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Report of the Head of Strategic Investment

STRATEGIC PLANNING COMMITTEE

Date: 10-Aug-2017

Subject: Planning Application 2017/92235 Erection of new education building with the associated landscaping University of Huddersfield, Queens Street South, Huddersfield.

APPLICANT

The University of
Huddersfield

DATE VALID

06-Jul-2017

TARGET DATE

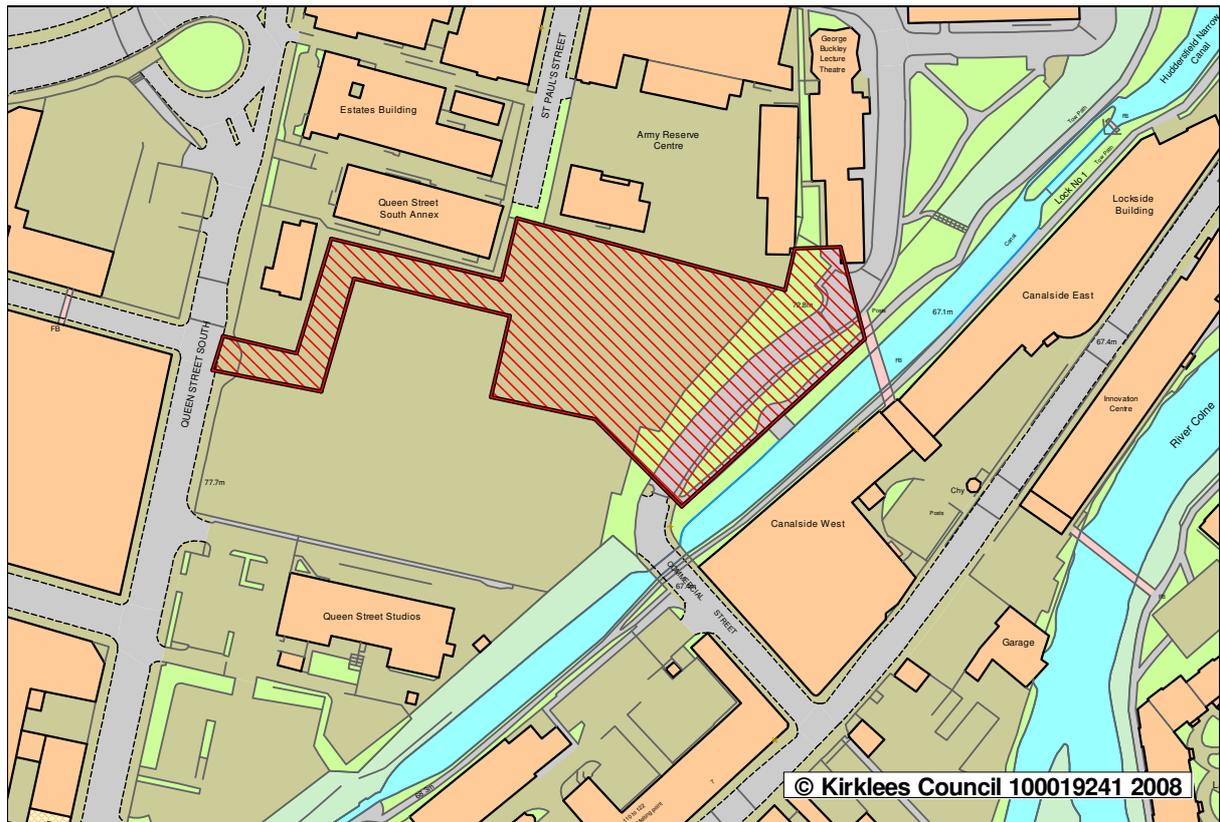
05-Oct-2017

EXTENSION EXPIRY DATE

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

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Newsome

Yes

Ward Members consulted

POSITION STATEMENT

The purpose of this report is for Members to note the content and respond to the questions at the end of each section.

1.0 INTRODUCTION

- 1.1 This is a full planning application brought to Strategic Committee given the scale of the development that exceeds 0.5 ha.
- 1.2. This report is a Position Statement from the Local Planning Authority, in accordance with the Council's 'Officer-Ward Members Communication Protocol' and their presentation at Planning Committees. Position Statement's set out the details of the application, the consultation responses and representations received to date and the main issues with the application.
- 1.3 Members of Committee will be able to comment on the main issues. The purpose of this is to help inform officers and the applicant prior to the formal determination.
- 1.4 The Position Statement is not a formal determination: it does not predetermine the Committee Members and does not create any issues of challenge to a subsequent decision on the application by the Committee.

2.0 SITE AND SURROUNDINGS

- 2.1 The application covers an area of 0.64 hectare. The majority of the site is within land previously occupied by industrial and warehouse units of the Broadbent Works. These were demolished circa 2015/2016, leaving the site cleared and vacant. The remainder of the site, to the east, includes a car park, canal side path and vegetation accessed from University Road. A circa 5.0m retaining wall separates the former Broadbent Works site to University Road.
- 2.2 The site is bound to the north by the University's Queensgate campus. The campus consists of numerous buildings. The architectural styles and appearances of the buildings within the Queensgate campus vary greatly, demonstrating their period of construction and original purpose. To the east and south is the Huddersfield Narrow Canal, which has various mill buildings fronting onto it on the opposite bank. The canal is on a ground level approx. 5.0m below that of the main site. To the west is Queen Street South: accessed from Queen Street South are various industrial units and Queen Street Studios, a university teaching building.
- 2.3 There are various listed buildings and structures within the area. Examples include the Thomas Broadbent and Sons Ltd Bath House (west) Army Reserve Centre (north) and Canalside East and West Buildings (east). All noted, and within the area, are Grade 2 Listed.
- 2.4 Queen Street South connects to Huddersfield Town Centre's ring road, with the site being approximately 5 minute walk from the town centre.

3.0 PROPOSAL

- 3.1 The application seeks planning permission to construct a 4 level education centre. It is to be named the Barbra Hepworth Building. The building is to be split level, presenting three storeys to St Paul's Street and four to University Street. A mezzanine floor will connect the lower ground level to the ground floor.
- 3.2 The overall floor space created is to be 7,405sqm on a building footprint of 2,310sqm. It is to house the Art, Design and Architecture teaching facilities and is to be the first of the new western area of Queensgate campus. The Barbra Hepworth Building is not to provide traditional classrooms, instead hosting flexible spaces of various workshops, dark rooms, studios and other specialised rooms. Ancillary facilities include a café space, materials library, social areas and toilets.
- 3.3 Materials of construction include ashlar stone, aluminium cladding and large areas of glazing with an aluminium veil feature over. The proposal would create 10 fulltime jobs. No parking spaces are proposed, with the development resulting in a net loss of 25 parking spaces for the campus as a whole (690 to 665).
- 3.4 External works include soft landscaping along the canal front and alterations to University Road. Engineering works are proposed to create stairs, in the form of an amphitheatre, linking the ground level of the building to University Road and the canal.

4.0 RELEVANT PLANNING HISTORY

4.1 Application site

2009/92065: Erection of office, warehouse and factory extension including external alterations – Conditional Full Permission*

2010/91327: Change of use of foundry to office, new roof and wall cladding, and new windows – Conditional Full Permission*

2010/90113: Listed Building Consent for demolition of existing buildings – Consent Granted*

2013/92907: Outline Application for demolition of existing buildings and erection of educational development (D1) with associated access (Listed Building) – Conditional Outline Permission (Unimplemented, expired)

2013/92920: Listed Building Consent for demolition of existing buildings – Consent Granted

2016/90487: Discharge of conditions 16 and 17 on previous application 2013/92907 for demolition of existing buildings and erection of educational development (D1) with associated access (Listed Building) – Discharge of Conditions Approved

* - Refers to development which has since been demolished.

4.2 Application site adjacent / Surrounding Area

Huddersfield Narrow Canal

99/92753: Formation of footpath links including ramped access, seating areas and associated landscaping – Conditional Full Permission (Implemented)

Huddersfield University Campus

96/90053: Change of use from government offices to teaching and office use – Conditional Full Permission (Implemented)

2003/94676: Erection of extension to West Building to accommodate media and the student union and alterations to adjoining car park. Formation of temporary car park on site of great hall (partly within a Conservation Area) – Conditional Full Permission (Implemented)

Former Huddersfield Examiner / Land at Queen Street South, Huddersfield

2010/92802: Change of use from offices to higher education use – Conditional Full Permission (Implemented)

2012/92398: Formation of new car park – Conditional Full Permission (Implemented)

5.0 HISTORY OF NEGOTIATIONS

5.1 Negotiations are ongoing between the case officer and agent. At the time of position statement being published no amendments have been requested or agreed. Further details and clarification have been sought and is included within the below report where relevant.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The weight to be given to the Local Plan will be

determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

6.2 On the UDP Huddersfield Town Centre Insert Map the site is allocated as an area where industrial and warehousing development will normally be permitted. Furthermore the site falls within identified Derelict Land (Site No. DL7.3).

6.3 The site is Unallocated on the PDLP Proposals Map. The Huddersfield Narrow Canal is allocated as a core walking/cycle network, local wildlife site and Habitat Network.

6.4 Within both the UDP and PDLP the site is adjacent to the Huddersfield Town Centre Conservation Area.

6.5 Kirklees Unitary Development Plan (UDP) Saved Policies 2007

- **G6** – Land contamination
- **D2** – Unallocated land
- **NE9** – Development proposals affecting trees
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE11** – Building materials
- **BE23** – Crime prevention
- **EP4** – Noise sensitive locations
- **EP11** – Ecological landscaping
- **T1** – Transport: Strategy
- **T10** – Highway Safety
- **T16** – Pedestrian access
- **T19** – Parking standards
- **DL1** – Derelict and neglected land
- **DL2** – Reclamation of derelict land
- **DL3** – Identified derelict land
- **R18** – Development adjacent to the canal
- **TC1** – Huddersfield Town Centre
- **TC12** – Proposals for the development of industry and warehousing

6.6 Kirklees Publication Draft Local Plan: Submitted for examination April 2017

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP3** – Location of new development
- **PLP7** – Efficient and effective use of land and buildings
- **PLP20** – Sustainable travel

- **PLP21** – Highway safety and access
- **PLP23** – Core walking and cycling network
- **PLP24** – Design
- **PLP28** – Drainage
- **PLP30** – Biodiversity & Geodiversity
- **PLP31** – Strategic Green Infrastructure Network
- **PLP32** – Landscape
- **PLP33** – Trees
- **PLP34** – Conserving and enhancing the water environment
- **PLP35** – Historic environment
- **PLP51** – Protection and improvement of local air quality
- **PLP53** – Contaminated and unstable land

6.7 National Planning Guidance

- **Paragraph 7** – Sustainable Development
- **Paragraph 17** – Core Planning Principles
- **Chapter 4** – Promoting sustainable transport
- **Chapter 7** – Requiring good design
- **Chapter 8** – Promoting healthy communities
- **Chapter 10** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 11** – Conserving and enhancing the natural environment
- **Chapter 12** – Conserving and enhancing the historical environment

6.8 Other Considerations

- Guidelines for Regeneration: Firth Street Area Huddersfield. November 2002

7.0 **PUBLIC/LOCAL RESPONSE**

7.1 The application has been advertised via site notice and through neighbour letters to addresses bordering the site. This is in line with the Councils adopted Statement of Community Involvement. The end date for publicity was the 4th of August, 2017.

7.2 At the time of publication no representations have been received in regards to the proposed development.

8.0 **LOCAL MEMBER INVOLVEMENT**

8.1 The application is within Newsome Ward. The Members for Newsome Ward are Cllr Karen Allison, Cllr Andrew Cooper and Cllr Julie Stewart Turner. Following validation of the application local members were informed of the application.

8.2 Cllr Julie Stewart Turner and Cllr Andrew Cooper have expressed concerns over the proposal's lack of parking. Discussions are ongoing between the case officer and the Councillors on this matter.

8.0 CONSULTATION RESPONSES

8.1 Statutory

Canal and Rivers Trust: Raised concerns over ecological impact and have requested various conditions and a legal agreement to secure a financial contribution.

The Coal Authority: No objection.

8.2 Non-statutory

Counter Terrorism Security Advisor: Consultation is ongoing.

Crime Prevention: Consultation is ongoing.

K.C. Business, Economy and Regeneration: Supportive of the proposal.

K.C. Conservation and Design: Supportive of the design in principle. Some suggestions and queries have been made on specific design elements. Discussions on the raised matters are ongoing.

K.C. Ecology Unit: Have requested that amendments and additional details be submitted in regards to the landscape proposal, to preserve and enhance the site's current ecological value. Also raise concerns over artificial lighting onto the canal, therefore have asked for a lighting strategy. Discussions on these matters are ongoing.

K.C. Environmental Health: No objection subject to conditions and notes related to contamination.

K.C. Highways: No objection, however Highways have requested that swept path analysis for emergency and service vehicles is provided.

K.C. Strategic Drainage: Awaiting comments.

K.C. Trees: No objection to the trees shown to be removed. However requested clarification on the trees located on adjacent land, which are of greater amenity value. Discussions are ongoing.

Yorkshire Water: Awaiting comments.

9.0 MAIN ISSUES

- Principle of development
- Urban design and landscaping
- Residential amenity
- Highway impact
- Drainage impact
- Other considerations
- Representations

10.0 APPRAISAL

Principle of development

Sustainable Development

10.1 NPPF Paragraph 14 and PLP1 outline a presumption in favour of sustainable development. Paragraph 7 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation (Para.8). The dimensions of sustainable development will be considered throughout the proposal.

10.2 Conversely Paragraph 14 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Land allocation

10.3 The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states;

'Planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]'

All these considerations are addressed later in this assessment.

10.4 The application must also be considered against TC12, as the site is within an 'area where industrial and warehousing development will normally be permitted'. While not falling within these criteria, the policy does not exclude other development. Given the site's close proximity to the larger university campus, and the gradual change in the character of the area, the use is considered appropriate within the area. In keeping with this, the site was historically allocated as Derelict Land within the UDP. Currently it is a vacant and levelled brownfield site. Policy DL1 states that derelict land will be brought back into beneficial use, to assist in the regeneration of the district. Subsequently to the adoption of the UDP, the 'Guidelines for Regeneration:

Firth Street Area' document has been published (2002). Within the document the area is designed as 'Town Centre Fringe' which is largely business orientated. Within this area regeneration is to be encouraged to bring about the revitalisation of the area. Paragraph 4.3 of the document states that '*the influence of the University is an important factor throughout the Firth Street area*' and '*significant investment has been made by the University leading to substantial improvements*'.

- 10.5 Consideration must also be given to the emerging local plan. The site is without notation on the PDLP Policies Map. PLP2 states that;

All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...

The site is within the Huddersfield sub-area. Policy PLP3, 'location of new development', requires development to reflect the characteristics of the surrounding area, while also supporting employment in a sustainable way. PLP7 relates to the efficient and effective use of land and buildings. The listed qualities and criteria of these policies will be considered where relevant later in this assessment.

Weight of previous outline permission

- 10.6 Until recently the site benefitted from Outline Planning Permission, via 2013/92907, for '*demolition of existing buildings and erection of educational development (D1) with associated access (Listed Building)*'. 2013/92907's grant of permission expired January 2017, without development commencing. While the permission has expired, the Planning Practice Guidance details that weight should be afforded to extant and recently expired permissions, where there has been no material change in circumstances'.
- 10.7 The proposal differs from 2013/92907 in that it is a full application. Nevertheless 2013/92907 established the principle of development to be acceptable. It is noted that since 2013/92907 the PDLP has gained weight as a policy document. Nonetheless the policies of the PDLP do not conflict with the proposal's principle of development.

Question 1: Are there any comments that Members wish to make regarding policy issues and the principle of development at this stage?

Urban design and landscaping

- 10.8 The proposal would introduce an additional large scale building to the campus which would be seen both at close quarters and at a distance. This includes views from within the campus, Firth Street and Huddersfield Ring-road. The development would therefore have the potential to impact

significantly on the visual amenity of the area, both during the day and at night when artificially illuminated. However, this needs to be considered in the context of other development in the area.

- 10.9 The University campus hosts building of various architectural designs. This includes re-purposed traditional buildings and purpose built education building. The mixture of historic and contemporary designs reflects the evolution of the campus over many decades. Furthermore the scale and massing of the buildings vary through the campus. It is considered that the Barbra Hepworth Building's scale would be in keeping with existing development on the campus, including the adjacent Canalside East and West buildings, the Oastler Building and the Central Services Building.
- 10.10 Considering the design of the above named buildings, each is unique in appearance and architectural form while suitably harmonising with one another and the overall character of the university. Assessing the Barbara Hepworth Building's design, the contemporary style and strong architectural image are considered to harmonise well with the other large buildings of the university. Likewise the mixture of materials is considered appropriate, with the stone base providing a traditional grounding to the building while the cladding provides a lightweight modern element. Notwithstanding this, if minded to approve, a condition will be sought requiring samples of the material to be provided for review. Regarding the glazing screen, the submitted design and access statement describes it as a 'textiles design' through a digital means to create an architectural 'veil'. While its use in principle is supported, the case officer is seeking further details to ensure that the glazing's transparency is maintained.
- 10.11 Landscaping works are proposed to the site's east, connecting the building's level 0 to the lower University Street and canal side. Through both hard and soft landscaping the level change is to be accomplished through terraces spaces and stairs, which will be used as both a connection route and a social space. The proposed arrangement is considered an acceptable response to the site's level change and will provide a suitable social area overlooking the canal. From a design perspective the removal of the site's existing trees and the proposed trees and planting are considered appropriate. Further details are being sought in regards to landscaping and connections to the building's east.
- 10.12 Subject to the details outlined, in principle officers considered that the development complies with Policies D2, BE1, BE2 and BE11 of the UDP, PLP24, PLP32 and PLP35 of the PDLP and Chapter 7 of the NPPF.

Impact on Local Heritage Assets

- 10.13. There are various listed buildings around the site. These include Thomas Broadbent and Sons Ltd Bath House (west) Army Reserve Centre (north) and Canalside East and West Buildings (east). The buildings are all Grade 2 Listed. Section 66 of Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of listed buildings. In considering

whether to grant planning permission for development which affects a listed building or its setting the Local Planning Authority should 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.

- 10.14 In accordance with Chapter 12 of the NPPF consideration must be given to the specific heritage value of the adjacent heritage assets. The Broadbent Bath House has social importance, given its rarity as a purpose built bathhouse for foundry workers. It retains original features internally, including fixtures and fittings. The Canalside East and West buildings are traditional mills, with architecture and character reflecting their origins. The Reserve Centre is likewise listed for its architectural merits and character as a purpose built drill hall. As none of the referenced Listed Buildings are within the site, the proposal will not directly impact upon their historic fabric/architecture. However consideration must be given to their setting.
- 10.15 In regards to the Bath House, the building's original setting has been lost through the demolition of the Broadbent Works, leaving it isolated adjacent to the current vacant site. The submitted heritage statement asserts that; *'The proposed development is an opportunity to provide a new broader setting to the listed building, removing this sense isolation, while ensuring that harm to the heritage asset is less than substantial'*. The case officer does not object to this assessment.
- 10.16 The proposed development is more distant to the other Listed Buildings, with each also being larger in scale than the Bath House and possessing more of an individual identity. As has been assessed the design of the Barbra Hepworth Building is considered appropriate in its setting and will not cause harm to the setting, and therefore significance of the neighbouring heritage assets. It is therefore concluded that the proposed development complies with S66 of the Act, PLP35 of the PDLP and Chapter 12 of the NPPF.

Question 2: Are there any comments that Members wish to make with regards to Urban Design and landscaping issues, including the impact on adjacent heritage assets, at this stage?

Residential amenity

- 10.17 There are no residential properties to the site's north, east or west. The closest building to the south, Canalside West, is university teaching space. Further to the south, in excess of 100.0m, is the Melting Point apartment complex.
- 10.18 While the proposed structure is large in scale, taking into account the separation distance, the comparable scale of previous development on site and that the Melting Point apartment complex does not directly face the application site, it is not considered that the proposal would result in overbearing, overshadowing or overlooking which would materially impact upon the amenity of residents of the Melting Point.

- 10.19 As the development includes an external public space noise pollution is a consideration. Nonetheless, the public space is not designed for performance or group activity, and will not create an undue level of noise. Therefore it is not anticipated to cause harm to the amenity of nearby residents, or be disruptive to nearby study spaces.

Highway impact

- 10.20 Currently inaccessible, the site of the former Broadbent Works benefits from vehicular access points on Queen Street South and St Paul's Street. The eastern part of the application site includes University Road, which adjoins to Commercial Street.
- 10.21 The proposal seeks to convert University Street into a pedestrian focused environment. This is to be achieved through removable bollards to restrict access. Similar works are to take place on St Paul's Street as part of the new Western Campus masterplan. This is to include a pedestrian link to Queens Street South and a Plaza; however details on this are currently limited and are not under consideration. Two pedestrian accesses into the Barbra Hepworth Building are proposed, one onto level 1 from St Paul's Street and another to level 0 from University Street. The design and access statement stipulates that; *'It is the intention generally to create new public realm [within the campus] with pedestrian priority. Vehicle access will be limited to accessible parking, service and emergency use only. This change of priority creates a safe and welcoming environment with increased flexibility for functional spaces'*.
- 10.22 The University has developed a travel plan which covers the period 2009 to 2017, and sets out a range of strategies, objectives and targets aimed to promoting sustainable modes of transport. As an ongoing Car Parking Strategy, outlined within the Travel Plan, the University is seeking to remove all general parking (while retaining adequate accessible spaces) from within Queensgate Campus. General parking is being moved to carparks on the campus' peripheries, such as on St Andrews Road and Firth Street. The overall aim of the Travel Plan is to make the campus more permeable, which will assist in prioritising the movements of cyclists, pedestrians and public transport users. The submitted Transport Assessment details that, over the time of the Travel Plan, the University has seen a decrease in single occupancy car journeys and an increase in train and walking as methods of commuting for staff.
- 10.23 In line with the Car Parking Strategy vehicular access to the proposed building will be limited to emergency services, service vehicles and cyclists. No parking spaces will be provided on site. The 25 parking spaces currently on University Street will be lost, reducing the campus' number of parking spaces from 690 to 665. The University has stated they intent to provide 25 additional parking spaces within the campus vicinity in the future, however the details are currently not known.

- 10.24 The application site is considered to be a highly sustainable location in terms of its links to the Town Centre and public transport provision. Taking this into account, in addition to the Universities Travel Plan and submitted Transport Assessment, it is concluded that the proposed development is acceptable from a Highways perspective. The Council's Highways Development Management Team has reviewed the proposals and has indicated that it does not wish to object to this development. They have however requested that further details be provided regarding access for service and emergency service vehicles. These have been requested and are pending.
- 10.25 Subject to satisfactory details in regards to service and emergency service vehicles it is therefore considered that it accords with UDP policies T10, T16 and T19.

Question 3: Are there any comments that Members wish to make with regards to Highways issues at this stage?

Drainage impact

- 10.26 The site is within Flood Zone 1. Foul and surface drainage are proposed via the mains sewer. Consultation has been undertaken with K.C. Strategic Drainage and Yorkshire Water; however at the time of the Position Statement report being published no response has been received. Members will be kept informed through the update or the subsequent formal recommendation report, where appropriate.

Other considerations

Impact on Huddersfield Narrow Canal

- 10.27 Huddersfield Narrow Canal is managed by the Canal and River Trust, who have been consulted as part of this application. The Trust has requested that the following be condition, if minded to approve; structural calculations adjacent to the canal, impact on operations to the waterway, further details on landscaping, and contamination mitigation.
- 10.28 Further to the above, the proposal would increase public interactions with the canal which in turn would increase demand for maintenance from the Trust. Therefore the Trust therefore seeks to improve the towpath between Wakefield Road and Queen Street South, to be funded via a S106 agreement for the full costs.
- 10.29 Discussions between the application's agent and the case officer are ongoing in regards to the Canal and River Trust's consultation response.

Impact on ecology

- 10.30 The site abuts the Huddersfield Narrow Canal Local Wildlife Site, which also forms a key component of the local green infrastructure resource, and has been included in the Kirklees Wildlife Habitat Network designation of the emerging Local Plan. Furthermore the site is within the identified bat alert layer.

- 10.31 The current landscape proposals will result in the loss of trees and shrubs adjacent to the canal, which currently contribute to the green infrastructure resource and are likely to be of particular value for foraging bats. The vegetation also provides a screening function by limiting light spill onto the canal corridor. Under the proposals the habitats adjacent to the canal will comprise mainly amenity mown grassland, which has very limited biodiversity value and will impact the screening function of this vegetation. In this location, such an impact may result in a significant adverse ecological effect.
- 10.32 Negotiations are ongoing in regards to the landscaping and its impact on local ecology.

Impact on the local economy

- 10.33 Chapter 1 of the NPPF established a general principle in favour of supporting economic development and growth. Paragraph 19 outlines the requirement for planning to '*operate to encourage growth and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system*'.
- 10.34 The proposed would have a direct benefit for the growth of the university. The Design and Access Statement stipulates that the Barbra Hepworth building is intended to be the catalyst and creative height of the new western campus area. The statement goes on to say;

The application proposals represent another major investment by the University in upgrading, enhancing and extending its facilities and represent a significant boost to the objectives of their planned growth and the delivery of their overall Masterplan Framework.

- 10.35 Indirectly the development will benefit Huddersfield Town Centre and the surrounding area through the creation of permanent jobs, temporary jobs during construction and the overall growth of the university. Considering the 'Kirklees Publication Draft Local Plan: Submitted for examination April 2017', the industrial units to the site's west are allocated as a 'priority employment zone'. Nevertheless the proposal is not considered detrimental to the business operations taking place.
- 10.36 In summary the proposal is considered to have a beneficially impact upon the local economy, in accordance with Chapter 1 of the National Planning Policy Framework.

Crime prevention

- 10.37 Negotiations are on-going between the case officer and agent following consultation with the Crime Prevention Officer and Counter Terrorism Security Advisor.

Pollution/Contamination

- 10.38 UDP Policy G6 and PDLP Policy PLP53 state that development proposals will be considered having regard to available information on the contamination or instability of the land concerned. The future development of this site could result in existing on site contaminants being disturbed or the introduction of materials which could lead to the pollution of surface water or ground water regimes. Bearing in mind the proximity of this site with regard to the Huddersfield Narrow Canal, it is considered that it is important to ensure this risk is fully examined.
- 10.39 A Phase II Geo-Environmental Assessment has been submitted with the application, which has been reviewed by K.C. Environmental Health. The report is considered satisfactory, and identified that there are areas of contamination present on the site. Therefore conditions are to be imposed requiring a remediation and validation strategies to be submitted for review and implemented, if minded to approve.
- 10.40 Other contamination concerns relate to dust created during development, which can be a nuisance to nearby residents and businesses. In the interest of preventing this, a condition is to be imposed requiring a scheme to be submitted specifying measures to mitigate dust impacting on 3rd parties.
- 10.41 Subject to these conditions the proposal is deemed to comply with the requirement of Policy G6, PLP53 and Chapter 11 of the NPPF in regards to contamination.

Coal mining legacy

- 10.42 Part of the site falls within an area identified as being at high risk of containing unrecorded historic coal mining workings at shallow depth. A Phase II Geo-Environmental Assessment has been provided with the application which has been reviewed by the Coal Authority. The Coal Authority has confirmed that they are satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately investigated.
- 10.43 Subject to a suitably worded condition, to ensure the recommendations and guidance contained within the Phase II Geo-Environmental Assessment are implemented, it is considered that the development complies with the requirements of G6 of the UDP, PLP53 of the PDLP and Chapter 11 of the NPPF.

Question 4: Are there any comments that Members wish to make with regards to the identified other issues at this stage?

Representations

10.44 At the time of publication no public representations have been received. Any representations received post publication will be provided to members within the update and will be included within the formal recommendation report to members.

11.0 CONCLUSION

11.1 Members are asked to consider the questions set out in this report.

Background Papers

Application website link: <http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92235>

Certificate of Ownership: Certificate B signed. Notice has been served on Kirklees Council (Physical resources and Procurement)