



Ref: AWID4148

Nick Hirst
Senior Planning Officer
Planning & Development
Economy & Infrastructure
Civic Centre 1
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Huddersfield
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21st August 2021

Dear Nick,

S73 Application to vary condition 32 attached to outline permission 2016/92298 for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8).

Further to our previous discussions I hereby enclose a Section 73 application that seeks to vary condition 32 attached to the outline approval referenced above. As we have discussed with both yourself and Kate Mansell, it is proposed to amend the overall permitted amount of development based on a greater percentage of B8 storage uses that generate fewer trips and a lesser impact.

The site benefits from Outline Planning Permission approved in October 2018 for the re-development of the former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) (Ref: 2016/92298). Works have commenced on site to deliver the approved scheme.

The approval references (in the submitted documentation and Condition 32) that a maximum floor area of 35,284sqm is permitted for a mix of B1(c), B2 and B8 uses. Condition 32 allows up to 75.8% of the maximum area to be B2 uses, this equates to a potential of 26,745sqm of B2

Following the granting of outline consent numerous Reserved Matters, Approval of Conditions, Non-Material Amendment and Variation of Condition Applications have been submitted and approved by the Council for the site between 2019 - 2021 with the development being built out in a phased approach.

The key relevant Applications are listed below:

2021/61/91932/E - Reserved matters application pursuant to outline permission 2016/92298 for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) relating to Phase 4 - the construction of 2 x industrial warehouse units with ancillary office accommodation (approximately 6021m² and 4046m²) with parking and landscaping, including the discharge of Condition 6 (Bio-diversity Enhancement Management Plan), Condition 17 (Site Investigations), Condition 18 (Tree Survey), Condition 19 (Public Rights of Way), Condition

29 (Noise Attenuation) and Condition 31 (Electric Vehicle Charging Points). Pending Decision.

2021/70/90893/E - Variation of Conditions 1, 2 and 4 on previous permission 2020/91807 for Reserved Matters Application pursuant to Phase 2 of Outline Permission 2016/92298 (as amended by NMA 2020/91436) for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (B1(C), B2 and B8) to allow for minor changes to the shape of the building to address the correct positioning of existing overhead power cables. Approved 18th June 2021.

2020/91807 - Reserved matters application pursuant to Phase 2 of outline permission no. 2016/92298 (as amended by NMA 2020/91436) for the re-development of the former waste water treatment works following demolition of existing structures to provide employment uses (Use classes B1(c), B2 and B8) to include the discharge of Condition 6 (BEMP), Condition 9 (Lighting design strategy), Condition 17 (Site investigations), Condition 29 (Noise attenuation) and Condition 31 (Electric vehicle charging points) of 2016/92298 as they relate to Phase 2.

2020/91488 - Reserved matters application pursuant to outline permission 2016/92298 outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) (Phase 1) to include the discharge of Conditions 6 (BEMP), 17 (Site investigations), 18 (Tree Survey), 29 (Noise attenuation) and 31 (Electric vehicle charging points). Approved: 15th October 2020.

As a result in a shift in the commercial market, the requirement for the B1(c) (now E(g)) and B2 uses has significantly reduced and the strongest demand is for B8 storage facilities. This has been reflected in the fact that all the reserved matters submitted to date have been for B8 uses. As such, the applicant is looking to further respond to this demand and change the mix of uses to more closely reflect demand.

This S73 proposes to reduce the E(g) and B2 elements and increase the GFA of B8 uses. When compared to the consented scheme, such a change would not have any material change on the impact of the overall scheme in respect of any amenity considerations or technical considerations, including trip generation on the highway network or other matters considered under the outline. All reserved matters are of course considered in detail via further submissions as required.

Based on the approved, pending and recently submitted reserved matters applications, the applicant is therefore seeking to increase the GFA on site up to a total of 40,000m². This is a 13% increase on the overall floor area. However, the level of impact of the scheme would be maintained as per the approval due to a restriction on the limit of E(g) / B2 uses (the restriction being reduced from 26,745sqm to 23,000sqm).

This S73 is supported by a highways technical note from Andy Moseley Associates that fully details how the shift in uses is accommodated within the agreed trip rates.

As the Outline planning permission was subject to EIA and an Environmental Statement was submitted, it has been agreed with Officers that the previously agreed ES would be submitted for completeness and to accord with the EIA Regs. Whereas there is an increase in GFA, the nature of the uses being shifted toward B8 uses rather than industrial uses ensures that the ES is still relevant and all impacts would be no greater than previously agreed.

The overall impact of the S73 proposals for a greater percentage of B8 uses would be less than that approved under the Outline permission which permitted a wider mix of uses for E(g), B2 and B8 uses by virtue of their being fewer vehicle trips that would in turn have less environmental impact on highways, air quality and noise and also in respect of nearby residents.

In terms of condition 32 itself, it is proposed the condition is varied along the lines of the following:

32. The E(g) or B2 Uses within the site shall not exceed 23,000m².

Reason: *In the interest of highway safety, to avoid an intensification in vehicle movement on the surrounding highway infrastructure and to accord with Policy LP21 of the Local Plan.*

I trust that you have all the information required to validate the application and would be grateful if you can please confirm safe receipt of the planning application. If you require anything further in the meantime, please do not hesitate to contact the undersigned.

Yours sincerely

A. Windress

Andrew Windress MA MRTPI
Director