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**Report of the Head of Planning and Development**

**STRATEGIC PLANNING COMMITTEE**

**Date: 17-Nov-2020**

**Subject: Planning Application 2020/91894 Demolition of existing building and erection of engineering building with associated external works David Brown Gear Systems, Park Gear Works, Park Road, Lockwood, Huddersfield, HD4 5DD**

**APPLICANT**

David Brown Santasalo

**DATE VALID**

22-Jun-2020

**TARGET DATE**

21-Sep-2020

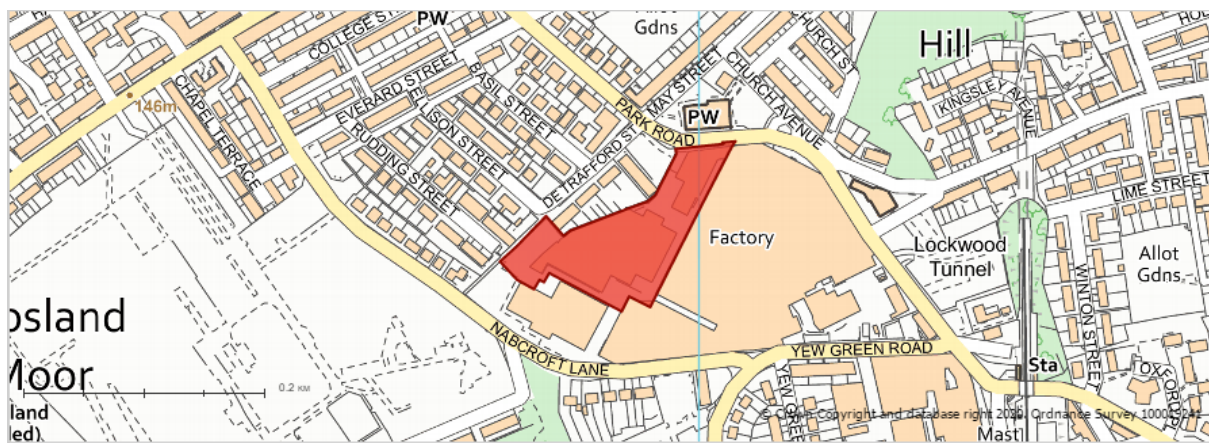
**EXTENSION EXPIRY DATE**

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

**LOCATION PLAN**



**Map not to scale – for identification purposes only**

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**Electoral wards affected: Crossland Moor and Netherton**

**Ward Councillors consulted: Yes**

**Public or private: Public**

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**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.

**1.0 INTRODUCTION:**

1.1 The application is brought forward to the Strategic Planning Committee because of the scale of commercial development proposed. This is in accordance with the Council's Scheme of Delegation.

**2.0 SITE AND SURROUNDINGS:**

2.1 The application site forms part of the David Brown Santasalo site in Lockwood, Huddersfield. The company is a well-established manufacturing firm that specialises in precision engineering. The majority of the buildings on the site are traditional stone and brick structures alongside some more modern structures.

2.2 The David Brown Santasalo site extends to some 4.6 hectares and the application relates to an area within the south eastern corner of the premises, where there is an existing manufacturing building. This part of the site abuts residential development on De Trafford Street.

**PROPOSAL:**

3.1 The application seeks full planning permission to demolish an existing red brick manufacturing building and erect a new portal framed engineering facility in its place.

3.2 The business is involved with the manufacture and testing of gears for the naval industry. To manage demand, the company now requires a second building for this purpose, allowing them to increase production and the amount of testing that it can do on site.

3.3 The proposed building would essentially be on the footprint of the existing building, albeit moved away slightly from an adjacent building to facilitate access around the site. The proposed building would have a footprint of circa 2,000 square metres.

3.4 The building would have a split roof height. Part of the building would be single storey and incorporate a series of pitched roofs with a ridge height of 7m; this element would provide storage space. The engineering facility would form the main part of the building and this would have a maximum height of approximately 11.8m. There would also be a separate three storey element attached to the main engineering building, which would provide two floors of office space with a file storage area above; this element would have a height of around 10m.

3.5 The proposed development would be faced in goose-wing grey cladding panels to the walls with a grey pitched roof.

3.6 An existing substation adjacent to the proposed building is also shown to be clad in the same materials.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 The site has various historic planning applications. The most recent applications are deemed to be the most relevant to the proposed development:

2020/90825: Erection of a temporary two storey Portakabin building for a period of 2 years – Conditional Full Permission

2018/92660: Erection of engineering building and associated works; demolition of existing building – Conditional Full Permission

2018/94082: Discharge conditions 3-7 on previous permission 2018/92660 for erection of engineering building and associated works; demolition of existing building – Approved

2018/91197: Erection of engineering building and associated works; demolition of existing building – Conditional Full Permission

2016/92096: Erection of two plant rooms (comprising of cooling plant room and H V electrical plant room) and external ventilation plant – Conditional Full Permission

2016/90055 Erection of engineering building, demolition of existing building and associated external works (modified proposals) – Granted

2014/93156: Erection of engineering building, demolition of existing building and associated external works – Conditional Full Permission

2015/91426 - Discharge Conditions 3, 5, 9, 10, 14, 15, 16, 19, 20, 22 on previous permission 2014/93156 for erection of engineering building, demolition of existing building and associated external works – Split decision

2014/92973: Demolition of existing office building and formation of extension to existing engineering facility, new transformer and associated external works – Conditional Full Permission

2015/91784: Discharge of conditions 3 (materials), 4 (phase II G.I) 8 (noise report), 10 (drainage), 15 (travel plan), 16 (traffic management plan), 17 (construction management plan) on previous permission no. 2014/92973 for demolition of existing office building – Discharge of conditions approved

2014/92083: Erection of engineering building, demolition of existing building and associated external works – Conditional Full Permission

2014/90822: Erection of new boundary treatment around the perimeter of the site comprising 2.4m high security fence with 450mm flat wrap razor wire above and vehicle barriers and erection 5 no. 6m poles with CCTV cameras – Conditional Full Permission

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

5.1 The applicant has been asked to review the scale of the proposed building where it is immediately adjacent to residential properties in order to mitigate the impact on amenity. Further information on this matter is contained within the appraisal.

5.2 A bat survey and a revised flood risk and drainage strategy assessment were submitted during the course of the application to address consultation comments from the Ecology Unit and Lead Local Flood Authority respectively.

## **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<sup>th</sup> February 2019).

6.2 The site is unallocated in the Local Plan.

### **6.3 Kirklees Local Plan (2019):**

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP3 – Location of new development
- LP7 – Efficient and effective use of land and buildings
- LP9 – Skilled and flexible workforce
- LP21 – Highway safety and access
- LP24 – Design
- LP27 – Flood risk
- LP28 – Drainage
- LP30 – Biodiversity and geodiversity
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land

### **6.4 National Planning Guidance:**

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 6 – Building a strong, competitive economy
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

## **7.0 PUBLIC/LOCAL RESPONSE:**

7.1 Two representations plus a petition containing 100 signatures objecting to the development have been received.

7.2 The petition objects to the development on the grounds of:

- Significant increase in noise pollution;
- Impact on traffic problems in the area;
- Design and materials not in keeping with other buildings on the site and it will be an eye sore.

7.3 The two individual representations are summarised as follows:

- Poor design, including inappropriate materials that are not in keeping with other buildings on the site and adjacent properties;
- Noise – there is existing noise disturbance from the site and there are concerns that this will be added to as a result of the proposal;
- Additional traffic, which will impact on highway safety;
- There are existing parking problems in the area because staff park on surrounding roads. There are concerns that this would be exacerbated;
- Detrimental impact on property values.

## 8.0 CONSULTATION RESPONSES:

The following is a summary of the consultee comments. Further information is contained within the appraisal section.

### 8.1 Statutory:

KC Highways Development Management – No objection

Kirklees Lead Local Flood Authority – No objection is raised to the principle of the proposed drainage strategy, however, some clarification and corrections to the submitted drainage information are required.

### 8.2 Non-statutory:

KC Environmental Services – No objection subject to conditions relating to noise, contaminated land and a construction management plan.

KC Ecology Unit – No objection subject to the provision of ecological enhancement measures.

Police Architectural Liaison Officer – General Secure by Design advice provided.

## 9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Flood risk and drainage issues
- Representations
- Other matters

## 10.0 APPRAISAL

### Principle of development

10.1 The NPPF establishes a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental. It states that these facets are mutually dependent and should not be undertaken in isolation.

- 10.2 Chapter 6 of the NPPF (Building a strong, competitive economy) states that planning decisions “should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”
- 10.3 Policy LP1 of the Local Plan reflects the presumption in favour of sustainable development as set out in the NPPF. Policy LP3 of the Local Plan states that development will be permitted where it supports the delivery of employment growth in a sustainable way having regard to certain criteria, including delivering the job requirements set out in the Local Plan. Policy LP9 of the Local Plan seeks to promote a skilled and flexible workforce.
- 10.4 The proposal relates to an established manufacturing site and the applicant is a significant local employer with some 291 members of staff. The application form indicates that the proposed building would not result in any increase in the number of employees. However, it would enhance the existing facilities and help to support the continuation and growth of the business by providing an additional facility for the assembly and testing of marine gears in order to meet future demand. The proposal would therefore deliver an economic benefit which weighs in favour of the proposed development.
- 10.5 In addition to the above, the proposal involves the redevelopment of previously developed (brownfield) land. The development would renew an existing building on this historic manufacturing site and it would represent an efficient use of land. In this regard the application is consistent with Policy LP7 of the Local Plan (Efficient and effective use of land and buildings) as well as guidance in the NPPF.
- 10.6 Overall, it is considered that the land is unallocated in the Local Plan and, as such, there are no specific constraints to the development in terms of land use. Based on the above, the principle of the development is considered to be acceptable subject to the considerations set out in the remainder of this appraisal.

#### Urban Design issues

- 10.7 The site is largely made up of traditional manufacturing buildings along with some modern additions, including a large new building just to the south of the proposal.
- 10.8 The proposal would involve the demolition of an existing red brick building with a steel clad roof. This building is not considered to be of any particular or special architectural merit to warrant consideration as an undesignated heritage asset and there is therefore no objection to its demolition.
- 10.9 The proposed building has a utilitarian appearance that is typical of a modern industrial building. However, the split roof profile would give some visual interest to the overall design. The proposed facing materials (grey cladding) have been approved under previous applications on the site and are evident on an adjacent building to the south. An existing substation is also to be clad in the same materials and this forms part of the current application.

- 10.10 Within this context, Officers consider the design to be acceptable and the application to be in accordance with Policy LP24 of the Local Plan and guidance in the NPPF.

### Residential Amenity

- 10.11 The proposal would replace an existing building that is immediately adjacent to a row of properties on De Trafford Street. The existing building runs parallel to the rear boundaries of Nos 11 to 27 De Trafford Street, where it forms a single storey structure incorporating a series of pitched roofs.
- 10.12 The proposed development is a more substantial structure than the existing building, including where it is adjacent to these existing houses on De Trafford Street. Comparing the existing and proposed built form adjacent to the residential boundary, there is a notable increase in bulk and mass as a result of the following:
- Part of the proposed building being up to 5m higher;
  - The eaves of the single storey part of the proposed building being approximately 1.6m higher than the existing (although the increase in ridge height is limited to approximately 0.1m between the existing and proposed buildings)
- 10.13 The main increase in height is concentrated next to 27 De Trafford Street. To the rear of this dwelling, the new building would be 5m higher than the existing structure (measured from the existing and proposed ridges) and the difference in the respective eaves height would be over 6m. This aspect of the proposed building forms part of the main assembly and testing area, which is the reason why it has to be constructed to this height. This particular element would sit at a right angle to the rear boundary of No.27, which would help to provide a degree of separation, whereas the existing single storey building is almost flush to the boundary. The separation increases from a pinch point where a corner of the new building is almost up to the site boundary from which it would then gradually increase to around 3.5m separation.
- 10.14 There is another part of the proposed building towards the back of 27 De Trafford Street that extends a short distance along this neighbour's side boundary. This aspect forms two levels of office space with file storage above. The height of this element is slightly lower than the adjoining main assembly and testing building (by circa 1.4m) and it is off-set from the boundary with 27 De Trafford Street by 1.5m to 3m. This particular part of the building would add to the overall impact on 27 De Trafford and given that there is not a specific practical reason for it being the height that is proposed, officers have requested that its scale be significantly reduced in order to lessen the overall impact on the neighbour. An amended plan is awaited and an update will be provided prior to the committee meeting.
- 10.15 The office and file storage element would have a number of windows in its north western elevation. These windows are at an oblique angle to 27 De Trafford Street and are well separated from the nearest houses on Ellison Street and Rudding Street. As such, there would not be any direct overlooking.

- 10.16 With regard to the single storey aspect of the proposed building, which would extend along the boundary with 11-25 De Trafford Street, this element would form storage space and staff toilets. The building would be set in from the boundary with the adjacent residential properties by circa 1.7m. The ridge height of this aspect would be almost identical to the existing building that lies along the boundary with these dwellings. There would, however, be a perceptible increase in the built form along the rear garden boundaries because the proposed eaves height is around 1.6m higher than the eaves of the existing building. Officers have requested that the applicant reviews this element of the scheme to seek to mitigate the increased in the built form, for example, by lowering the eaves or altering the roof profile. An update will be provided on this matter prior to the committee meeting.
- 10.17 In summary, the scale of development as currently proposed would have a materially greater impact on adjacent properties on De Trafford Street than the existing building. The applicant has been asked to review the scale of the building adjacent to the residential boundary so as to mitigate the impact to a more proportionate level.
- 10.18 Kirklees Environmental Services have assessed the application and have commented that there is a significant risk that noise from future activities within the proposed development would adversely impact on the occupiers of neighbouring properties. Environmental Services have therefore recommended that a condition be imposed regarding the effective control of noise from the development.
- 10.19 Furthermore, the existing building on the application site is a historic manufacturing building and so there is already likely to be some degree of noise associated with its use. Subject to appropriate noise mitigation measures being incorporated into the new building, officers are satisfied that the development would not give rise to any unacceptable noise impacts.
- 10.20 Subject to acceptable amendments to the scale of the building adjacent to the boundary with existing residential properties and subject to a condition relating to noise attenuation, the application would comply with Policies LP24 and LP52 of the Kirklees Local Plan and guidance in the NPPF.

#### Highway issues

- 10.21 The proposed building is of similar scale in terms of footprint to the building that it will replace and the proposal would not result in any increase in the number of staff employed on the site. Access and parking provision will also remain unchanged.
- 10.22 Given that there is unlikely to be any intensification of use of the access points or off-street car parking facilities, Highways Development Management raise no objection to the application. The application is therefore considered to comply with Policy LP21 of the Local Plan and guidance in the NPPF.

#### Flood Risk and drainage issues

- 10.23 The application is supported by a Flood Risk Assessment and Drainage Strategy Statement, which has been reviewed by Kirklees Lead Local Flood Authority (LLFA).



- 10.24 There is no objection to the overall drainage strategy in principle, including the proposed discharge rate and discharge point (public combined sewer). The LLFA have, however, requested that the document is revised to correct some discrepancies within the information provided, to identify the location of the connection to the public sewer and to review the surface water drains that are proposed to be located underneath the proposed building. An updated Flood Risk Assessment and Drainage Strategy Statement is to be submitted to address these comments and an update will be provided to members within the Agenda Update.

### Representations

- 10.25 Two representations and a petition containing 100 signatures have been received in objection to the proposed development. An officer response to the points raised is provided as follows:

- *Significant increase in noise pollution*
- *Noise – there is existing noise disturbance from the site and there are concerns that this will be added to as a result of the proposal*

**Officer response:** Noise issues have been assessed earlier within this appraisal. A condition regarding noise mitigation and attenuation is recommended.

- *Impact on traffic problems in the area*
- *Additional traffic which will impact on highway safety*
- *There are existing parking problems in the area because staff park on surrounding roads. There are concerns that this would be exacerbated.*

**Officer response:** The applicant has advised that there would not be any increase in staff numbers as a result of the proposal and the existing access and parking arrangements are unaffected. As such, there is no objection from Highways Development Management. Any existing issues with on-street parking is a separate matter.

- *Design and materials not in keeping with other buildings on the site and will be an eye sore*
- *Poor design including inappropriate materials that are not in keeping with other buildings on the site and adjacent properties*

**Officer response:** Officers have assessed the design of the proposal within this appraisal and consider that it is acceptable.

- *Detrimental impact on property values*

**Officer response:** Case law has established that this is not a material planning consideration.

### Other Matters

- 10.26 A bat survey and report has been submitted to support the application. This considers that the building to be demolished possesses negligible potential for roosting bats and concludes that there is limited risk of direct harm to roosting bats. The Ecology Unit accept the conclusions of the report.

- 10.27 Policy LP30 of the Local Plan and the NPPF require developments to deliver ecological enhancement. No ecological enhancements have been proposed as part of the scheme and as such a condition is recommended to secure this. It is considered that bat or bird boxes should be provided. As there are historical records of nesting swifts close to the site, this presents an opportunity to establish new nesting colonies.
- 10.28 The proposed development is on land that is potentially contaminated from its historical use and is close to a historic landfill site. A suite of contaminated land conditions are therefore recommended to address potential contamination issues.
- 10.29 To mitigate the impact of construction on adjacent occupiers a condition requiring a residential construction management plan is recommended.
- 10.30 The business has previously installed high security fencing to the perimeter of the site and this remains suitable to minimise potential opportunities for crime that may be associated with the development.

## **11.0 CONCLUSION**

- 11.1 The proposal involves the redevelopment of part of a well-established manufacturing site and the replacement building is necessary to support the continued operation of the business.
- 11.2 The applicant is reviewing the scale of the building adjacent to the residential boundary in order to mitigate the impact on neighbouring dwellings. Subject to an acceptable amendment being provided and the imposition of a condition regarding noise mitigation the proposal would not significantly harm residential amenity.
- 11.3 The design of the development is considered to be in keeping with the site and the proposal would have a neutral impact on highway safety issues. Officers are satisfied that an acceptable drainage scheme can be finalised.
- 11.4 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.
- 11.5 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

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

1. Standard time limit condition (3 years).
2. Development in accordance with the approved plans.
3. Residential construction management plan.
4. Contaminated land conditions (Submission of phase 1 and phase 2 reports, remediation strategy and validation as may be necessary).
5. Noise report and mitigation measures.
6. Ecological enhancement (bat and/or bird boxes).

7. Drainage condition(s) subject to final comments from Kirklees LLFA.

**Background Papers:**

Application and history files.

Website link:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f90710+>

Certificate of Ownership – Certificate A signed.