

DESIGN & ACCESS / PLANNING STATEMENT

Proposal

To change the use of the former Waverley United Reformed Church building into a children's soft play facility with ancillary café.

Site Address

**Waverley United Reformed Church,
Waverley Road,
Huddersfield,
HD1 5NA**

The proposal

This planning application seeks to change the use of the former church building into a soft play facility with ancillary café. There are no external alterations to the building proposed, the changes relate solely to the internal layout.

The proposed soft play use would provide valuable community facilities for families of children up to 7 years old. An ancillary kitchen/café area and soft play equipment would be installed. A classroom area will be included to provide maternity classes, breast feeding groups, and a host of other child educational uses to the local community.

The existing dedicated car park would be used, and the proposal will not intensify the existing use or lead to additional vehicular movements. In addition, there is an abundance of overflow car parking nearby.

Site Description

The former Waverley United Reformed Church is a large, detached stone-built church building with its main entrance is located off Waverley Road and access to a car park to its west elevation. The existing building is not a Listed Building, but it does sit within Greenhead Park/New North Road Conservation Area. The building is not formally listed as an Asset of Community Value.

The surrounding area comprises an eclectic mix of large buildings used for residential, office, education or community use. There are mature trees within the grounds which will be retained as existing.

Planning History

There is no relevant planning application history for this site. A pre-application planning enquiry has been submitted and a written response was received on 23rd March 2022 under reference 2022/20042. The principle of development was considered to be broadly acceptable, subject to some additional detail. This application addresses the points raised at the pre-application stage and provides the relevant information.

Local Planning Policy

This section sets out the relevant planning policy context for the proposed development and considers national and local policy guidance.

Section 38 of the Town and Country Planning Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the Kirklees Local Plan Strategy and Policies and Allocations and Designations (adopted February 2019). The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations.

The site is within the Greenhead Park/New North Road Conservation Area as set out within the Kirklees Local Plan. Given that the proposed change of use is within a conservation area, the relevant planning policies would be as follows:

Kirklees Local Plan

- LP 1 – Presumption in favour of sustainable development

- LP 2 – Place shaping
- LP 7 – Efficient and effective use of land and buildings
- LP16 – Food and drink uses and the evening economy
- LP21 – Highways and access
- LP22 – Parking
- LP24 – Design
- LP 28 – Drainage
- LP30 – Biodiversity
- LP 33 – Trees
- LP 35 – Historic Environment
- LP 47 – Healthy, active and safe lifestyles
- LP 48 – Community facilities and services
- LP 51 – Protection and improvement of local air quality
- LP 52 – Protection and improvement of environmental quality
- LP 53 – Contaminated and unstable land

It is noted that there is no Conservation Area appraisal for the Greenhead Park/New North Road Conservation Area.

National Planning Policy Framework

Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development, and states that for decision-taking this means:

“approving development proposals that accord with an up-to-date development plan without delay; or Planning Policy Context where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”*

Paragraph 8 confirms that there are three dimensions to sustainable development: economic, social and environmental.

The revised Framework indicates the tests that this application will be required to satisfy and outlines a series of considerations against which development should be assessed. It is not considered necessary to provide full details all of the relevant policies of the revised NPPF in full within this Planning Statement and as such relevant paragraph numbers and topic area are simply listed below:

- Chapter 2 – Achieving sustainable development
- Chapter 6 – Building a strong, competitive economy
- Chapter 8 – Promoting healthy and safe communities
- 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

Planning Analysis

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. This is further endorsed by the NPPF and PPG.

This Section provides an assessment of the proposed development against planning policy and other material considerations.

The proposal seeks the changing the use of a church (*F1(f) use class*) to a soft play area with ancillary café (*E(d) use class*).

Key considerations:

- The former church building is technically considered to be a building in community use, despite is being unused for a number of years;
- The site sits within the Greenhead Park/New North Road Conservation Area;
- Highway safety, and
- Residential amenity.

The proposed Change of Use

The current use as a church is considered to represent a community use in planning terms, with the proposed use as a soft facility representing a commercial entity. The site is not listed as an asset of community value. The proposed change of use, whilst being in private ownership, will in fact serve the local community and providing a tangible use for the existing building, keeping the building in active use and therefore enhancing the Conservation Area through general maintenance.

The site has been unsuccessfully marketed for a number of months, it had been listed for sale in October 2018, with no financially viable alternatives having been found. The use of the church facility ceased in July 2021 so technically speaking, the proposal to change the use of the building does not result in the loss of valued facilities and services over and above the current situation, which has organically occurred.

We note that policy LP48 of the Local Plan and the NPPF seek to retain valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

The NPPF promotes the retention and development of local services and community facilities in villages, such as local shops, meeting places, cultural buildings, public houses and places of worship as part of planning for prosperity.

We note that the policy aim is to retain existing community facilities specifically in villages, however the location of this building is within the town centre where the number of other church facilities is in abundance – hence the fact that this building is no longer in use.

In response to the wording of policy LP48, the policy advises that developments will only be permitted where:

- a) there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or

- b) its current use is no longer viable; or
- c) there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or
- d) an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and
- e) any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation.

The church was listed for sale, along with the adjacent former driving test centre, in October 2018. The sales particulars can be viewed via the following link:

<https://d39qj8qlyfrchd.cloudfront.net/images/20200318/1-76172807.pdf>

According to Ms Rosie Buxton (CRWC Minister for United Reformed Churches in Huddersfield), the church ceased functioning in July 2021 and the reasons were due to dwindling numbers and the building needing maintenance work carried out due to a leaky roof. The congregation moved to the Focal Community Centre in Lindley, HD3 3HB

There are numerous churches and community facilities nearby which offer spaces for meetings and general community use. For example, the following are all located less than a 5 minute walk of the site:

- Holy Trinity Church, Trinity St, Huddersfield, HD1 4DT
- St Patrick's Church, 32 New N Rd, Huddersfield, HD1 5JY
- Highfields Community Centre, Cemetery Rd, Huddersfield HD1 5NF

As such, the proposal clearly complies with the provisions of indents a), b) and c) as set out above and is therefore acceptable in principle.

Heritage

The site is located within Greenhead Park/New North Road Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area. Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework are relevant regarding the historic environment.

LP35 states that *"development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in...harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring...public benefits that clearly outweigh the harm"*.

The overall design of the scheme has been considered in relation to Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which both seek to secure good design in all developments by ensuring that they respect and enhance the character of the local area and protect amenity. There are no external alterations and through the pre-application process the Councils Conservation & Design Officer was consulted and set out that the application would have benefits to the non-designated heritage asset being brought into use helping to maintain the buildings structure with no external alterations proposed.

The proposal seeks to have areas set out internally to provide a café/serving area, WCs, install an internal deck for the café seating area to combat slanted flooring, areas for 'Play shops', soft play for toddlers and babies, a classroom, a three-tier soft play frame in the main church and to the rear, the altar would be retained but rooms to serve a kitchen, baby sensory room, WC and store rooms will serve the larger space within the church's main room.

The main room is proposed to be largely unaltered with partitions used to delineate areas.

Care will be taken to preserve the original layout as much as possible with temporary, reversible divisions to aid in the retention of the historic fabric of the building. We do note however that the building is not listed and therefore the internal features are not protected.

There will be no external alterations and the use of the car park will remain as existing.

In summary, it is clear that the proposal would result in a positive benefit in the continued use of the building in the Conservation Area which would serve to have public benefit revealing the interior of the former Church to the public when in use. The proposal fully complies with Policy LP35 of the Local Plan and Policies in Chapter 16 of the NPPF.

Residential Amenity

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings has been considered in relation to Policy LP24 and LP52 of the Local Plan.

Policy LP24 seeks to *"provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings."* Policy LP52 seeks to ensure any potential for pollution from matters such as noise, light, dust, odour etc be considered as part of any application to ensure that there is no reduction in quality of life and well-being to an unacceptable level of have unacceptable impacts on the environment.

At the pre application stage the proposal was assessed by the Environmental Health Officer (EHO).

The EHO considered that *"given that all works are internal that it would be unlikely that the proposal development would adversely impact on the amenity of adjacent properties, however it may be necessary to condition hours of use"*.

The proposed hours of use will be:

- From 9.15am – until 5.30pm (Monday – Friday)
- From 9.15am – until 5.30pm (Saturdays)
- From 9.15am – until 3pm (Sundays and bank holidays)

should be set out on the submitted application form to allow for a full assessment.

The proposed use, for young children, will operate within socially acceptable hours and as such the development will not have an unacceptable impact residential amenity.

Highways

Policies LP21 and LP22 of the Local Plan are relevant along with the Local Highway Design guide. The policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking and access to sustainable transport options.

As part of the pre-application process the Highway Development Officer was consulted and advised that *"the previous use of the site and its proximity to the town centre of Huddersfield supported by public transport links would aid the scheme's low impact on highway safety"*.

The parking for the site will remain as existing and the proposed numbers of people using the play facility will fall significantly short of those number that could otherwise use the building for its existing use.

- The number of staff on site at any one time is proposed to be: 2-4
- The number of visitors (children) on site is proposed to be 0-40.

One adult (potential vehicle user) could potentially bring multiple children to visit the soft play facility so it is worth highlighting that the capacity of the building (play equipment) will not correlate to car users. The site is also sustainably located close to public transport networks and within walking distance of the city centre. The proposal is not considered to cause any significant highways issues.

Air quality

We are keen to support low carbon transport by the provision of electric vehicle charging points subject to infrastructure requirements and viability.

Conclusion

The reuse of this underutilised building within the Conservation Area would provide a benefit in terms of ongoing maintenance and avoiding the building falling into a state of disrepair.

The proposed change of use is compatible with the existing building, the immediate area and will further serve the local community, providing a positive new use for the existing building, keeping the building in active use. The proposal will result in direct social and economic benefits and will retain the existing built form, therefore enhancing the Conservation Area.

The proposal complies with local planning policies relating to community uses, heritage, amenity, highway safety and the principle of the development is considered to be acceptable. As such, the local authority should approve the application without delay, in line with the requirements of the Local plan and the NPPF.