

Consultation Response from KC, Strategic Housing
2022/93938 First and Second Floors, Shopping Precinct, New Street and Albion Street, Huddersfield, HD1 2TR
Change of use from A1 (business retail and storage) to C3 (residential) 18 studio flats at first and second floors and external alterations
Date Responded: 12/03/2024 Responding Officer: Kate Crozier Responding Ref: SH/22/93938

Affordable housing policy:

The council seeks to secure 20% of dwellings on site with 11 or more dwellings, for affordable housing. On-site provision (housing) is preferred, however where the council considers it appropriate, a financial contribution to be paid in lieu of on-site provision will be acceptable.

Vacant Building Credit:

Applicant has submitted evidence for Vacant Building Credit, determining that no affordable housing is required.

Applicants proposed calculation:

Proposed units: 18 units

Floorspace proposed: 1,111.1 m² (Including Ground Floor – 140.0 m², First Floor – 616.1 m² and Second Floor – 354.1 m²)

Current vacant floorspace: 1,111.1 m² (Including Ground Floor – 140.0 m², First Floor – 616.1 m² and Second Floor – 354.1 m²)

Affordable allocation: 20% of 18 = 3.6 (4 units total)

(1,111.1m²) is 100% of the existing floorspace is vacant.

0% remaining of 4 units should be sought = 0 affordable units.

Please note that the applicant has included the Ground Floor space within these calculations although no residential development is proposed on the Ground Floor, and it is still in retail use.

We are unable to confirm these calculations based on the information provided, an Area Schedule has been requested.

Strategic Housings previous consultation responses states that:

'Documents for this application advise that the existing building is not vacant and is in retail/ storage use.'

Policy:

Vacant building credit is national policy set out in the NPPG and provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of the vacant buildings when the local planning authority calculates any affordable housing contribution. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.

Affordable housing contributions may be required for any increase in floorspace.

The Local Planning Authority (LPA) will determine on a case by case basis whether a building is vacant or abandoned. As a general principal to qualify for the vacant building credit a building should be vacant at the time a planning application is registered. The LPA will consider case law where a dispute arises about whether a building is abandoned rather than vacant. The credit is only applicable to relevant vacant buildings. The LPA will not accept, for example, sheds and non-permanent buildings as being relevant for the purposes of calculating a vacant building credit.

Further information on vacant building credit is set out in the NPPG.

Please note that where existing floorspace totals are deducted from the floorspace of the proposed residential development, floorspace that will be used for anything other than residential accommodation is not included.

