
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 23-Sep-2021

Subject: Planning Application 2021/90980 Partial demolition and change of use of the existing public house to offices, redevelopment of the public house car park, erection of new storage units/workshop and associated alterations (within a Conservation Area) Pennine Industrial Equipment Ltd, Manorcroft Works, Commercial Road, Skelmanthorpe, Huddersfield, HD8 9DT

APPLICANT

Pennine Industrial
Equipment

DATE VALID

17-Mar-2021

TARGET DATE

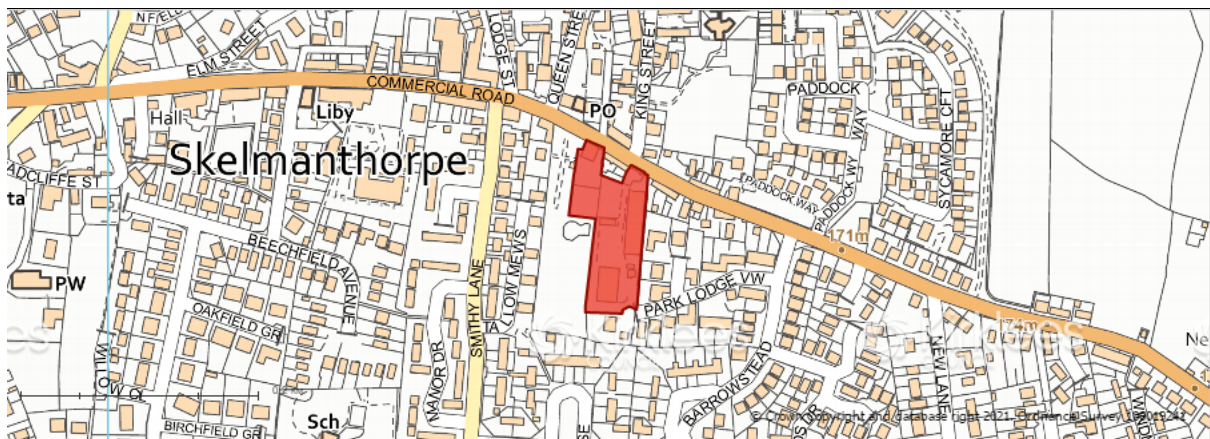
12-May-2021

EXTENSION EXPIRY DATE

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

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

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Denby Dale

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

APPROVE

DELEGATE approval of the application and the issuing of the decision notice to the Head of Development and Master Planning in order to complete the list of conditions including those contained within this report

1.0 INTRODUCTION

- 1.1 The application has been brought before the Strategic Planning Committee given that the commercial site exceeds 0.5ha in size.

2.0 SITE AND SURROUNDING

- 2.1 The application relates to Pennine Industrial Equipment Ltd at Manorcroft Works, Commercial Road, Skelmanthorpe. The site covers 0.62ha and comprises of the existing Pennine Industrial Equipment Ltd, and the site of the former Chartist pub, which includes the pub building itself and the car park. The site rises from the north to the south.
- 2.2 There are currently four buildings on the site. Building one, to the southern most part the site, hosts the production floor and offices. Building two is used for storage. Building three is used for production also. Building four is used for assembly production. The site also hosts several cabins and parking throughout the site.
- 2.3 The north-western corner of the site, which includes the pub, and some of the associated car park is set within the Skelmanthorpe Conservation Area. 525m² of the site (8%) of the site falls within the Conservation Area boundary. It should be noted that the dwellings to the north of the site are also in the Conservation Area. The remainder of the site is unallocated in the Kirklees Local Plan.
- 2.4 Skelmanthorpe Recreation Ground, which borders the site to the west, is allocated as Urban Greenspace in the Kirklees Local Plan. The site is bound by dwellings to the south and east, with Commercial Road and additional dwellings bordering the site to the north.

3.0 PROPOSAL

- 3.1 The application is seeking permission for the partial demolition and change of use of the existing public house to offices, redevelopment of the public house car park, erection of new storage units/workshop and associated alterations (within a Conservation Area).

- 3.2 The proposal would see the existing rear extension to the pub demolished, with the pub building to stand in its original form. The pub would then be converted to provide a reception area on the ground floor and offices to the first floor.
- 3.3 Although the submitted plans show that buildings 5, 6, 7 and 8 would be erected on the pub car park land, units 5 and 6 would be connected, thus the proposal would effectively see three units erected. The units all have a height of 6.8m and be stepped up the bank with 1.3m high increases. The units would be constructed with a brick plinth wall and grey profile cladding above. The roof would also be grey cladding to match. Buildings 5, 6 and 8 would all be used for plastics / storage, whilst unit 7 would be used for a workshop and storage also. Security mesh fencing is proposed between this unit and the recreation ground.
- 3.4 The development would also include other associated alterations to the site, such as the removal of five protected trees and boundary walling between the commercial and pub site to facilitate a turning circle for HGVs and access to the proposed units. These issues will be considered in detail in paragraphs 5.1, 10.6 – 10.12, 10.16 and 10.17.
- 3.5 This expansion is anticipated to increase the size of the workforce by a further 10% (6 persons) as well as retaining the current 60 employees that work on site by providing the necessary space/resources required for the company to carry on operating from the site. The potential economic benefits are explained further in paragraphs 10.4 and 10.5.

4.0 RELEVANT PLANNING HISTORY

- 4.1 2019/90729 – Change of use of former public house to offices with two storey extension to the rear (within a Conservation Area) – Approved.
- 2012/90224 – Works to TPO(s) 37/91 – Granted.
- 2009/91179 – Erection of extension to existing factory and increase car park – Approved.
- 2008/94094 – Extension and increased car park – Refused.
- 2008/93294 – Erection of extension to existing factory and increase car park – Withdrawn.
- 95/93308 – Erection of single storey warehouse extension – Approved.
- 94/92592 – Erection of warehouse extension – Approved.
- 91/01472 – Erection of storage warehouse – Approved.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 The original proposal saw 11 protected trees to be removed. These protected trees offer aid in the form of somewhat screen the commercial site from view when within the neighbouring Skelmanthorpe Recreation Ground. Furthermore, these protected trees offered visual amenity value further afield given their height, contributing to the visual amenity of Skelmanthorpe. The

removal of 11 trees was excessive given the scale of development, thus, Officers asked the agent and applicant to go away and revise the scheme so that less protected trees have to be removed, which in turn would lessen the harm with regard to visual amenity. The proposal was amended by removing the access to unit 5, by connecting it to unit 6 which in turn enables fewer trees to be removed. The proposal now seeks to remove 5 protected trees, which, whilst not ideal, is considered to be a level where this harm could be outweighed by other benefits. Notwithstanding this, officers did discuss with the agent other amendments which could have potentially further reduced the amount of trees proposed to be removed. These discussions included the potential reconfiguration the car parking area to be set under the trees, then providing the access to the new units further north, however this was dismissed due to this arrangement not allowing appropriate access in to the new units, notably units 5 and 6.

- 5.2 Notwithstanding the above, other amendments have made to improve the proposal. These included the removal of the proposed extension and interior changes of the main office building/factory floor with the required office expansion/space being provided in the former pub premises giving it a more purposeful use and making this element an overall integral part of the works/proposals. This was not directly requested by officers but does represent a positive amendment also. Following comments made by KC Ecology, the agent was asked to include a native hedgerow and bat boxes across the site to accord with Local Plan Policy LP30, which requires all development cause a biodiversity net gain. These were provided and can be seen on the latest set of plans.

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 20th July 2021).

Kirklees Local Plan (2019):

- 6.2 LP1 - Presumption in favour of sustainable development
LP21 - Highway safety and access
LP22 - Parking
LP24 - Design
LP28 - Drainage
LP30 - Biodiversity and Geodiversity
LP32 - Landscape
LP33 – Trees
LP34 – Conserving and enhancing the water environment
LP35 - Historic environment
LP51 - Protection and improvement of local air quality
LP52 - Protection and improvement of environmental quality
LP53 - Contaminated and unstable land

National Planning Guidance:

- 6.3 Chapter 6 - Building a strong, competitive economy.
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.

Supplementary Planning Guidance / Documents:

- 6.4
- Kirklees Biodiversity Strategy and Biodiversity Action Plan (2007)
 - Highway Design Guide SPD (2019)
 - Planning Applications Climate Change Guidance (2021)
 - Biodiversity Net Gain Technical Advice Note (2021)

7.0 PUBLIC / LOCAL RESPONSE

- 7.1 The application was advertised by neighbour notification letters, in the press and by two site notices. Final publicity expired on 30th April 2021. 7 representations were received, 3 were objections and 4 were general comments, however most comments did include positives and negatives about the development. The representations received are as follows:

7.2 Visual Amenity

- Object to the development as it would impact visually on the Skelmanthorpe recreation ground.
- Object to industrial units on former pub car park due to the design having a detrimental impact visually on the conservation area setting.
- Suggestions of soften boundary treatment to ensure the rec is not detrimentally impacted upon.
- Support the refurbishment of the pub for visual reasons.

7.3 Public Amenity

- Object to the industrial units through the impact of noise impacts on Skelmanthorpe recreation ground.

7.4 General Comments / Principle of Development

- Support some form of expansion to retain the existing jobs and provide more.
- Concerns regarding longevity of business given some units are already disused.
- Concerns regarding pollution.

8.0 CONSULTATION RESPONSES

- 8.1 Below is a brief summary of the consultation responses received. These comments will be discussed in further detail where relevant later on in the assessment.

8.2 Statutory Consultees:

The Coal Authority: No objections or any conditions requested.

Non-Statutory Consultees:

KC Conservation and Design: No objection subject to a condition to secure the works to the former public house.

KC Environmental Health: No objections but recommended conditions relating to the submission of a noise report; contaminated land; external artificial lighting; electric vehicle charging points; construction site working hours.

KC Highways Development Management: No objections

KC Trees: Initially objected, however after amendments which reduced the number of trees to be removed, KC Trees acknowledged that the revision was a great improvement and that the layout incorporates the most protected trees possible. It should be noted that the loss of protected trees that provide significant amenity value is not to be taken lightly, but this should be balanced against the positive elements this proposal will bring to the area.

KC Ecology: No objection subject to conditions. Noted that there is limited scope for significant ecological harm as a result of the proposals. However, stated the planting of a native hedgerow and bird nesting features to be secured by condition to ensure a biodiversity net gain as required by policy LP30.

9.0 MAIN ISSUES

- Principle of Development in the Conservation Area
- Visual Amenity (including Trees)
- Residential Amenity
- Highway Safety
- Contaminated Land
- Carbon Budget
- Drainage
- Representations

10.0 APPRAISAL

Principle of Development

Heritage

- 10.1 The site is partially set within the Skelmanthorpe Conservation Area. Policy LP35 requires proposals to retain elements of the historic environment which contribute to the distinct identity of the Kirklees area. Chapter 16 of the NPPF echoes this on a broader level. The proposed retention of this building is welcomed as it makes a positive contribution to the street scene and to the character of the conservation area. The existing rear extensions, as later additions and less prominent, contribute less to its significance and on balance their demolition is acceptable.

- 10.2 The construction of large industrial sheds, partially within the conservation area and partially within its setting, will lead to less than substantial harm to the character of the conservation area. However, the provision of space for the expansion of a local business provides a clear public benefit. The harm has been mitigated to some extent by the retention and restoration of the former public house which faces Commercial Road and contributes to the character of the conservation area. The condition relating to the planting of trees or shrubs to the western boundary also softens the impact when viewing from the Conservation Area.
- 10.3 In this case, Local Plan Policy LP35 and Chapter 16 of the NPPF are accorded with by the restoration of the public house. However, given this is fundamental to the principle of development in the conservation area, a condition would be required if the application is approved, to ensure that the restoration of the public house is carried out as part of this proposal.

Existing Business

- 10.4 The proposal would provide an expansion for an existing business. Pennine Industrial Equipment Ltd are an international business that have operated from this site for approximately 35 years. The company has expanded several times over the years and now employs 60 members of staff, of whom most live with Kirklees. Given that the business is continuing to grow successfully, additional storage/workshop facilities are required. This proposal would provide these necessary facilities to allow the company to continue operating from this site. It is anticipated that this development would provide six new jobs as well as retaining the business on site and securing the long term occupancy of the site for the future. Paragraph 81 of the NPPF states that '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.' The principle of development for this proposal, which seeks to expand an existing business on an unallocated site, can therefore be supported given the proposal directly accords with Paragraph 81 of the NPPF. The applicant states that if the business was not permitted to expand through this application, there is a serious risk that the company will not only vacate the site, but leave the Kirklees entirely. Officers do consider this to be likely.

Conclusion on Principle of Development

- 10.5 Firstly, in considering the Conservation Area setting, the proposal provides a clear public benefit through the redevelopment of the pub, thus according with Local Plan Policy LP35 and Chapter 16 of the NPPF. With regards to economic benefits, the proposed development would likely not only secure the longevity of an established international business within Kirklees, but also help the business to expand and support the local economy. Planning policy advice for supporting applications that retain and allow existing businesses to expand on existing commercial sites, albeit in a different use, is clearly set out within Paragraph 81 of the NPPF, to which this proposal also accords. The proposed principle of development is considered to be acceptable.

Impact on Visual Amenity and Trees

- 10.6 LP24 of the Kirklees Local Plan states, proposals should promote good design by ensuring: a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.' The impact on the visual amenity on the Conservation Area has already been assessed paragraphs 10.1, 10.2 and 10.3 of this assessment. However, the impact on the visual amenity of the wider area, outside of the conservation area also needs to be assessed. The proposed buildings and removal of the trees would have most impact on the visual amenity of neighbouring recreation ground as opposed to any dwellings in the area.
- 10.7 The proposed units would be set close to the boundary shared with the recreation ground. Nevertheless, the units are next to a relatively small part of the recreation ground, with the largest, most open part of the recreation ground being set further to the south. The applicant proposes a native hedgerow along the western boundary between the site and the recreation ground. A condition requiring plans and details of this hedgerow to be submitted and approved prior to works commencing on the superstructure of the new units is to be attached to any planning permission. This native hedgerow would soften the impact on the recreation ground. The details to be submitted would include a maintenance plan also to ensure the boundary treatment does not also harm the amenity of the park. Officers had entered into discussions with the agent to ascertain whether the proposed buildings could be faced in stone to the rear elevation, however, this suggestion was rejected by the applicant as the increased cost would, in the applicants' opinion, render the project financially unviable. Officers' are not in a position to comment as there has not been a viability assessment submitted as part of the application.
- 10.8 Furthermore, the former pub and associated car park, which are entirely visible from the recreation ground does not positively contribute to the visual amenity of the recreation ground. Considering the existing harm caused, the proposed buildings are therefore not considered to detrimentally harm the visual amenity of the recreation ground, albeit officers do acknowledge there would be some harm. This marginal harm is, on balance, considered justifiable considering the other, wider benefits of the scheme as set out in paragraph 10.4.
- 10.9 Further to this, the applicant and agent have worked with the Authority to reduce the number of trees to be removed from 11 to 5. Officers are satisfied that this layout incorporates the most protected trees possible if the expansion of this site is to be permitted. The line of trees to be retained will screen the turning area/yard of the industrial units. This will preserve the character of the site when viewed from the recreation ground, therefore, the removal of five of the trees is not considered to be detrimental. Nevertheless, the loss of protected trees that provide significant amenity value is not to be taken lightly. Considering the wider benefits of this scheme set out in paragraph 10.1 to 10.5, this level of harm is considered, on balance, acceptable and justifiable.
- 10.10 The proposal, does respect this part of the heritage of the area given the proposed works to the former pub building. The erection of industrial units does also respect this site, given it is an existing industrial site. In consideration of the scheme against Local Plan policy LP24 and Chapter 12

NPPF, whilst the siting of the buildings and removal of five trees would cause some harm to the visual amenity, when viewed from the recreation ground, this must be considered alongside the other benefits of the scheme. These benefits are set out in paragraphs 10.1 to 10.5 and relate to the conservation area and economic benefits.

Biodiversity

- 10.11 The removal of several mature trees, to facilitate the new units, will result in a loss of biodiversity on the site. In order to comply with Kirklees Local Plan LP30i and LP30ii mitigation for the loss of the trees and provision of a biodiversity net gain will be required. The NPPF and policy LP30 both require development proposals to apply the ecological mitigation hierarchy in order to result in no significant ecological harm. Through the hierarchy, significant harm should be avoided in the first instance, mitigated where impacts cannot be avoided and compensated for, only as a last resort. The hierarchy sets out that applicant should firstly seek options that avoid harm to biodiversity, such as finding an alternative site with less harmful impacts. In this case, the applicants have stated that this is not possible because they have been operating from the application site and are well established for approximately 35 years. The trees are required to be removed to facilitate the extension to the existing business. As the proposal is for an extension to an existing business, alternative sites are not a viable or realistic option. It should be noted that some harm has been avoided by reducing the number of trees to be felled from 11 to 5, however it is not possible to avoid some harm as the trees prevent any practical access between the sites.
- 10.12 The ecological hierarchy states that the applicant should avoid or minimise negative impacts to biodiversity using mitigation measures, such as through good project design or sensitive timing. The hierarchy then states where significant residual negative impacts on biodiversity remain despite mitigation, which is true in this instance, these negative impacts should be compensated for, such as by creating new habitats to replace those lost. Given the proposal is for a commercial use, within a tight space, there is very limited ability to create new habitats to replace those lost by the removal of the trees on site. However, as compensation for residual effects to biodiversity, the applicant has agreed to plant a native species hedge, which will be secured by condition, along the western boundary as shown on the proposed block plan dwg no 20/572/03f. This native species hedge not only provides habitat, but also would likely provide a food source for animals. Furthermore, as the biodiversity harm is most likely to attract nesting birds, five bird nesting boxes have been incorporated into the new buildings on-site as per plans 20/572/03f and 20/572/09d. The provision of these boxes will be ensured via condition. To prevent further harm, a condition would be sought for all tree work to be commence outside of the main breeding/nesting season of February to August. KC Ecology officer recommends that the provision of these bird nesting boxes, the planting of a native hedgerow, and ensuring the tree works are done outside of the main nesting season does, on balance, represents a biodiversity net gain as required by Local Plan policy LP30.

Impact on Residential Amenity

- 10.13 Local Plan Policy LP24 states that proposal should ensure a good standard of amenity for neighbouring occupiers. Chapter 12 of the NPPF echoes this on a broader level. Given the setting of the proposed development, the dwellings most receptive to harm are those to the north of the site, in between the proposed turning area and Commercial Road. This terrace hosts four properties, numbers 76, 78, 80 and 82 Commercial Road. It is understood from information provided by the agent that Pennine Industrial Equipment Ltd own and rent out number 82. These dwellings already have an intense relationship with the existing business. The land to the rear of these dwelling is proposed as car parking, which does not cause material harm to these dwellings given it is already used for this use. Given that the development is required due to relieve current pressures on the site with regard to operations, it is not anticipated that the operations on the site will become significantly more intense.
- 10.14 The part of the development that does have potentially to materially impact on the residential amenity of neighbouring occupiers is the siting of the new units close to no.76. Building 8 would be set approximately 6m from no.76, however, as shown on the proposed block plan, this is only minimally closer to the dwelling than existing pub. The previous pub use would have created a certain level of noise, disturbance and loss of amenity to no.76. It needs to be noted that these residential properties and pub site have a historic relationship dating back at least a century. Thus, this level of noise and disturbance can form the baseline as it has been generally accepted for a century. Building 8 is labelled on plan to be used for storage, subject to a condition for this building to be of a B8 use, the use of building 8 as storage is not considered to cause harm above and beyond the previous pub use, nor is the use of the former pub as offices. Officers, in conjunction with KC Environmental Health do have some concerns about the noise impacts primarily, from building 7. In accordance with the consultation response from Environmental Health, a noise report is required prior to commencement of building works to ensure the harm through noise would not be detrimental to the amenity of these dwellings. The remainder of the proposed development is not considered to materially impact on the levels of residential amenity of any occupants of the dwellings. A condition for operating hours is also considered appropriate for the new units to preserve the residential amenity of occupants of these dwellings. Officers would consider reasonable hours to be 0730-1800 Monday to Saturday, and 0800-1300 on Sundays and Bank Holidays. Finally, a condition for the submission of an artificial lighting scheme, if any is sought, is also applicable
- 10.15 Subject to the conditions above, which included the submission of a noise report before construction commences, operating hours for the new units and conditioning the storage use for B8 and the submission of a lighting scheme, the proposed development is considered acceptable with regard to residential amenity. The scheme therefore accords with Local Plan Policy LP24 on this matter. To prevent any harm to residential amenity through the construction process, a working hours condition is also required. It should be noted that no objections were made with regard to the impact on the residential amenity of any dwellings.

Impact on Highway Safety

- 10.16 The proposal would increase the general industrial floor space by 715 square metres, with a proposed increase of staff numbers by six persons. Car parking facilities will be improved and an additional ten spaces provided, bringing the total number of off-street spaces to 48. As an improvement to highway safety, a turning area for large commercial vehicles is to be provided, thus allowing for access and egress in a forward gear. Site visits undertaken by Highways DM officers showed that whilst the present car park was busy, it wasn't usually entirely full, nor was there any demonstrable amount of on-street parking associated with the business on nearby streets.
- 10.17 Although it is accepted that there will be an increase in vehicle movements to and from the site, this is not anticipated to cause a significant highway safety issue, particularly given the improvements to the internal turning facilities. Given the above, the scheme is acceptable from a highways perspective and is considered to accord with Local Plan policies LP21 and LP22 and the Highway Design Guide SPD (2019). Notwithstanding this, conditions are required for areas to be surfaced and drained sufficiently, and the permanent closure of the former pub access to ensure the safe and efficient flow of the highway network.

Contaminated Land

- 10.18 This site has been identified on our mapping system as potentially contaminated land due to its previous use as Tallow Works and Mill (our map ref 142/17). Contaminated land conditions are therefore necessary in order for the development to comply with Local Plan policy LP53.

Carbon Budget

- 10.19 On 12th November 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. Given the proposal will expand the existing business, which includes providing additional car parking, a condition is required for the provision of electric vehicle charging points for 10% of car parking spaces to ensure the proposal accords with Local Plan policy LP52 and the Planning Applications Climate Change Guidance (2021)

Drainage

- 10.20 The application form indicates that surface water will be disposed of via mains sewer. This does not accord with Local Plan Policies LP28 and LP32 or Chapter 14 of the NPPF. The PPG sets out that the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

10.21 The submitted information does not demonstrate why more sustainable drainage systems, such as ground infiltration is not achievable in this instance. Therefore, a condition for drainage details to be submitted so that the development is in accordance with Local Plan Policies LP28 and LP32, and the Drainage Hierarchy as set out within the PPG.

Planning Balance

10.22 Officers acknowledge that this application involves balance of several factors. The loss of five protected trees would undoubtedly have some impact with regards to visual amenity and biodiversity and therefore attracts negative weight within the planning balance. The biodiversity harm would be mitigated to some degree by the planting of a native hedgerow and the provision of five bird nesting boxes and to a smaller extent conditioning that the tree works are undertaken outside of bird nesting season. Cumulatively, these would represent a biodiversity net gain and reduces the negative weight as a result of tree loss. The native hedgerow would also assist in mitigating the visual impacts of the units when viewed from the recreation ground, which is not considered to be detrimental.

10.23 The proposed development would support the retention and expansion of an established, international business which has strong economic benefits to Skelmanthorpe and Kirklees. As per paragraph 81 of the NPPF, this economic benefit should carry significant weight. The proposal would also provide clear benefits to the Skelmanthorpe Conservation Area through the redevelopment of the former Chartist public house. These benefits are considered to outweigh the harm, which is mostly mitigated, meaning the proposal as a whole would represent sustainable development that accords with the aims of local and national policy.

Representations

10.24 The application was advertised by neighbour notification letters, in the press and by two site notices. Final publicity expired on 30th April 2021. 7 representations were received, 3 were objections and 4 were general comments, however most comments did include positives and negatives about the development. The representations received are as follows:

10.25 Visual Amenity

- Object to the development as it would impact visually on the Skelmanthorpe recreation ground.
- Object to industrial units on former pub car park due to the design having a detrimental impact visually on the conservation area setting.
- Suggestions of soften boundary treatment to ensure the rec is not detrimentally impacted upon.
- Support the refurbishment of the pub for visual reasons.

Response: Noted and addressed in points 10.1-10.3 and 10.7-10.11.

10.26 Public Amenity

- Object to the industrial units through damaging character of the Skelmanthorpe recreation ground.

Response: Noted and addressed in points 10.6 -10.10

10.27 General Comments / Principle of Development

- Support some form of expansion to retain the existing jobs and provide more.
- Concerns regarding longevity of business given some units are already disused.
- Concerns regarding pollution.

Response: Noted.

11.0 CONCLUSION

11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

11.2 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that proposed scheme has significant benefits in the fact it will retain an existing, international business in Kirklees whilst allowing the company to grow. The proposed development has significant constraints through the siting partially in the conservation, the existence of protected trees and close proximity to residential dwellings and the Skelmanthorpe Recreation Ground. It is considered that the proposed development, will lead to some level of harm caused through the felling of trees. However, the native hedgerow planting and provision of bird boxes mitigates this harm whereby the economic and heritage benefits of the scheme, which carry significant weight are considered to outweigh the harm caused. It is considered that the development would constitute sustainable development.

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

Below is a summary of the proposed conditions:

1. In accordance with the approved plans
2. Development to begin within 3 years
3. The works to former pub to be complete before occupation of new units.
4. Building 8, as per the submitted site plan is to be of a B8 use only.
5. Prior to construction beginning, a noise report to be submitted
6. Hours of operation for buildings 5, 6, 7 and 8 to be 0730-1800 Monday to Saturday, 0800-1300 Sundays and Bank Holidays.
7. Areas surfaced and drained accordingly.
8. Before occupation of the development, the former pub access is to be closed permanently.
9. Construction working hours to be 07.30 to 18.30 hours Mondays to Fridays, 08.00 to 13.00 hours Saturdays, with no noisy activities on Sundays or Public Holidays
10. Before groundworks commence, the Submission of a Phase 1 Preliminary Risk Assessment Report is required.

11. If applicable after condition 11, the submission of a Phase 2 Intrusive Site Investigation Report
12. If applicable after condition 12, the submission of Remediation Strategy.
13. Implementation of the Remediation Strategy.
14. Submission of a Validation Report.
15. Electric Vehicle Charging Point for at least 10% of non-residential parking spaces.
16. Drainage details to be submitted prior to groundworks commencing.
17. Carried out in accordance with submitted tree information.
18. Trees to be removed out of nesting season (outside of February until August)
19. Bird nesting boxes as shown on plans to be provided prior to occupation of the new buildings.
20. Details of the native hedgerow as shown on the proposed site plan, shall be submitted and approved prior to work commencing on the superstructure. This shall include a maintenance schedule.
21. New units to be used ancillary to the existing site and not to be rented out or sold separately.