

---

**Report of the Head of Planning and Development**

**STRATEGIC PLANNING COMMITTEE**

**Date: 11-May-2023**

**Subject: Planning Application 2022/93932 Change of use of Crown House to provide student-only living accommodation (sui generis) in the form of studios (198), with ancillary concierge and communal facilities including an open plan lounge, coffee bar and gym at groundfloor, with laundry, car parking, cycle store, parcel store and plant rooms at basement level and associated works including the installation of new cladding and fenestration to the elevations with a new roof garden atop the building Crown House, 12, Southgate, Huddersfield, HD1 1DE**

**APPLICANT**

**Ashley Ladson, Abode  
Manchester 2 Ltd**

**DATE VALID**

**31-Jan-2023**

**TARGET DATE**

**02-May-2023**

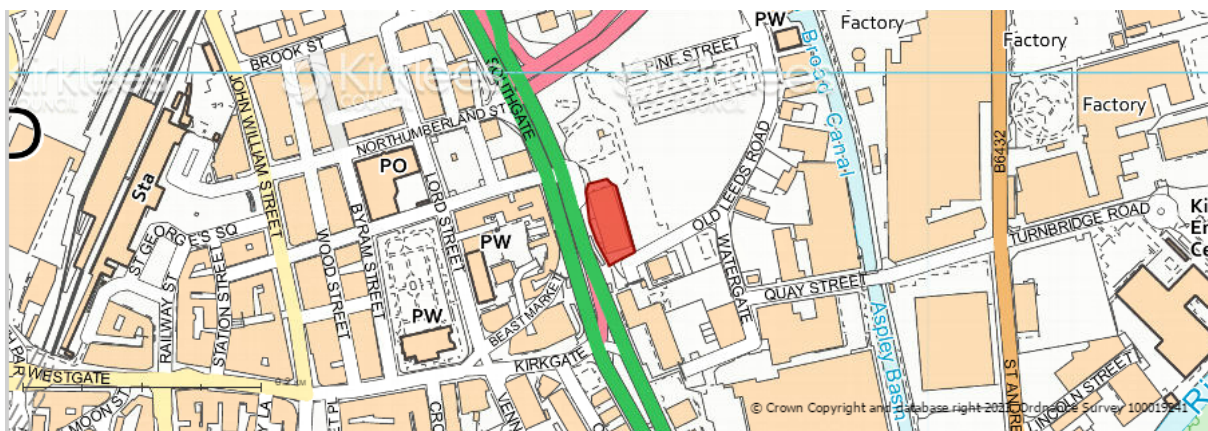
**EXTENSION EXPIRY DATE**

---

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

[Public speaking at committee link](#)

**LOCATION PLAN**



**Map not to scale – for identification purposes only**

---

**Electoral wards affected: Dalton**

**Ward Councillors consulted: Yes**

**Public or private: Public**

---

## **RECOMMENDATION**

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and to secure a S106 agreement to cover the following matters:

a) **Open space off-site contribution:** £283,173.00 towards enhancement to local Public Open Space.

b) **Metro enhancements:** £20,000 towards bus stop improvements

In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

## **1.0 INTRODUCTION**

- 1.1 This is an application for full planning permission for the change of use of an office building to a residential development of 198 student accommodate unit.
- 1.2 This application is brought to Strategic Planning Committee in accordance with the Delegation Agreement, as the proposal seeks a residential development of over 60 units.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The site is on the outer edge of the Huddersfield town centre ring road (Southgate). It has an area of circa 0.18ha which is predominantly occupied by a single building named Crown House.
- 2.2 Crown House is a substantial building and is ten storeys in height on the west elevation that faces onto Southgate and towards Huddersfield town centre. It is split level, with 11 storeys to the rear where it faces onto vacant land. The vacant land, which encompasses the land to the east and north of the site, previously hosted the former Huddersfield Sports Centre prior to demolition, and which now forms part of the Universities' Health Innovation Campus. To the south, across Old Leeds Road, is the six storey Telephone Exchange building.

- 2.3 Crown House, constructed in the 1970s, is brick faced with a large proportion of glazing which is arrayed horizontally in parallel lines along the width of the building. The building has a podium office design, with the ground and lower ground floors have a larger footprint than the upper floors.
- 2.4 Access is taken to the rear / south side of the site, via Old Leeds Road. There is a small external hard surfaced service area between the site and Old Leeds Road to the building's south, with the majority of the building's circa 50 parking spaces provided internally in the lower ground floor. Landscaping around the site is extremely limited, comprising low level planting along the frontage between the building's walls and Southgate's pavements.

### **3.0 PROPOSAL**

- 3.1 The proposal seeks a change of use of Crown House from office to student accommodation, consisting of 198 units and ancillary uses, with elevation alterations and external works.
- 3.2 The student accommodation units would be hosted on the first to ninth floors, with an identical layout per floor. Unit sizes would vary, with most being 19sqm, although the largest (one per floor) would be 29sqm. Each unit would host a bathroom / w.c. along with cooking and working facilities.
- 3.3 Beyond the access-controlled reception, the ground floor would host ancillary communal facilities for tenants, including lounge, gym, study area, and recreation areas. The lower ground floor would be predominantly service facilities, including car parking for 15 vehicles, laundry, and bike store (200 spaces using double stack storage solution).
- 3.4 The roof of the ground floor, where it is greater than the first floor's footprint, would be converted into a green roof. The 9<sup>th</sup> floor's roof would be used as an external communal space for residents.
- 3.5 External elevational works include the building being reclad and the introduction of brise soleil (a form of solar shading consisting of projecting panels). The fenestration / glazed openings would be reduced, replaced by war grey cladding with the brise soleil over. Sandstone coloured cladding would be installed to the podium, a band at roof level, and north side elevation tower.
- 3.6 Other works include the erection of a bin-store in the yard off Old Leeds Road. This would have an internal area of 44sqm, with a shallow pitched roof with a maximum height of 2.7m, and would be faced in metal cladding in colours to host the main building. While limited due to space constraints, landscaping where feasible is proposed externally.

### **4.0 RELEVANT PLANNING HISTORY (including enforcement history)**

#### **4.1 Application Site**

2017/93186: Prior approval from change of use from office (B1) to dwellinghouses (C3) – Approved

**Note:** 98 units.

2017/93866: Prior approval from change of use from office (B1) to dwellinghouses (C3) – Approved

**Note:** 133 units.

2018/90213: Alterations to lower ground to create 7 apartments and external alterations – Approved

2021/92282: Prior approval for change of use from office (Class B1a) to 85 residential units – Approved

#### 4.2 Surrounding Area

*Land at, Southgate, Huddersfield, HD1 1TW (Former Huddersfield Leisure Centre / proposed University Health Innovation Campus)*

2020/91629: Temporary use of site as a car park for a period of 3 years – Approved

2021/91544: Outline application for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health-services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness – Approved

2022/91412: Discharge of conditions 4 (phasing), 5 (masterplan), 6 (design code), 7 (CEMP), 8 (access), 9 (internal access), 10 (highway retention), 11 (highway drainage), 12 (drainage strategy), 13 (drainage assessment), 14 (temporary drainage), 18 (EclA), 19 (BEMP), 23 (phase II investigation), 27 (noise), 31 (cycle parking) and 32 (climate change) of previous Outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health-services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness – Approved

2022/91456: Reserved matter application pursuant to outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness, and the discharge of conditions 5 (masterplan), 6 (design code), 8 (access), 9 (internal access) and 19 (BEMP) – Approved

*Harold Wilson Court*

2022/93450: Removal and replacement of existing external walling insulation, windows and curtain walling and balcony railings, installation of sprinkler system with associated sprinkler tank and housing – Ongoing

*Oldgate House, 2, Oldgate*

2013/90692: Change of use from offices (B1) to student accommodation (C2), installation of new fenestration, external lift shaft and bin/cycle store – Approved

*land adjacent, Manchester Road, Huddersfield*

2014/90411: Erection of 2 blocks of students accommodation – Approved

2016/91026: Erection of 168 student studios with communal areas – Approved

*Co-op Building, 103, New Street, Huddersfield, HD1 2TW*

2017/93886: Erection of extensions and alterations to convert existing building to student accommodation (within a Conservation Area) – Approved

## **5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme)**

5.1 The application was not subject to a formal pre-application submission. Prior to formal validation discussions between officers and the applicant took place on ensuring the correct description of development and application fee for development.

5.2 On review of the proposal officers expressed concerns over the external elevation treatments. This was due to the originally proposed design having a particular vertical emphasis in its arrangement, which both exacerbated the height of Crown House and conflicted with the more horizontal arrangements on adjacent buildings. Discussions took place which resulted in amendments which introduced more horizontality to the design features. Based on the amended design, officers welcomed the external works as an attractive enhancement to the building.

5.3 Discussions on the required S106 obligations took place. The applicant expressed concerns, being of the opinion that they were disproportionate to the scale and nature of the proposal. Officers confirmed that the calculation for the Public Open Space off-site obligation was correct and in accordance with policy. The applicant has now confirmed agreement to pay the full amount, although discussions are ongoing on the phasing of the payment, the outcome of which will be reported to members in the update. West Yorkshire Metro's initial request for £40,000 towards bus stop improvements was revised to £20,000 following discussions between officers, West Yorkshire Metro.

5.4 Other discussions took place, including seeking more ecological details and clarification on highway matters. The applicant has worked proactively with officers in resolving these issues.

## **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 27<sup>th</sup> February 2019).

## Kirklees Local Plan (2019) and Supplementary Planning Guidance / Documents

6.2 The application site is unallocated in the Kirklees Local Plan. It is outside, but immediately adjacent to, the Huddersfield Town Centre boundary.

6.3 Relevant Local Plan policies are:

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP7** – Efficient and effective use of land and buildings
- **LP11** – Housing mix and affordable housing
- **LP20** – Sustainable travel
- **LP21** – Highway safety and access
- **LP22** – Parking
- **LP24** – Design
- **LP27** – Flood risk
- **LP28** – Drainage
- **LP30** – Biodiversity and geodiversity
- **LP35** – Historic environment
- **LP51** – Protection and improvement of local air quality
- **LP52** – Protection and improvement of environmental quality
- **LP53** – Contaminated and unstable land
- **LP63** – New open space

6.4 The following are relevant Supplementary Planning Documents or other guidance documents published by, or with, Kirklees Council;

### *Supplementary Planning Documents*

- Highways Design Guide SPD (2019)
- Open Space SPD (2021)
- Affordable Housing and Housing Mix SPD (2023)

### *Guidance documents*

- Kirklees Interim Affordable Housing Policy (2020)
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Waste Management Design Guide for New Developments (2020)

### National Planning Guidance

6.5 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) 2021, published 20<sup>th</sup> July 2021, and the Planning Practice Guidance Suite (PPGS), first launched 6<sup>th</sup> March 2014, together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving sustainable development
- **Chapter 4** – Decision-making
- **Chapter 5** – Delivering a sufficient supply of homes
- **Chapter 8** – Promoting healthy and safe communities
- **Chapter 9** – Promoting sustainable transport
- **Chapter 11** – Making effective use of land
- **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

6.6 Other relevant national guidance and documents:

- MHCLG: National Design Guide (2021)

### Climate change

6.7 The Council approved Climate Emergency measures at its meeting of full Council on the 16<sup>th</sup> of January 2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July 2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.

6.8 On the 12<sup>th</sup> of 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 would use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

## **7.0 PUBLIC/LOCAL RESPONSE**

### *Public representation*

7.1 The applicant did not undertake a pre-application public engagement exercise and a Statement of Community Involvement has not been provided.

7.2 The application has been advertised as a major development via site notices and through neighbour letters to properties bordering the site, along with being advertised within a local newspaper. This is in line with the Council’s adopted Statement of Community Involvement.

7.3 The application was amended during its lifetime and a period of re-consultation, via neighbour letters, was undertaken. These were sent to all neighbouring residents, as well as to those who provided comments to the original period of representation.

7.4 The end date for public comments was the 26<sup>th</sup> of April 2023. In total two public comments were received. The following is a summary of the comments made:

- The use of the building for student accommodation is good in principle. The current building is an eyesore and detracts from a large area.
- Insufficient consideration has been given to connectivity between the building and the University's main campus.
- While overall the design is attractive and would complement the University's new campus, the blank stairlift section on the north of the building is unattractive.
- Insufficient details have been provided on how the development would support lower energy consumption.
- No details are provided on how residential waste will be managed, and concerns the external bin-store is too small.

**Note:** The above comments were received to the original proposal. No comments were received in response to the re-advertised amended proposal.

7.5 The site is within Dalton ward, where members are Cllr Tyler Hawkins, Cllr Musarrat Khan, Cllr Naheed Mather. Members were notified of the proposal.

7.6 Cllr Khan queried the application's provision for wheelchair users and people with disabilities. The applicant provided an Accessibility Statement, which confirmed:

- The building, including the roof area, has step-free access
- Automated sliding doors for the main entrance and through the building
- Doors are the appropriate size for wheelchair access.
- Two disabled parking bays are proposed.
- Communal facilities, including postboxes and study tables, will be adjustable to student needs.
- Areas provided to allow for wheelchair turning.
- 20 bedrooms (spread across all floors) to include kitchen and bedroom fitout to meet Building Regulations Part M, with accessible bathrooms.

The accessibility statement was sent to Cllr Khan, with no further comments received.

## 8.0 CONSULTATION RESPONSES

### 8.1 Statutory

Planning Gateway One (Health and Safety Executive: Fire): Noted two fire risks. The first noted that both staircases descended to basement level: one should stop at ground level and not descend to the basement. The second was the proximity of the bin-store to the building. The applicant has sought to address these changes following consultation with a fire specialist and provided amended details, which have been re-sent to the HSE. The due date for their response in the 2<sup>nd</sup> of May, and will be reported to members in the

update. Notwithstanding the outstanding comments from the HSE, officers are satisfied that these matters may be adequately addressed via condition.

K.C. Highways: The site is well sited in its proximity to the University and town centre. As student accommodation in a sustainable location, traffic impacts are expected to be minimal. No objection, subject to conditions.

K.C. Lead Local Flood Authority: The proposal would not materially change existing drainage arrangements. No objection, with no conditions required.

## 8.2 **Non-statutory**

K.C. Conservation and Design: The existing building has a negative impact on the adjacent heritage assets (Huddersfield Town Centre Conservation Area and various listed buildings) and their setting. The redevelopment is therefore welcomed and would be a net positive. Provided design advice due to concerns over the initial design, which were incorporated into the amended version.

K.C. Crime Prevention: Have, alongside the district Counter Terrorism Security Officer (CTSA) been involved in discussions with the applicant to ensure appropriate site security and crime mitigation. No objection subject to condition.

K.C. Ecology: No objection subject to conditions.

K.C. Environmental Health: No objection subject to conditions. Have assessed a variety of Environmental Health considerations, including; air quality, contaminated land, and noise pollution.

K.C. Highways (Waste): Provided advice and feedback on how best to manage waste storage and collection. This was complied with by the developer. Therefore, no objection, subject to conditions.

K.C. Landscape: Noted no landscaping proposed. However, confirmed that the proposed development is required to contribute towards local Public Open Space. As none is provided on site, which is not opposed given the specifics of the proposal, an off-site contribution of £283,173.00 is required.

K.C. Public Health: The applicant has undertaken a Health Impact Assessment. Public Health have no objection to the HIA undertaken; however, they have offered additional advice and guidance (outside the remit of planning) on how to further promote a healthy environment which has been shared with the applicant.

West Yorkshire Metro: Initially requested that £40,000 be secured towards improving x4 bus stops within the area. In discussions between officers, the applicant, and WY Metro, where this figure was debated, Metro concluded £20,000 was more reasonable given the site's proximity to the town centre. This would be put towards bus stops on Leeds Road, to promote movements in that direction.

## 9.0 MAIN ISSUES

- Principle of development
- Urban design
- Residential amenity
- Highway
- Drainage and flood risk
- Planning obligations
- Other matters
- Representations

## 10.0 APPRAISAL

### Principle of development

- 10.1 Paragraph 47 of the National Planning Policy Framework (the Framework), which is a material consideration in planning decisions, confirms that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. This approach is confirmed within Policy LP1 of the Kirklees Local Plan, which states that when considering development proposals, the Council would take a positive approach that reflects the presumption in favour of sustainable development contained within the Framework. Policy LP1 also clarifies that proposals that accord with the policies in the Kirklees Local Plan would be approved without delay, unless material considerations indicate otherwise.

### *Land allocation and residential development*

- 10.2 The site is unallocated on the Kirklees Local Plan Policies Map and is therefore not identified for any specific use (i.e., housing or retail). When considering such sites, LP1 states that;

*Where there are no policies relevant to the proposal or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise – taking into account whether:*

*a. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*

*b. specific policies in that Framework indicate that development should be restricted.*

- 10.3 Such material considerations will be assessed throughout this report.
- 10.4 Policy LP7 relates to ensuring the “efficient and effective use of land and buildings”. This policy promotes re-using brownfield / vacant buildings, particularly those in sustainable locations, which this building would wholly comply with. Specific to residential proposals, the policy also seeks to promote a density of 35 dwellings per ha, where appropriate. This is more than achieved as an apartment development, with the density proposed representing 1100 dwellings per ha. Officers therefore consider the proposal and effective and efficient use of land, in compliance with LP7.

10.5 Policy LP11 requires that:

*All proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need*

The accommodation proposed is considered to be a suitably high quality, as will be further explored throughout this report. In terms of mixture, LP11 expects proposals of 10 units to include a mixture of unit sizes, as is elaborated upon with the Council's Affordable Housing and Housing Mix SPD. All 198 units proposed are 1-bed bedsits. However, as dedicated student accommodation, built to target a specific group, this is considered acceptable particularly given the location, so close to the town centre and university. Room sizes, while typically 19 / 20sqm, do vary up to 29sqm and include disability accessible rooms to promote a mixture of people. Furthermore, mixing student accommodation alongside large units that would presumably be for market accommodation, particularly at such density, is typically seen as undesirable to avoid social conflict.

10.6 In summary, bringing Crown House back into use for student accommodation is considered both an effective and efficient use of the land and is welcomed. The proposal is considered to be in accordance with the aims of both LP7 and LP11 of the Kirklees Local Plan.

*Huddersfield Town Centre*

10.7 The site is not within the Local Plan's formal boundary of Huddersfield Town Centre, although it is immediately adjacent to the boundary, which wraps around the site to the east, north, and west. Nonetheless, being outside the defined centre the Local Plan's dedicated town centre policies, specific LP15 (Residential use in town centres) and LP17 (Huddersfield Town Centre) are not applicable.

10.8 Notwithstanding the above, given the very close proximity, consideration on the impact with the town centre is reasonable. Officers are satisfied that the proposal would, if applicable, comply with the expectations and requirements of both LP15 and LP17. The development will promote activity in the town centre, both social and economic, from a sustainable location which is environmentally friendly. Likewise, the proposal will complement and support Huddersfield University.

10.9 The Council's Huddersfield Blueprint sets out a 10-year vision for the improvement of Huddersfield Town centre. It established five principles to promote (A vibrant culture, art, leisure and nightlife offer, thriving businesses, a great place to live, improved access, and enhanced public spaces) and six areas of focused development. Bringing Crown House back into a positive use, with an attractive re-design would comply with the five principles. The site is outside of the six focus areas, and would not conflict with their implementation.

10.10 Also of relevance is the Council's Huddersfield Station to Stadium Enterprise Corridor Framework Masterplan, as the site falls within its boundary. This document sets out objectives to promote the Station to Stadium Corridor as an economic development zone. Crown House does not feature within its plans or proposals specifically, although it is immediately adjacent to the important University Health Campus. No works are proposed which would prejudice the goals of the document. Conversely, the improved aesthetic design of the building and bringing it back into use, particularly a use which complements the University campus, is welcomed and would promote the broad aims and objectives of the framework masterplan.

*Sustainable development and climate change*

10.11 As set out at paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF goes on to provide commentary on the environmental, social and economic aspects of sustainable development, all of which are relevant to planning decisions.

10.12 The re-use of pre-existing buildings has various economic, social, and environmental benefits, including the conservation of energy and materials which is a positive of the proposal. The application is also supported by a climate change statement, which details how climate change has been considered through the design. Key elements include:

- A fabric first approach has been undertaken to the design, prioritises the energy efficiency of a property right from conception,
- Use of low energy appliances throughout and each unit to have smart energy metering, with advice offered to students on how to effectively use heating and lighting.
- The site is centrally located, with low reliance of private motor vehicles, with good public transport links and cycle storage.
- Sorting and the segregated management of waste streams during demolition and construction will maximise the recycling of waste material. This approach will maximise the quantity of waste material such as glass, timber, metal and masonry which can be recycled.
- Where possible construction materials will be recycled and where new materials are required materials which use lower levels of embodied energy will be considered.
- A green roof is proposed; this new planting will improve the heating and cooling characteristics of the building thus reducing the contribution of the building to increasing ambient air temperatures and therefore reducing the urban heat island affect.
- The habitable rooms are east / west facing, with north being circulation space, maximising daylight. The car parking area and other ancillary areas are located in the basement of the building, where there is a reduced amount of daylight. The use of brise-soleil panels will help prevent overheating.
- Baths, which use a large amount of water are not proposed. Units will be served by energy efficient showers and taps.
- A 10% ecology net gain will be provided and EVCP will be provided.

- 10.13 These provisions are welcomed and indicate that the re-development of the site may be considered sustainable development. These elements, and others, will be considered further where relevant in this assessment.

### Urban Design

- 10.14 Chapters 11 and 12 of the NPPF, and Local Plan policies LP2, LP7 and LP24 are relevant to the proposed development in relation to design, as is the Council's Housebuilders Design Guide and National Design Guide. Policy LP24 sets out that "*Good design should be at the core of all proposals in the district ...*" and that proposal should promote good design by ensuring "*the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape*".
- 10.15 The existing building is substantial in size and prominently visible from various areas in and round the town centre. The building's architectural form and overall appearance is dated in its design, being typical in appearance for an office building from the 1970s. The modern approach to design seeks to balance attractive design while building upon and respecting established characteristics of an area. In hindsight, officers consider that Crown House fails to achieve this, being unattractive in isolation and incongruous to the character established in the area. These issues are compounded by the building being not in use. It has been boarded up for the last 4 years, having visually deteriorated, broken into and attracted vandalism.
- 10.16 Considering the above, the re-design of the building is welcomed in principle and would be a positive element of the proposal, subject to the new design being suitably attractive and compliance with the expectations of LP24.
- 10.17 The applicant, in their design, has looked to the nearby University buildings for inspiration. The University hosts numerous examples of high-quality contemporary architecture that the proposal would be seen alongside, and are a welcome source of inspiration. While it is noted to be of a modern design, buildings such as the Oastler Building and currently under construction Daphne Steele Building (phase 1 of the Health Innovation Campus) balance the delivery of attractive contemporary design with due regard and respect to the nearby built and historic environments. Further assessment on the proposal's impact on nearby heritage assets is undertaken below.
- 10.18 It is proposed to use cladding to cover the building, which is considered appropriate in the context of re-developing the out of keeping and unattractive red-brick building. Colours for the cladding include sandstone, to reflect the prominent material in the area, on the lift tower, and upper and lower floors, with grey behind the soleil panels. The use of brise soleil panels adds visual interest and depth to the elevations, and has the dual benefit of breaking up the existing horizontal form of the building, while reflecting an interesting design feature present on many of the University buildings (Oastler and Daphne Steele included) to visually associate the development to the area. The panels are to be coloured a mixture of bronze and cream, which are appropriate colours, with new glazing running between groups of panels.
- 10.19 The use of the ground floor for communal facilities, with large glazed panels, will give the building an active frontage at ground floor level which, along with articulated bronze cladding, is a welcome feature.

- 10.20 The proposed re-design of the building would result in a substantial and welcome change to the appearance of Crown House. Offices consider the proposed alteration to be high quality and would improve both the building appearance, and the quality of design of the wider area.
- 10.21 Notwithstanding the above, samples and full details of colours of all proposed materials, including window frames, are to be secured via condition. This is to ensure suitably high-quality products are utilised and the final specific colours are appropriate.
- 10.22 In regards to landscaping, the site is mostly hard surface with only token and unmaintained planting along the frontage currently. However indicative planting details show that opportunities exist to deliver a reasonable and proportional planting strategy that would add to the attractiveness of the building and wider area. A condition for a detailed landscaping strategy to include its implementation and management, is recommended.
- 10.23 The proposed bin-store is a small scale, necessary utility building sited in an inconspicuous location and clearly subservient to the host building. By virtue of the retaining wall between Southgate and Old Leeds Road, and the mass of Crown House, it will only be visible from Old Leeds Road. The design is basic and functional, and the materials proposed to mimic the main building. Given these criteria, subject to a condition for samples of the materials and colour confirmation, it is not expected to harm the visual character of the area.

#### *Impact on Local Heritage Assets*

- 10.24 There are numerous listed buildings around the site, in excess of 30 This includes 29 Grade 2, three grade 2\* and one Grade 1. The Grade 1 is the Huddersfield Station. In addition to listed buildings, the site is adjacent to the Huddersfield Town Centre Conservation Area
- 10.25 Sections 16 and 66 of Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of conservation areas and listed buildings. In considering whether to grant planning permission for development which affects a heritage asset or it's 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.
- 10.26 The proposed development will not affect the fabric of any of the identified heritage assets. This means, there will be no physical works upon, or in the case of the Conservation Area, within, the heritage assets. Nonetheless, due regard must be given to the setting of the heritage assets.
- 10.27 The proposed building will be prominently visible alongside many of the identified listed buildings, which is inevitable due to its scale and proximity to them. New, modern development within a town centre is to be expected and is not unreasonable, particularly given this building is outside the Conservation Area, which is well confined by the ring-road. Nonetheless, it must be accepted that such a large, modern intervention adjacent to historic buildings will affect their original setting.

- 10.28 As noted within paragraph 10.15, the existing building is considered unattractive in isolation and incongruous within the built environment. Its current appearance is considered harmful to the heritage value of nearby heritage assets by its presence within its setting.
- 10.29 For the reasons given in paragraphs 10.16 – 10.21 The proposal is considered a visual upgrade to that existing. While more modern in design, the proposal would be sympathetic to both nearby modern buildings and the historic environment. Giving due regard to the impact of the existing building's appearance, the proposal would not cause harm to the historic environment: the proposal is considered to have either a neutral or beneficial effect upon the historic environment. It is therefore concluded that the proposed development complies with S66 of the Act and LP35 of the Kirklees Local Plan.

### Residential Amenity

- 10.30 Local Plan policy LP24 requires developments to provide a high standard of amenity for future and neighbouring occupiers, including by maintaining appropriate distances between buildings.
- 10.31 The proposal is seeking to convert an existing building. The proposed works would not materially increase its mass, thus preventing a material intensification in any potential overbearing and/or overshadowing which may already exist.
- 10.32 Due regard must however be given to overlooking. While the building could be occupied as an office, thus establishing an existing level of overlooking, a residential use would typically be considered more intense, with residents potentially having an outlook at all hours of the day (as opposed to a typical 9 – 5 office).
- 10.33 There are no residential properties within a reasonable proximity to the north, east, or south. To the west, across Southgate ring road, are flats above shops. These are circa 35m away from the building, raising to 40m from the first floor up (due to the ground floor podium). Notwithstanding the scale of the building in question and the number of units proposed, this separation, giving due regard to the open public land between them, is considered sufficient to prevent material harm through overbearing.
- 10.34 Consideration must also be given to the amenity of future occupiers.
- 10.35 The size of the proposed residential units is a material planning consideration. Local Plan policy LP24 states that proposals should promote good design by ensuring they provide a high standard of amenity for future and neighbouring occupiers, and the provision of residential units of an adequate size can help to meet this objective.
- 10.36 Conversely, it must be acknowledged that the proposed units are to be student accommodation and therefore would not form 'primary' residences. The National Described Space Standards are not applicable to student accommodation.

- 10.37 Most of the units would be 19sqm, with a handful of larger units. A minimum of 19sqm is not dissimilar to unit sizes approved at other purpose built / converted student accommodation in Huddersfield Town Centre. Each would be served by the basic amenities (cooking, cleaning, bathroom facilities). All units would have a suitably sized window that provides a clear outlook and level of natural light. In addition, all students would have access to the communal facilities, including the study and amenity areas, as well as the roof-top garden.
- 10.38 The University's Phase 1 development for the campus due north and approved under application 2022/91456 (under construction at this time), would not be prominently visible nor unduly close from any proposed habitable room windows.
- 10.39 It is stated that all residents would have a clear outlook from their windows. For the avoidance of doubt, this is taking into account the future development expected at the former Huddersfield Leisure Centre site / University Health Innovation Campus to the immediate north and east. In their masterplan and indicative layout, the University considered the residential development of Crown House (which has extant residential permissions separate to this application). A buffer zone of 20m from the first floor to the Universities' indicative new building was proposed (11m from ground floor, bearing in mind the podium (to host no habitable units)). This distance is considered sufficient to prevent harmful overbearing / overlooking between the buildings, and would not unduly prejudice the University in any of their potential future applications.
- 10.40 Concluding on the above, weighing the elements of amenity, the size of the proposed units is considered acceptable and would not prejudice the amenity of student occupiers.
- 10.41 The site is adjacent to Southgate, a busy main road. A Noise Impact Assessment has been undertaken and confirmed a high level of noise pollution from the road. To mitigate this, units fronting Southgate are proposed to have suitably thick glazing. While the details provided are overall acceptable, the report fails to specify exactly which plots on which floors will require glazing and is imprecise.
- 10.42 The submitted Noise Impact Assessment fails to consider the approved development to the rear, namely the noise impacts of the University's Health Innovation Campus. While most units would not be expected to be noise pollutants, behind Crown House the University's campus masterplan proposes the 'strategic transport hub', which is expected to include a multi-storey car park that could be a noise pollutant. While the car park is not expected to generate near the level of noise of Southgate, and therefore is not considered a prohibitive issue nor one that requires resolution prior to determination, reasonable expectation and mitigation in response to an extant and part implemented planning permission is expected.
- 10.43 In light of the above, the Noise Impact Assessment is sufficient to establish that the surrounding noise pollution levels are manageable and may be mitigated. However, a report for a more detailed condition is considered reasonable and necessary, to ensure sufficient precision and enforceability.

- 10.44 Within the building residential units are to be sited above the gym, communal ground floor, and below the rooftop terrace: each of these are a potential noise pollutant. A condition is recommended for a Sound Insulation Assessment and Noise Management Plan, to ensure the party floor/ceiling between the apartments and non-residential areas are sufficient and the non-residential facilities are appropriately managed to avoid undue impacts on residential units.
- 10.45 The proposed development would not prejudice the amenity of neighbouring residents. Future occupiers can expect a high standard of amenity, subject to the given conditions. Accordingly, the proposal is considered to comply with policies LP24 and LP52 of the Kirklees Local Plan.

#### Highway

- 10.46 Local Plan policy LP21 requires development proposals to demonstrate that they can accommodate sustainable modes of transport and can be accessed effectively and safely by all users. The policy also states that new development would normally be permitted where safe and suitable access to the site can be achieved for all people, and where the residual cumulative impacts of development are not severe.
- 10.47 Paragraph 108 of the NPPF states that, in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost-effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or if the residual cumulative impacts on the road network would be severe.
- 10.49 No physical works, such as a new access or road, are proposed. Access to the site's existing lower ground floor car park is to be taken using that existing from Old Leeds Road, which is acceptable.
- 10.50 In regards to traffic generation, the proposed student accommodation would have a notably lower daily traffic generation (1 two-way movement in both the AM and PM peaks) than the site's existing office use (calculated at 80 two-way movements in the AM peak and 68 in the PM peak). Limiting the site, including the café / gym being for students is to be secured via condition. As such, the proposal would be a betterment in terms of traffic movements on the local network and is welcomed.
- 10.51 A total of 14 car parking spaces are proposed. These would be for staff, with a number allocated to students for a fee. However, most students are to be actively dissuaded from bringing a car. The applicant, who already operates several student accommodation sites, states the following clause is typically inserted within a Tenancy Agreement:

*“Unless I have paid for a car park space, I will not park at the building. I accept that any unauthorised vehicles may be clamped, requiring payment of a release fee.”*

Given the site's proximity to the University, where students will be enrolled, and Huddersfield Town Centre where all basic amenities may be sourced, a predominantly car free development is considered acceptable. Further consideration on walking / cycling is undertaken below.

10.52 Notwithstanding the above, vehicle movements for student accommodation peak on moving in / moving out days. The applicant has provided a summary of moving day arrangements, which is summarised as:

- Prior to moving day – students are notified of their allocated time slot and are provided with details of how to reach the site, where to unload and where to park subsequently.
- Moving day – Upon arrival at the unloading area, a marshal will check they have arrived at the correct time, before allowing them to park and unload. Belongings are then unloaded and placed in a central holding area of the accommodation i.e., the lobby of common room. Drivers leave the site to park off-site. Belongings are moved from holding area to student bedrooms.

The details provided demonstrate to officers that the traffic generation caused by moving / our day could be appropriately managed to not cause prohibitive harm. However, more specific details and the actual operation as proposed may be secured via a condition.

10.53 For waste, a dedicated external bin-store is proposed. This is typical for apartment buildings of this scale. The bin-store has been redesigned during the course of the application following feedback and advice from K.C. Waste. The size and number of bins it can accommodate is now considered acceptable, however a condition for specific details on how waste will be managed and maintained appropriate is recommended. The servicing route for waste collection vehicles is along Old Leeds Road which is served by a turning head adjacent to the waste collection point. There are waiting restrictions on the turning head, and swept path plans have been provided showing a refuse vehicle's turning being accommodated. Accordingly, the waste storage and collection arrangements are considered acceptable.

10.54 Given the nature of the site and surrounding area, a Construction Management Plan is required. This would set out the route of access to the site, parking for both contractors' vehicles and deliveries, storage of materials and details of any traffic management or use of a banksman if required. This may be secured via condition.

10.55 The site is on the edge of Huddersfield Town Centre. Two crossing points on Southgate are within less than 1 minute walk of the site and allow direct access into Huddersfield Town Centre. These include the recently improved Southgate / Leeds Road crossing point. Access to Huddersfield Town Centre will provide occupants will all necessary basic amenities, plus opportunities for social and economic activities.

10.56 The proposal includes cycle parking for 200 bikes in the basement, which is welcomed and may be secured via condition. This, plus local cycle infrastructure in and around the town centre, would help promote cycling as an option for occupiers.

- 10.57 As student accommodation, due regard must be given to connectivity to the University. The University is developing to have two main campuses, the new Health Innovation Campus is immediately to the north and east and would be less than a minute walk / cycle away. The Queensgate Campus is circa 400m away to the south. This may be accessed via the pavements on Southgate / Queensgate roads, or a slightly longer but more pleasant walk via the Town Centre. Cycle connection to the Queensgate Campus is also available, although are more difficult and lacking any direct dedicated route at this time. The direct route would be on the busy multiple laned Queensgate and Southgate, including a roundabout, or a longer and less direct route through the town centre (lengthened via one-way systems on Cross Church Street). Neither of these factors would be prohibitive to cycling connection, although are noted to be less than ideal. Nonetheless, the distances in question are not substantial, and for the purpose of this application the connectivity is considered acceptable and it would be beyond the reasonable scope of this application to require new cycle infrastructure.
- 10.58 In regards to public transport, a bus into the town centre from the site would be more circuitous than walking. However, local services (including Huddersfield train station, circa 5 minutes away, and Huddersfield Bus Station, circa 10-minute walk away) provide connection to most parts of Huddersfield as well as nearby cities and nationally. Following negotiations, West Yorkshire Metro advised that improvements to two local bus stops on Leeds Road should be provided, including Real Time Display at a cost of £10,000.00 per stop (£20,000 total). Leeds Road hosts numerous larger shops and amenities that are likely to be accessed via future residents, via bus given the length of the road. This contribution has been agreed with the applicant and may be secured via S106.
- 10.59 In light of the limited parking on site, which would be managed via the Car Parking Management condition, the strong connectivity to nearby amenities and the site's sustainable location, the provision of a Travel Plan would likely achieve little and would be superfluous. Therefore, a condition for one is not recommended.
- 10.60 Overall, it is concluded that the proposal is acceptable with regard to the matter of access and highway impact. Subject to relevant conditions it has been demonstrated that the proposed development can accommodate sustainable modes of transport and be accessed effectively and safely by all users. It is concluded that the development would not result in a severe cumulative highway impact given the proposed mitigation. It would therefore comply with Policies LP20 and LP21 of the Kirklees Local Plan and guidance within the National Planning Policy Framework.

#### Drainage and flood risk

- 10.61 The nature of the development, and its location within Flood Zone 1, precludes the requirement for a Flood Risk Assessment. There are no concerns relating to flood risk for the development.
- 10.62 The proposal seeks a change of use of an existing building. While external works are proposed, these are minimal and do not represent material ground works. The proposed building conversion does not result in an increase in the drained area. Given this, the development will utilise existing drainage arrangements and a drainage strategy is not required.

- 10.63 The proposal is considered to comply with the aims and objectives of LP27 and LP28.

#### Ecology

- 10.64 The application is supported by appropriate ecological reports that have been reviewed by K.C. Ecology.
- 10.65 The site is situated within an urban setting and has low level of ecological interest. The site comprises entirely of sealed surfaces and buildings. Ecological features include a small patch of amenity-managed grassland with scattered trees, and a raised bed of introduced shrubs. The roof appears to be used by Peregrine Falcon as a perch, with no evidence of roosting.
- 10.66 Mitigation measures to be secured through appropriately worded conditions are recommended in order to ensure that nesting birds are protected throughout the construction and that opportunities for birds and invertebrates are integrated into the scheme. This includes retaining the site's use for Peregrine Falcon through ensuring a viable perch remains.
- 10.67 Regarding habitats and net gain, the scheme is predicted to deliver an uplift of 0.17 habitat units, which equates to a 11.01% net gain. This is partly achieved via the inclusion of green roofs on the ground floor podium roof. The proposals also include measures not quantified by the net gain metric, such as the installation of bat and bird boxes as well as insect hotels, bee bricks and brush piles on site where appropriate which will further increase the ecological gain of the site. The provision of these ecological features, along with details of their management and maintenance (for a minimum of 30 years) are recommended to be secured via condition.
- 10.68 The invasive non-native Wall Cotoneaster is present within the shrub beds. A condition relating to the control of non-native species is recommended.
- 10.69 Subject to suitably worded planning conditions it is anticipated that the proposed development would have no impact on protected species or habitats. Furthermore, the development is able to provide an acceptable uplift in biodiversity net gain. Accordingly, the proposal is deemed to comply with the aims and objectives of LP30 of the Local Plan.

#### Planning obligations

- 10.70 Paragraph 56 of the NPPF confirms that planning obligations must only be sought where they meet all of the following: (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development and (iii) fairly and reasonably related in scale and kind to the development.
- 10.71 Applications for student accommodation are exempt from providing affordable housing and education contributions, along with certain typologies of Public Open Space.
- 10.72 Should planning permission be granted, Officers recommend that this application should be subject to a Section 106 agreement to cover the following:

### *Public Open Space*

- 10.73 In accordance with LP63 of the Kirklees Local Plan new housing developments are required to provide public open space or contribute towards the improvement of existing provision in the area.
- 10.74 Giving due regard to the characteristics of student accommodation, such development is exempt from providing towards local typologies of open space, namely allotments, children facilities, and outdoor sports.
- 10.75 No on-site open space provision is proposed. This is considered acceptable, given the nature and location of the development. However, this would put additional pressure on nearby open space. Therefore, an off-site contribution of £283,173.00 is required. This has been calculated in accordance with the Kirklees Public Open Space SPD. The contribution is recommended to be secured within the S106 to ensure compliance with policy LP63 of the Kirklees Local Plan.

### *Sustainable Travel*

- 10.76 The site is within walking distance of numerous bus stops that connect the development to the wider area. As considered in paragraph 10.58, a contribution of £20,000 is sought to improve local bus infrastructure on Leeds Road.
- 10.77 The provision of this contribution is considered to comply with the aims of LP20 of the KLP

### Other Matters

#### *Air quality*

- 10.78 The site is within an existing Air Quality Management Area (AQMA 9) and next to a road of concern. Although the development itself will not be adding to the local air pollution it will be introducing sensitive receptors into an area of existing poor air quality, where NO<sub>2</sub> concentrations are predicted to exceed the national air quality objective for that pollutant. In accordance with the West Yorkshire Low Emission Strategy – Technical Planning Guidance, a detailed Air Quality Impact Assessment will be required to determine the level of exposure of future sensitive receptors to concentrations of pollutants and to determine the mitigation measures required to offset that exposure. It is recommended that this be secured via condition.
- 10.79 Further to the above, a condition for Electric Vehicle Charging Points in the site's car park is recommended.
- 10.80 Subject to the given conditions, officers are satisfied that the proposal would not harm local air quality, nor would new residents suffer from existing poor air quality by virtue of mitigation measures, in accordance with policy LP51 of the Kirklees Local Plan.

### *Crime Mitigation*

- 10.81 The site would have a high volume of foot-traffic and attendees. Policy LP24(e) requires that proposals ensure that the risk of crime is minimised by appropriate and well-designed security features, amongst other considerations. The applicant has undertaken discussions with the local Designing Out Crime Officers (DOCO) and district Counter Terrorism Security Advisor (CTSA) through the application processes.
- 10.82 Neither the DOCO nor CTSA raise prohibitive concerns over the proposal. As a re-use of an existing building, the principal consideration is ensuring appropriate internal specifications and processes to protect occupiers. A condition is recommended requiring the applicant to detail such features, and implement them as approved.
- 10.83 Subject to this condition, the proposed development is deemed to comply with Policy LP53 and would benefit from the informative advisory notes provided by the DOCO and CTSA

### Representations

- 10.84 Officers consider that all the concerns raised in public representations, which were based on the proposal as originally submitted have been addressed via the amendments as outlined in this assessment. When readvertised, no further comments were received.

## **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 The proposal would bring a long vacant building back into a beneficial use in both an effective and efficient way. Therefore, the principle of development is acceptable. The re-cladding of the building would enhance its appearance and improve the quality of design in the wider area. The proposed development is not deemed harmful to the amenity of local residents, nor would it harm the safe and effective operation of the highway, subject to the recommended conditions. Other material considerations have been assessed, including drainage and ecology, and likewise have been demonstrated to have acceptable impacts.
- 11.3 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval, subject to conditions and planning obligations to be secured via a Section 106 agreement.

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

- Three years to commence development.
- Development to be carried out in accordance with the approved plans and specifications
- Full details of proposed materials (inc. cladding, panels, fenestration) and their colour to be submitted and approved.
- Landscape strategy to be submitted and approved.
- Binstore material and colour details.
- Revised Noise Impact Assessment (to include assessment of master planned University Car Park)
- Sound Insulation Assessment
- Noise Management Plan
- Student occupation only
- Student use of gym / café only.
- Car park management plan
- Waste management and maintenance plan
- Cycle parking to be provided as detailed.
- CMP
- Protection of nesting birds.
- Ecological Design Strategy to secure 10% net gain and other ecological mitigation / enhancements
- Removal of non-native species.
- Air Quality Impact Assessment to be undertaken
- EVCP to be provided.
- Crime mitigation measures to be detailed and implemented.

### Background Papers

#### Application and history files

Available at:

[Planning application details | Kirklees Council](#)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/93932>

#### Certificate of Ownership

Certificate B signed.