central entrance at ground floor. A grander treatment was sometimes given to the first floor, as at no.23, imitating the piano nobile of a Venetian palazzo. In common with the practice of Renaissance architecture, roofs were hidden behind parapets as at no.25 or had shallow pitches so as not to be visible.

- 10.9 The conservation officer has also explained how rag warehouses have a simple plan, reflecting the function of the building, with offices at the front of the building for transacting business, surviving in part at no.23 and large open-plan areas behind for storage and processing of rags. Taking-in doors, surviving at no.25, provided a means of getting bales of rags in and out of the building readily. Two winch mechanisms remain at no.25, one of greater age built into the roof structure. It appears that no.23 was built with an L-shaped plan, and no.25 with a simple rectangular plan. At some stage prior to 1893, no.25 was extended to the rear and connected with no.23, perhaps representing the merger of two separate businesses. The internal structure of both buildings is simple and functional, some undecorated cast iron columns remain in no.23, and some posts to no.25 have a stop-chamfered detail.”
- 10.10 Therefore the significance of the buildings primarily rests in their well-detailed front elevations and features that reveal their historic function such as taking-in doors, winch mechanisms and office spaces.

Impact of the proposed alterations

- 10.11 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Local Plan policy LP35 requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.
- 10.12 The supporting plans and documentation details show the main alterations associated with the proposal that are considered to potentially harm the listed buildings are stated below:

Building Floor Level	Proposed Works
Roof/Third Floor	<ul style="list-style-type: none"> • Insertion of 40no. conservation rooflights (16no. in 25 Bradford Road, 24no. in 23 Bradford Road) • Replacement and repair of Welsh slate roof tiles, where necessary. • New roof structure, utilising existing timber, where necessary.

	<ul style="list-style-type: none"> • Where possible, existing trusses to be relocated along new party wall alignments as exposed features forming part of the new structural design. • Insertion of new floor with wall partitions and spiral stair cases to facilitate duplex apartments. • Removal of chimney stack and pots at 25 Bradford Road.
Second Floor	<ul style="list-style-type: none"> • Insertion of 6no. window openings on southern elevation of 23 Bradford Road. • Removal of stair case at 23 Bradford Road and at 25 Bradford Road, as well as found in the centre and reinstatement of floor over voids. • Reconfiguration of two door/window openings on eastern elevation, overlooking courtyard. • Insertion of 1no. window opening and 'blocking up' of door opening and the removal of pitched roof element on southern elevation of 25 Bradford Road. • Existing winch to be retained and relocated to new stairwell within the building. • Timber lintels to all windows to be replaced by reinforced concrete lintels. • Existing timber to be retained and reused where practical. • Subdivision of the floor with partition walls and removal of several sections of existing internal walls and doorways. • Insertion of central stairwell and lift shaft.
First Floor	<ul style="list-style-type: none"> • Insertion of 6no. window openings on southern elevation of 23 Bradford Road. • Removal of stair case at 23 Bradford Road and at 25 Bradford Road, as well as found in the centre and reinstatement of floor over voids. • Reconfiguration of two door/window openings on eastern elevation, overlooking courtyard. • Insertion of 1no. window opening and 'blocking up' of door opening on southern elevation of 25 Bradford Road. • Timber lintels to all windows to be replaced by reinforced concrete lintels. • Existing timber to be retained and reused where practical. • Subdivision of the floor with partition walls and removal of several sections of existing internal walls and doorways. • Insertion of central stairwell and lift shaft. • Removal of cast concrete plank infill panel over existing courtyard area and associated necessary structural engineering works.
Ground Floor	<ul style="list-style-type: none"> • Insertion of 6no. window openings on southern elevation of 23 Bradford Road. • Removal of stair case at 23 Bradford Road and at 25 Bradford Road, as well as found in the centre and reinstatement of floor over voids.

	<ul style="list-style-type: none"> • Reconfiguration of two door/window openings on eastern elevation, overlooking courtyard. • Insertion of 2no. window openings and 'blocking up' of door opening on southern elevation of 25 Bradford Road. • Timber lintels to all windows to be replaced by reinforced concrete lintels. • Existing timber to be retained and reused where practical. • Subdivision of the floor with partition walls and removal of several sections of existing internal walls and doorways. • Insertion of central stairwell and lift shaft. • Removal of offices at the front of 23 Bradford Road and at the front of 25 Bradford Road. • Removal of paraphernalia associated with covered courtyard area. • Hard landscaping to courtyard with feature planting and flood lighting to elevations.
Lower Ground Floor	<ul style="list-style-type: none"> • All window openings to be blocked up. • Insertion of stair well and lift shaft. • Subdivision of the floor with partition walls and removal of several sections of existing internal walls and doorways. • Further survey works required to assess 23 Bradford Road.
Other works	<ul style="list-style-type: none"> • Existing stonework to be fully cleaned and repaired. • Existing front elevation windows to be reviewed, repaired and reinstated or replaced with new hardwood frame to match existing profiles and design arrangements. • New windows to side, courtyard and rear elevations to be PPC Aluminium frame with profiles. • Proprietary through coloured lime render to replace existing • Replacement of rainwater goods with PPC Aluminium profile black gutters and downpipes. • Removal of metal external staircase and necessary repair works.

10.13 With regards to the above works, officers in consultation with Historic England and the applicant have agreed a number of planning conditions seeking additional information, details and reassurances to minimise the level of harm to the grade II listed buildings. These planning conditions relate to securing an appropriate schedule of works; the retention of chimney stacks and pots, cleaning of masonry; securing the appropriate building materials, render, roofing materials and rainwater goods; appropriate replacement doors and frames, as well as windows and frames; conserving the buildings key features; and seeking further archaeological analysis.

10.14 The proposed subdivision of the rag warehouses with the insertion of a mezzanine floor, removal of staircases, the insertion of a stairwell and lift shaft, as well as the insertion/reinstatement and the 'blocking up' door and window openings are considered necessary to facilitate the proposal. Also, officers

consider the proposed openings are of suitable proportions and are appropriately aligned with the other existing openings. The proposed works to the front of the buildings, particularly with the removal of covered 20th century element at first floor level will enhance the character and appearance of the buildings. Furthermore, structural repairs to strengthen existing floors, ceilings and walls are also considered necessary to safeguard the buildings future.

- 10.15 Officers consider that the revised proposals now minimises the conflicts between the conservation of the listed building and alterations necessary for the proposed residential use. The imposition of the necessary planning conditions will ensure that the proposed level of harm to the significance of the listed buildings will be 'less than substantial' in the context of paragraph 193 of the NPPF.

Justification

- 10.16 As outlined in paragraph 194 of the NPPF, any harm to, or loss of, the significance of a designated heritage asset from its alteration or destruction, or from development within its setting, should require clear and convincing justification.
- 10.17 During the course of the planning application, the applicant has sought professional advice and has submitted subsequent reports demonstrating that the listed buildings are in poor condition and are 'at risk.' The reports provide the necessary justification for the proposed structural repairs and alterations required to facilitate an appropriate level of residential development.
- 10.18 The proposed layouts of the 27no. apartments within the buildings are considered acceptable and offer a mix of accommodation, which should add viability to the long-term use, after a period of prolonged vacancy and maintenance.

Weighing of harm against public benefits

- 10.18 Paragraph 196 of the NPPF requires that where a development proposal will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.19 It is considered that the harm to the heritage assets would clearly be outweighed by the public benefits of bringing the buildings back into optimum viable use. Furthermore, the proposal would accord with policy LP35 of the Local Plan, which requires due consideration to be given to the need to secure a sustainable future for heritage assets at risk and those associated with the local textile industry.
- 10.20 The other eventual public benefits that would arise from the planning application would include:
- contribution towards the district's housing land supply.
 - contribution to the investment and regeneration of Dewsbury.
 - a mixture of new apartment dwelling units with 15no. being 'affordable rent to buy;'
 - employment opportunities, including the applicant's apprenticeship scheme for the building trade and to involve local tradesmen and businesses in the supply chain.

- reducing the need for new carbon-generating construction activities (e.g. equivalent new build apartments) due to the reuse of an existing resource (i.e. the existing listed buildings) thereby reducing the need for new material extraction and minimising waste production.

Residential amenity and quality

- 10.21 New dwellings should be designed to provide privacy and open space for their occupants and physical separation from adjacent property and land. Paragraph 127 clause (f) of the NPPF and clause (b) of policy LP24 of the Local Plan requires proposal to provide a high standard of amenity for future and neighbouring occupiers.
- 10.22 The planning application is found within a locality that is defined by a mixture of uses and is not residential in character, with the adjoining uses consisting of a cycle store, a college and a car garage. Existing window openings would be utilised, with the lower ground floor windows 'blocked up.' Additional openings would be proposed that face onto the college car park and in the roofscape. As such, it is considered that there would be no adverse impact on the amenity of these uses and on any future residents in terms of overlooking.
- 10.23 The proposed internal circulation space ensures that the majority of the apartments would not directly overlook one another across the proposed central courtyard. However, obscure glazing has been proposed for some of the apartments that would occupy 23 Bradford Road. Overall, it is considered that the proposed design would not have any adverse impact on residential amenity in terms of overlooking and privacy.
- 10.24 The quality of the proposed residential accommodation is also a material planning consideration. The Government's Nationally Described Space Standards (NDSS) (March 2015, amended May 2016) are not adopted planning policy in Kirklees, they provide useful guidance which applicants are encouraged to meet and exceed. At the pre application enquiry stage, officers did request that all of the proposed apartments exceed these standards. The submitted accommodation schedule shows that 17 of the 27 apartments would fall marginally short of these standards. However, given the constraints of the buildings and the nature of the proposal, it is still considered that the size of each of the apartments is still sufficient to provide a good standard of amenity for future occupiers. Furthermore, it is considered that all of the living spaces and bedrooms are well proportioned with large floor to ceiling heights. The apartments will each have adequate access to natural light, many with large fenestrations and the majority of apartments will have a primary south facing aspect.
- 10.25 A Noise Assessment accompanies the planning application which has been reviewed by Environmental Health, who accept the scale and scope of the investigation. Environmental Health explain that a thorough assessment of the potential noise sources which are likely to affect the proposed development have been carried out and agree with the proposed noise attenuation measures set out in the assessment. It is considered that the necessary reduction in sound level could be achieved to meet the requirements for habitable rooms, in accordance with clause a of paragraph 180 of the NPPF and British Standard 8233:2014 "Guidance on Sound Insulation and Noise Reduction for Buildings." It is considered that a planning condition is necessary that such measures outlined in the report are implemented and also that the necessary details are secured that conserves the significance of the listed buildings.

- 10.26 The imposition of the relevant conditions in relation to noise mitigation will also ensure that the new development can be integrated effectively with surrounding existing businesses and community facilities. Thus, avoiding existing businesses and facilities having unreasonable restrictions placed on them as a result of the development proposal, in the future in accordance with paragraph 182 of the NPPF.

Housing mix and affordable housing

- 10.27 Policy LP11 of the Local Plan requires all proposals for housing, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need. The proposal would result in the provision of 5no. studios, 14no. one bed units, 7no. two bed units and 1no. three bed units over four floors. The applicant has explained that whilst it is understood dwellings of 3+ bedrooms are desirable the floor space required to accommodate these units would result in the loss of a significant number of units which adversely impacts on the overall viability of the scheme. Officers consider that the proposed residential dwelling mix would still satisfy policy LP11 and acknowledge that there is a demand for one bed and two bed units within the Dewsbury and Mirfield Strategic Housing Market Assessment (SHMA) sub area context.
- 10.28 The Interim Affordable Housing Policy and policy LP11 of the Local Plan explains how the Council seeks to secure 20% of dwellings on sites with 10 or more dwellings, for affordable housing. On-site provision (housing) is preferred, however where the Council considers it appropriate, a financial contribution to be paid in lieu of on-site provision will be acceptable. Achievement of a higher proportion of affordable housing on sites will be encouraged.
- 10.29 The applicant proposes a bespoke model, in which affordable rents are set, in line with Local Housing Association (LHA) rates. The rental payments contribute wholly to equity in the property. After 3 years' tenancy (or sooner, should the tenant choose), the collective rental payments are used as a deposit, with which the tenant can purchase the property. The applicant is offering 15no. of the 27no. apartments as part of the unique, rent-to-buy initiative. Therefore, this model does offer the ability to secure units in addition to the policy requirements. Furthermore, the model proposes training opportunities for local people, which is strongly encouraged by policy LP9 of the Local Plan.
- 10.30 Strategic Housing have explained that the Dewsbury and Mirfield Kirklees SHMA sub area context has rates of home ownership just under 65%, with 15% of homes rented privately and affordable housing constituting the remaining 20%. Given the lower rates of home ownership in Dewsbury and Mirfield, Strategic Housing are supportive of the initiative to assist first-time buyers. Officers consider the proposal to be in accordance with the definition of 'affordable housing' as set out under Annex 2 at clause d 'Other affordable routes to home ownership.' Furthermore, the applicant has provided legal counsel advice on this matter and provided a draft section 106 agreement to provide the necessary tenant security, which has the support of the Council's Legal Officers.

Highways and transportation

- 10.31 The two buildings have separate stepped accesses from Bradford Road. There is no vehicular access or designated parking areas. There is a small central covered courtyard area between the two buildings, accessed from Bradford Road that serves as a bin store area. The building's design suggests that this courtyard area may have also once been used for deliveries when the site was a commercial premises.
- 10.32 The application site is located off Bradford Road close to the junction with Commercial Road and Dewsbury Town Centre. Any potential residents or visitors would have easy access to both bus and rail public transport, as well as shops and services. If the planning application is approved, a travel plan could be secured by planning condition and a Travel Plan monitoring fee could be sought in order to address impacts which directly arises from this scheme. A sustainable travel fund could be secured by section 106 agreement to facilitate and encourage modes of sustainable travel. Additionally, the applicant has proposed a large cycle storage area at the lower ground floor level, details of which could also be secured by planning condition.
- 10.33 There are waiting restriction to both sides of Bradford Road to the frontage of the site and around into the junction with Commercial Road to restrict on-street parking. Limited waiting is allowed along Commercial Road and there is also a public car park at the junction with Bright Street, which is only approximately 60 metres from the site. No off-street parking is provided as part of this planning application. Given the refurbishment of an heritage asset, in a sustainable location close to Dewsbury Town Centre and the close proximity of a public car park Highways Development Management have no objection to these proposals in principle.
- 10.34 Highway Safety have requested that the current single yellow line in front of the development would need to be changed to double yellow lines from the Viaduct to the junction of Commercial Road. Councillor Lukic requested that the proposed waiting restrictions be extended up to Carlton Road. Highway Safety and Highways Development Management officers agree to this proposal, subject to the necessary consultation with concerned residents and businesses. This measure is considered necessary to prevent any future residents and visitors parking and blocking access along Bradford Road, which is understood to already have issues of obstructive parking in front of the adjacent takeaway. This will necessitate an amendment to the Transport Regulation Order at the applicant's cost and would be secured by planning condition. Ward members have suggested further interventions regarding this matter.
- 10.35 Therefore, it is considered that the proposal to not include car parking and for residents and visitors to instead use modes of sustainable travel would be in accordance with Local Plan policies LP20, LP21 and LP24 the travel needs of residents and visitors could be met by modes of sustainable travel other than the private car.
- 10.36 Given the site constraints, it is considered that a construction management plan is necessary to avoid any adverse impact on amenity and on highway safety.

Waste

- 10.37 The applicant has explained that the waste strategy has been proposed with consideration of the physical constraints of the planning application site. The latest proposal shows how the refuse waste of the apartments would be stored within six 940 Litre EuroPal Galvanised Steel Wheeled Waste Bin located at the lower ground floor level. Whilst recycling waste would be stored within six 940 Litre EuroPal Galvanised Steel Wheeled Waste Bins within another room, also at ground floor level. This design would ensure that there was no waste cross contamination. The proposed bin storage areas would benefit from a number of fire protection/fire resistant construction measures, as well as the necessary ventilation. The Design and Access Statement also explains how additional facilities for smaller waste/recycling storage will be incorporated into the kitchen of each apartment.
- 10.38 It is proposed that on bin collection day, bins shall be transferred to the ground floor level by a panoramic lift to a temporary bin park area, sited within the proposed central courtyard area, near to Bradford Road. Plans show that the temporary bin park area would consist of six bin collection points, which would be screened. The applicant has explained that the upon collection, the bins would be transferred via a ramp and gated access with Bradford Road, which would accord with part M of the Building Regulations. The applicant has explained that the bins will not be left on the roadside or within the temporary bin park area longer than necessary.
- 10.39 The applicant has worked with officers on the principle of the waste storage and collection, which in principle can now be considered acceptable and in line with Local Plan policy LP24. However, a planning condition, securing further details regarding the detailed design, management, maintenance of the storage areas and the transporting of bins on collection day is considered necessary.

Flood risk and drainage

- 10.40 The planning application site is located adjacent to Batley Beck/Dewsbury Beck and is within flood zones 2 and 3. Thus the site is considered to be at medium to high risk of fluvial flooding. The site is also considered to be within an area of high surface water flood risk. The proposed change of use to residential use is classified as 'more vulnerable' development under the definitions included in the NPPF. The planning application involves the change of use of a building with known sustainability benefits, associated with redevelopment of redundant buildings close to Dewsbury town centre. Therefore, a sequential test and exceptions test which aims to steer new development to areas with the lowest risk of flooding are not required in this instance, as explained in the Planning Practice Guidance Paragraph: 007 Reference ID: 7-007-20140306, Revision date: 06 03 2014.
- 10.41 The accompanying Flood Risk Assessment (FRA) explains how the lower ground floor will be used for storage only and not any form of vulnerable use. The FRA also explains how the ground floor elevation exceeds the minimum recommended freeboard above the 1:100yr + climate change flood level in the adjacent Batley Beck. The proposed development would therefore meet the standard of protection recommended by the Environment Agency. The Lead Local Flood Authority (LLFA) has raised no objections to flood risk, subject to a planning condition requiring a Flood Risk Warning and Evacuation Plan. The

Environment Agency, also raise no objections to flood risk and have explained that the applicant would need to apply for a permit for any activities which will take place within 8 metres of a main river (i.e. Batley Beck).

- 10.42 The National Planning Policy Framework states that surface water run-off should be disposed of according to the following hierarchy of drainage:
- Into the ground (infiltration)
 - To a surface water body
 - To a surface water sewer
 - Highway drain or other drainage system
 - To a combined sewer
- 10.43 As detailed in the FRA, the building currently drains directly to the adjacent Batley Beck. The site is predominantly occupied by above ground built development with a small internal yard area. The majority of surface water runoff is therefore generated from roof areas of the existing building. The FRA explains how the building is currently unoccupied and the surface water drainage system is in a state of disrepair with only a small proportion of the original guttering and downpipes still operational.
- 10.44 The FRA explains how the surface water runoff from the building roof and central courtyard area will continue to drain via the existing surface water drainage system. With no change to the building footprint or extent of impermeable surfacing there would be no change in the existing rate or volume of surface water draining from the site. Discharge from the site drainage system will continue to be directed to Batley Beck at the rear of the property. The existing outfalls, repaired or replaced as necessary, should provide adequate capacity as at present. The proposed development will be established with no increase in the peak rate or volume of runoff when compared to the site prior to development. The LLFA have raised no objections subject to a planning condition requiring Surface Water Drainage System Management and Maintenance, which is considered necessary in this instance.
- 10.45 The FRA shows that there is a Yorkshire Water combined sewer at Bradford Road. It is understood that the proposed development would utilise the existing building's foul water arrangements. Yorkshire Water have raised no objections to such arrangements.
- 10.46 The LLFA, the Environment Agency and Yorkshire Water have raised no objections to the planning application and subject to the necessary planning conditions is considered to be in accordance with Local Plan policy LP27 and LP28 and NPPF Chapter 15.

Landscaping and ecological considerations

- 10.47 The proposal would result in the removal of a covered area between the two listed buildings and the creation of an open hard landscaped amenity area, which has the potential to enhance the setting of these heritage assets. Little detailed landscape are provided with the proposal. The Design and Access Statement explains how this space would provide open access to a central circulation core within the buildings. The site plans show that the space would be gated and well overlooked. It would consist of a ramp to Bradford Road and a bin storage area. The site plan also indicates that that the space would include feature planting and feature flood lighting to elevations. A planning condition would be required to secure the necessary landscape details and

their long term maintenance and management. This would ensure that the proposal achieves a high quality scheme to enhance the setting of the listed buildings is achieved in accordance with Local Plan policies LP24 and LP35.

- 10.48 In accordance with Local Plan policy LP63 an off-site financial contribution of £30,779 is required to complement existing facilities in the area and to allow for informal children's play through good quality landscape design.
- 10.49 The Biodiversity officer has raised no objections due to the nature of the surrounding habitats and the potential for roosting bats considered to be limited. Therefore there is limited potential for significant ecological harm. To ensure that there is a biodiversity net gain in accordance with Local Plan LP30, a condition for the erection of swift boxes as ecological enhancement is considered necessary.

Ground conditions

- 10.50 Environmental Health have explained that despite the number of proposed residential dwellings there is unlikely to be any groundwork undertaken for this development. As such, it is considered that a planning condition is required for the reporting of unexpected contamination discovered during the development phase.
- 10.51 The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. Therefore, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.
- 10.52 The planning application subject to the relevant land contamination related condition, would accord with Local Plan policy LP53.

Climate change

- 10.53 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 predates 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.
- 10.54 Officers are aware of Historic England's recent research papers including "[Heritage Counts 2019 - There's No Place Like Old Homes: Re-Use and Recycle to Reduce Carbon](#)" and "Understanding carbon in the historic environment." Both documents have found that continuing to use and re-use these assets can reduce the need for new carbon-generating construction activities, thereby reducing the need for new material extraction and reducing waste production.

- 10.55 The proposal would safeguard an existing resource rather than require the building of new buildings, thus would represent a carbon saving as explained in the above paragraph. The reuse and refurbishment of the listed buildings would also greatly enhance their overall energy efficiency performance. The proposal would also enable, where possible the incorporation of drainage infrastructure to reduce surface water run-off. Finally, the building is located in walking and cycling distance to shops, services and public transport interchanges enabling residents and visitors to live sustainably and avoid using their cars. For these reasons, officers consider that the proposal would accord with the Council's climate change agenda.

Representations

- 10.56 During public consultation, two representations were received that objected to the proposal.

“Car parking on the site, Where are 33 cars going to park, Parking is bad in this area without another 33 cars min.”

Officer response: It is considered that the planning application site is in a sustainable location and that potential residents and visitors would have access to modes of sustainable travel. If visitor's choose to use their cars, it is considered that the nearby Commercial Road car park would satisfy such parking needs. Highways Development Management have considered the planning application and subject to the relevant conditions and planning obligations have raised no objections.

“I am concerned about the impact the development will have on traffic on an already busy road. The flow of traffic is too fast and four accidents have happened at sprinkwell mill on bradford road number 1 in the last 28 months. I am concerned more residents in a communal shared home location will make the road more dangerous, more noise pollution on roads on two sides of an current home at sprinkwell, and add to the pollution levels and have an major impact on quality of life. I am concerned the standard or conversion will affect history and character of the significant history of the town. The amenities in the town have not been developed to sustain more residential and this needs to be addressed before more residential development is allowed. I believe privacy will be affect with the windows and direct they view. This next to a busy already extended car park of lidl supermarket and the traffic into the Dewsbury college also on bradford road will add to and supports my objections. These plans will impact on the apartment and flat conversions that are unoccupied and there more the demand can't be justified to build or convert more.”

Officer response: Highways Development Management, nor the Highway Safety Officers have raised any concerns regarding this planning application with the matters raised. Environmental Health officers have also not raised any concerns regarding air pollution and accept the scope, scale and findings of the submitted Noise Impact Appraisal. It is considered that the redevelopment of these buildings would secure their optimum viable use and in fact safeguard the town's historic character and appearance in this locality. Furthermore, officer's believe that the introduction of more residential land uses in and/or close proximity to Dewsbury town centre would in turn help support and encourage more businesses to operate in and around the town centre. Thus, contributing towards the creation of a vibrant, sustainable community. It is considered that there would not be an adverse impact on the proposed residential amenity or on the amenity of surrounding business and educational land uses. No evidence has been presented as to how the conversion of these

buildings will have an adverse impact on other apartment schemes or residential conversions in the locality. It is believed that the proposed development would in fact contribute towards the districts five year housing land supply.

- 10.57 During public consultation, Ward Councillors have raised the following concerns:

Ward Councillor Eric Firth:

“And the parking is where?”

And the refuse collection will be where?”

Sorry Christopher that should also have included waste storage but I'm sure you spotted that

I'm sorry if I seem to be labouring the point but 33 apartments will generate lots of waste I cannot see there being 33 green and 33 grey bins. So that leaves us with large communal bins, who will take overall responsibility for managing this will there be a caretaker/ concierge on site?

Could I ask what arrangements have been made for waste collection, 27 apartments will generate lots of waste. In the Town centre there have been a number of conversions and this element has been ignored. I would be delighted to know.”

Officer response: No parking is included with the proposal. Since Cllr Firth's comments were made, the applicant has worked with the Council's Strategic Waste officer on an appropriate strategy for the collection and storage of waste. The details of the strategy is outlined in paragraphs 10.37 – 10.39 of the report. There are no objections to the waste strategy subject to the imposition of a planning condition. This would secure details of the management and maintenance of communal refuse storage areas by a designated private management company shall be submitted to and approved by the Local Planning Authority.

Ward Councillor Aleks Lukic:

“Even with Highways' recommended double yellow lines up to Commercial Road I can foresee safety issues from this development being caused by parked vehicles further up Bradford Road. Particularly with the fire station nearby.

We should look at whether we should require double yellow lines all the way up to Carlton Road doing the whole lot in one go. Or at least up to Victoria Road.”

Officer response: Highway Safety officers initially raised this intervention as a potential solution to an identified obstructive parking issue with the adjacent takeaway. However, officers believe that double yellow lines along Bradford Road to the Carlton Road junction is a reasonable request to secure amendments to the TRO by planning condition, subject to the necessary public consultation with concerned residents and businesses.

Planning obligations

- 10.58 Planning obligations, that would need to be secured by a Section 106 agreement, would be necessary to mitigate against the impacts of the proposed development, should planning permission be granted. In accordance with paragraph 56 of the NPPF, planning obligations should only be sought where they are:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

- 10.59 For clarity and completeness, should this application be approved the following contributions would be secured through a section 106 agreement, which are all considered to be policy compliant:

Affordable Housing

Affordable Housing - The Owner covenants that it will provide 15 units on the Development with such units to be sold with the benefit of the Rent to Buy Initiative operated by the Owner. This approach is in accordance with the affordable housing definition, outlined in Annex 2 of the NPPF.

Education

Education - £19,769 towards Primary School Provision, in line with Local Plan Policies LP4 and LP49.

Highways

Sustainable Travel Fund - £16,516.50 towards encouraging the use of modes of sustainable travel, in line with Local Plan Policies LP4 and LP20.

Travel Plan Monitoring Fee Total – £10,000 (£2,000.00 per annum for 5 years) in line with Local Plan Policy LP20.

Public Open Space and Landscape

Off-site POS – £30,779 towards Public Open Space within the locality in accordance with Local Plan policy LP63.

Other matters

- 10.60 From a crime prevention perspective, there are no objections in principle to a residential use of the site, and the layout shown is acceptable. The proposal would provide greater natural surveillance activity of Bradford Road, which is welcomed. The West Yorkshire Police Liaison officer has made a number of comments and recommendations, particularly with regards to boundary treatments, external lighting, security measures, doors and windows, cycle storage, CCTV and Intruder alarms. Additionally, the officer requested further consideration of the dividing walls between the proposed dwelling units. All of the comments made are advisory and have been referred to the applicant for their consideration. However, officers are of the opinion that careful consideration as to how these measures may affect the fabric and setting of the listed buildings and as such some measures may not be appropriate for this particular site. Furthermore, the incorporation of such features would be explored as part of building regulations and at the discharge of planning conditions stages.
- 10.61 A Rent to Buy Initiative Brochure, dated 16th September 2019 accompanies the planning application. This document explains how the applicant renovates and builds new properties and that such works allow for apprentices to become fully qualified to work in the construction industry, achieving their National Vocational Qualification (NVQ). The applicant has explained that this proposal will provide such an opportunity for apprentices and has been in dialogue with officers as to how this scheme can be carried out using apprentices from the Kirklees district. The provision of training and apprenticeships is strongly encouraged by Local Plan policy LP9 and officers welcome such a proposal.

- 10.62 Given the scale of the proposed development, Public Health officers have not provided comments on the planning application and officers consider that the proposal is not likely to have a significant impact on the health and well-being of the local community. Furthermore, it is considered that the development would have a number of health benefits associated with the reuse of existing listed buildings in a sustainable location. As such, the proposal would accord with policy LP47 of the Local Plan.
- 10.63 The planning application site is a designated minerals safeguarding area for Sand and Gravel with Sandstone and Surface Coal Resource. However, officers consider that policy LP38 of the Local Plan would not apply given the nature of the development proposal outlined in clause 2 of the policy objective.

11.0 CONCLUSION

- 11.1 In light of the above, the planning application and listed building consent are both considered to be acceptable.
- 11.2 The principle of the conversion of the former rag warehouses into 27 apartments and the necessary works to facilitate the development is considered to be acceptable. Officers consider that the enabling argument has been sufficiently demonstrated and that the proposal will safeguard the future of the grade II listed buildings that are both at risk. Although the proposal may cause some harm to the significance of the heritage assets, the harm is considered to be outweighed by the public benefit of converting the heritage assets to a viable use. Such public benefits would include bringing valued heritage asset back into use, contributing towards the mix and provision of dwellings and supporting the local economy. Subject to the necessary planning conditions, the proposal is therefore considered to be in line with guidance within LP11, LP24 and LP35 of the Kirklees Local Plan and Chapters 5, 12 and 16 of the NPPF.
- 11.3 Although, concerns have been raised regarding the lack of car parking, the proposal is considered to be in a sustainable location, where residents would be in walking and cycling distance of a range of shops, services and public transport intersections. Furthermore, planning conditions would promote such modes of sustainable transport and secure the necessary amendments to an existing Traffic Regulation Order to avoid any adverse impact associated with parking on Bradford Road.
- 11.4 Concerns have been raised regarding waste storage and collection but officers consider that such matters have now been addressed and the management of waste facilities can be secured by planning condition.
- 11.5 The development would provide all of the necessary financial contributions as well as 15 affordable dwelling units that would adhere to the definition of Annex 2 of the NPPF. As such, the proposal would be planning policy compliant.
- 11.6 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.

- 11.7 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 subject to agreeing the appropriate planning conditions and planning obligations.

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

Planning Application:

1. Three years to commence development
2. Development to be carried out in accordance with the approved plans and documents
3. Sample materials to be provided
4. Measures to manage parking on Bradford Road between the viaduct to the south of the site and Carlton Road to the north and all associated works, together with appropriate Safety Audits
5. Provision of cycle storage facilities prior to occupation
6. Submission of a Travel Plan
7. Submission of a Construction Management Plan
8. Details of the management and maintenance of communal refuse storage areas by a designated private management company
9. Provision of a flood warning system, arrangements for emergency access to the site and egress from the site to a place of safety
10. Details of the management and maintenance schedule for the surface water drainage system
11. Submission of a Noise Mitigation Strategy that has regard to the Listed Buildings and provides a suitable ventilation scheme
12. Control of noise from any fixed mechanical services and external plant and equipment
13. Submission of Land Contamination Remediation Strategy if any contamination is encountered that has not been previously identified
14. Method statement for the creation of a swift colony
15. Comprehensive and detailed hard and soft landscape scheme, including maintenance and management measures

Listed Building Consent:

1. Three years to commence development
2. Development to be carried out in accordance with the approved plans and documents
3. Full Schedule of Works, identifying all of the works inside and outside the buildings
4. Details of the extent and specification (including samples, where necessary) of masonry repair and cleaning
5. Replacement of doors and door frames to the front elevation shall be confined to those doors and door frames demonstrated to the Local Planning Authority to be incapable of repair.
6. Taking-in doors to the south courtyard elevation of no.25 Bradford Road shall be confined to those doors demonstrated to the Local Planning Authority to be incapable of repair
7. replacement of windows to the front elevation shall be confined to those frames demonstrated to the Local Planning Authority to be incapable of repair

8. Existing window frames shall not be removed from the buildings until design and joinery details of the replacement frames (at 1/5 scale)
9. letter box embossed 'SAMPLES' on the left hand front door of no.23 Bradford Road shall be retained in situ
10. Details of the relocation for the winch built into the third floor structure of no.25 Bradford Road
11. Rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black
12. Details of the conservation rooflights
13. Drawings and specifications for the replacement lime render
14. Level 3 archaeological building record
15. Chimney stacks and pots shall be retained in situ
16. A schedule showing the retention of internal features to the former office spaces
17. Details of all external soil and vent pipes, extractor vents, heater flues, meter boxes, burglar alarms, external lights

Background Papers:

Application and history files.

Planning Application - <https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019/91121>

Listed Building Consent - <https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019/91120>

Certificate of Ownership – Certificate A signed