1ST FLOOR, 19-31 KING STREET, PACK HORSE CENTRE, HUDDERSFIELD, HD1 2RT.

November 2022

Planning Statement: Prior Notification Change of use from Class E to Class C.



HMS TOWN PLANNING & URBAN DESIGN

RTPI Chartered Town Planner

CONTENTS:

1.0 EXISTING USE

2.0 PROPOSED USE

1.0 EXISTING USE

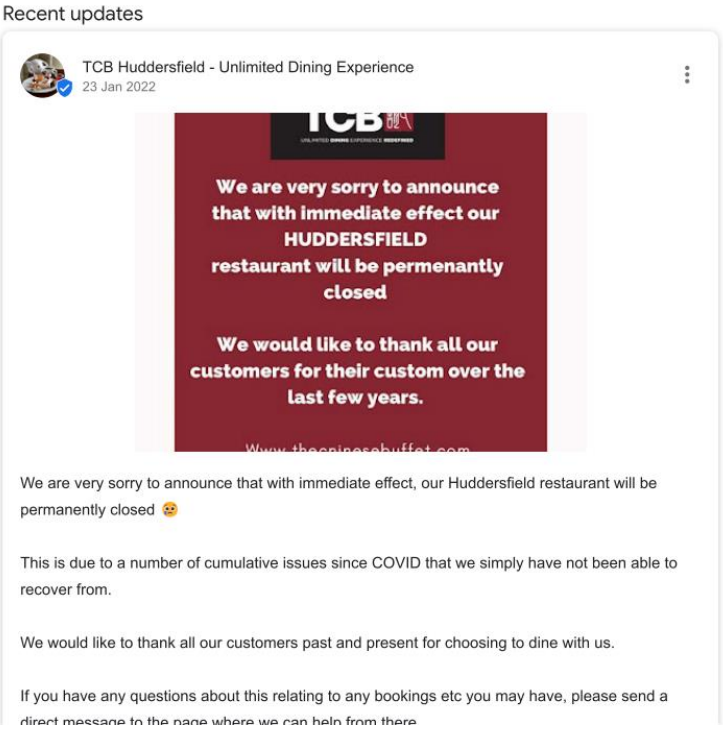
1.1 The application site is a modern 2 storey high building which infills two historical buildings along King Street, spanning from 19 to 31. It is the southern elevation and access of the Pack Horse Centre built in the 1970s.

1.2 Planning permission was granted in 2014 for Change of use of first floor above 21-31 King Street from (A1) retail to (A3) restaurant with main access via 21 King Street with same use at ground floor and basement, and installation of replacement shop fronts (2014/62/92795/W). It would appear that the actual address should have been 19-31King Street and the main access via 19.

1.3 The Chinese Buffet vacated the premises in January 2022. The large 955sqm floor space was proving difficult to let with many restaurant operators preferring a ground floor position and retailers looking for smaller premises.

1.3 The site fall outside of the Town Centre Conservation Area and adjacent to a grade 2 listed buildings, 17 King Street. A Heritage Assessment is submitted with this application.





2.0 PROPOSED USE

2.1 This is a prior notification under class MA to change the use of a Class E premises to Class 3 residential – 10 x studio apartments, on the 1st floor of 19-31 King Street, Huddersfield.

2.2 A recent application was approved ref - 2022/62/92636/W for the external alterations to remove the existing cladding and replace the glazing to provide natural light into the 1st floor and a new balcony area. Another application will be made at a later date for a gym for use by residents only.

2.3 Permitted development:

MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Development not permitted

MA.1.—(1) Development is not permitted by Class MA—

(a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval; **The application site has been vacant since 23rd January 2022.**

(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval; **The buffet opened it's doors in January 2016. The event was covered by Examiner Live** https://www.examinerlive.co.uk/whats-on/gallery/opening-chinese-buffet-huddersfield-10697131

(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres; **Cumulative floor area is 807.58sqm.**

(d) if land covered by, or within the curtilage of, the building—

(i) is or forms part of a site of special scientific interest; **NO**

(ii) is or forms part of a listed building or land within its curtilage; **adjacent to listed building 17 King Street but does not form part of it. Refer to Heritage Assessment for more information.**

(iii) is or forms part of a scheduled monument or land within its curtilage; **NO**

(iv) is or forms part of a safety hazard area; or **NO**

(v) is or forms part of a military explosives storage area; **NO**

(e) if the building is within—

(i) an area of outstanding natural beauty; **NO**

(ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(1); **NO**

(iii) the Broads; **NO**

(iv) a National Park; or **NO**

(v) a World Heritage Site; **NO**

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or **NO**

(g) before 1 August 2022, if— **N/A**

(i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and

(ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

2.4 Conditions:

MA.2.—(1) Development under Class MA is permitted subject to the following conditions.

(2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a)transport impacts of the development, particularly to ensure safe site access; **Town Centre location with excellent access to public transport, shop, food and drink and other local amenities. The Pack Horse centre does have spaces available in the basement for allocated car parking spaces, and plenty of safe cycle storage spaces, this can be agreed between the two parties. Residential access is as existing at 19 King Street.**

(b) contamination risks in relation to the building; **No contamination risk. See Screening Assessment.**

(c) flooding risks in relation to the building; **Habitable rooms above ground floor level. Not in a high risk flood zone.**

(d) impacts of noise from commercial premises on the intended occupiers of the development; **Sound insulated and double glazed in line with Part E of the Building Regulations.**

(e)where—

(i) the building is located in a conservation area, and

(ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area; **The application site is outside of the Conservation Area and proposed no changes to the ground floor either internally or externally.**

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses; **Planning permission has been obtained for the provision of windows and doors along the 1st floor 19-31 King Street, works has started on site. This will provide natural light into each of the 10 studios. The studio apartments are of open plan living design. Sleeping areas will have a glazed feature wall which will allow for the natural light to penetrate and half a wall to provide the room with an enclosure for privacy and sleep comfort.**

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; **Waste and recycling bins are located in the basement of the Pack Horse Centre. Access arrangements will be exactly the same as how it was for the buffet restaurant, which is via the central stair case marked 'up' on the floor plan. The waste is collected via a private management agreement which has been set up between the Pack Horse Centre and Veolia. The point of collection is along Cross Church Street.**

(h) where the development involves the loss of services provided by— **N/A**

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(2), the impact on the local provision of the type of services lost.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

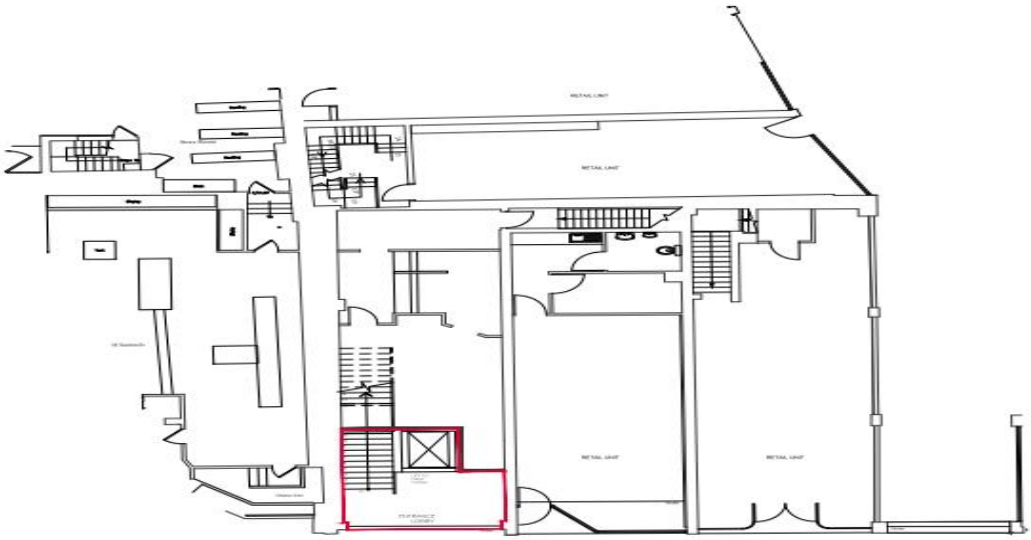
(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if in the introductory words in sub-paragraph (5), for "and highways impacts of the development" there were substituted "impacts of the development, particularly to ensure safe site access".

(5) Development must be completed within a period of 3 years starting with the prior approval date.

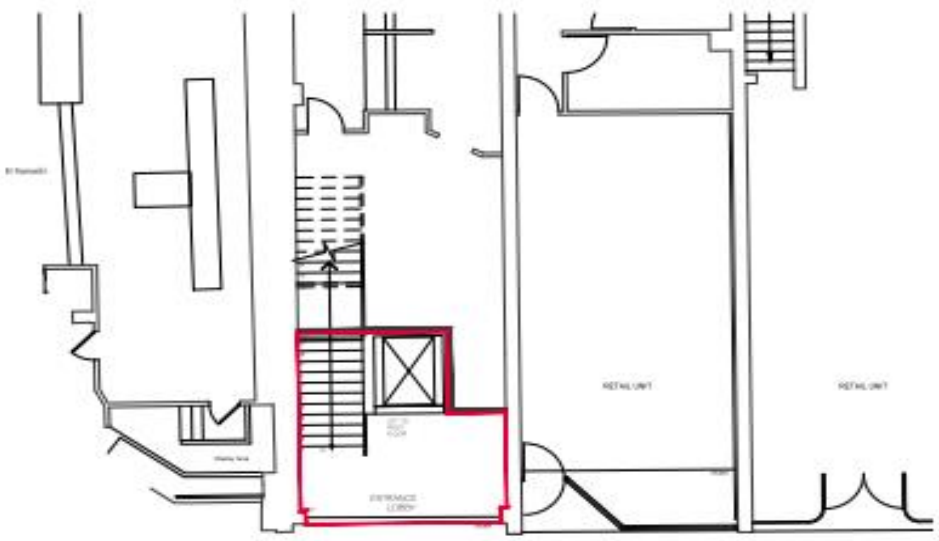
(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.".



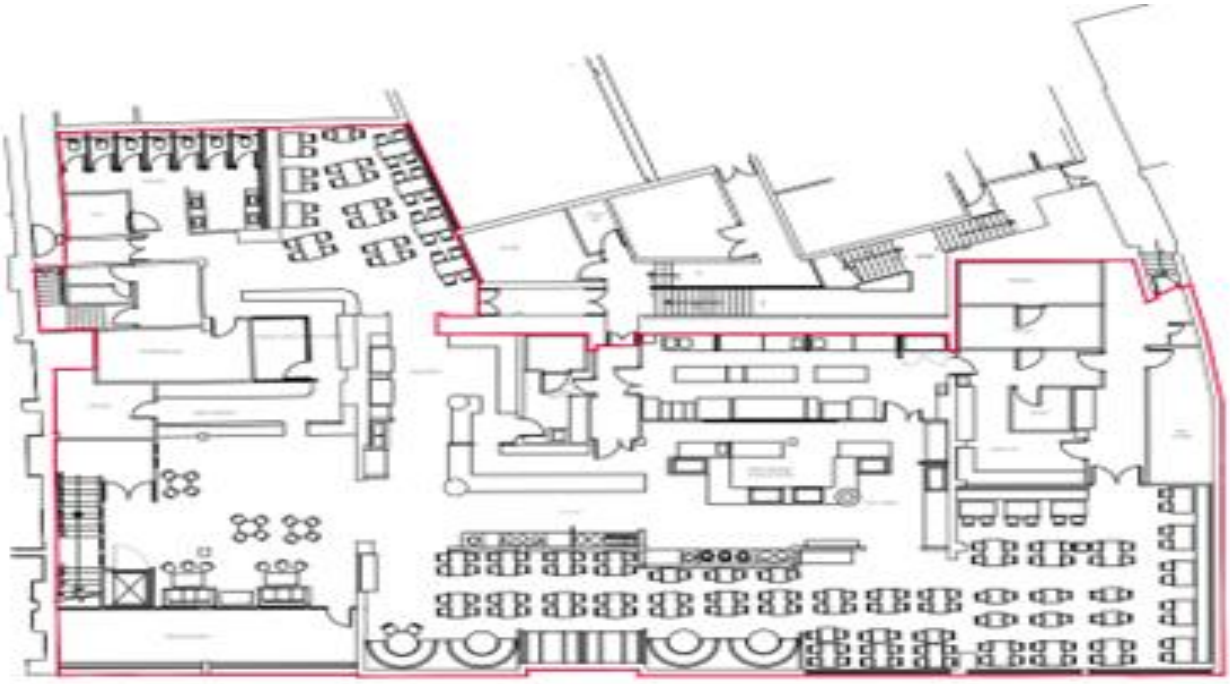
Location Plan



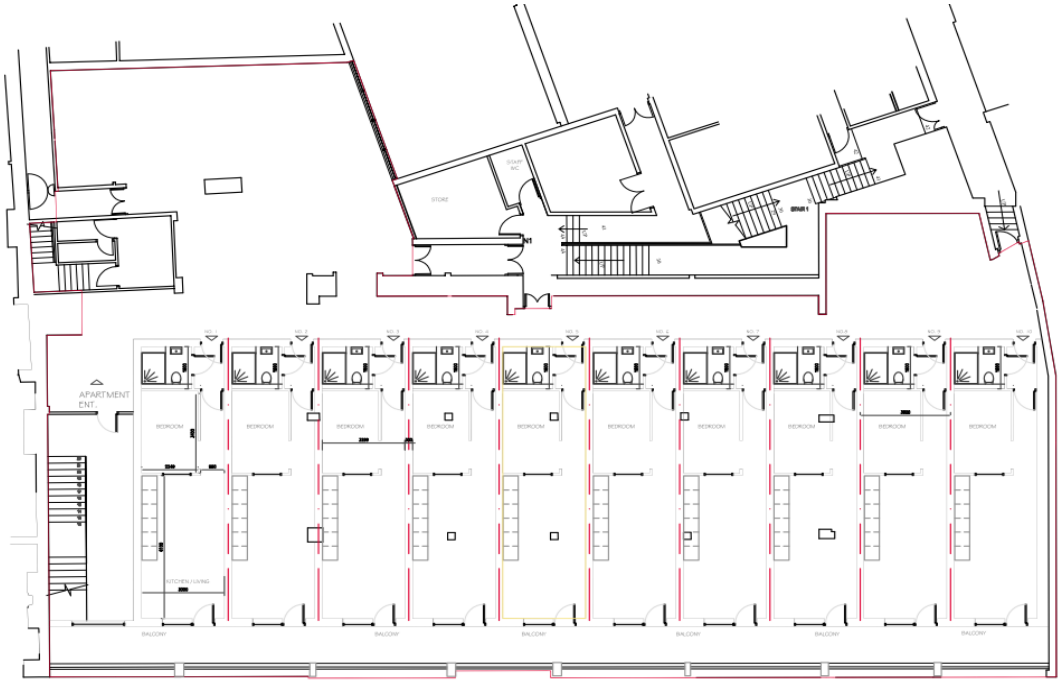
Existing Ground Floor Plan



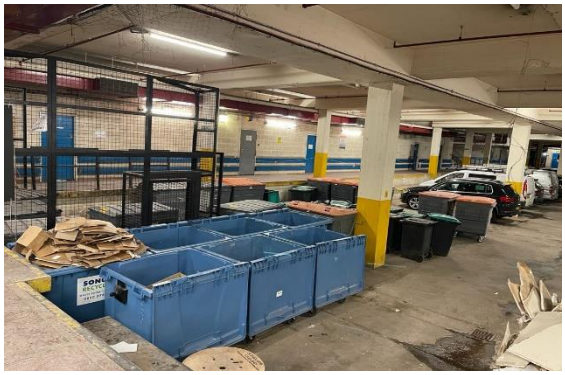
Proposed Ground Floor Plan



Existing First Floor Plan



Proposed First Floor Plan



Basement bin store area

2.5 Studio apartments

Studio apartment/flat are defined as a self-contained habitable space in which the living room, bedroom and kitchen facilities are all incorporated into one space, sometimes with partial walls or other forms of divider used to separate the different areas. A bedroom may be positioned in one corner, while a small kitchen (or kitchenette) may be in another corner, with the space between them allocated as the 'living room'. The bathroom facilities are typically contained in a smaller room within the flat.

Glazed partition and half walls sketches:









2.6 In terms of natural light, permission 2022/92636 provide natural lighting to all 10 of the studios which are by definition one whole habitable space. The glass balcony is 1.2m deep and the windows are full height which give that whole elevation transparency to draw light in.



Example open plan studio apartments













Example balcony areas







