

Consultation Response from KC Policy

2023/93388 Dene End Funeral Home, 50 North Road, Kirkburton, Huddersfield, HD8 0RW

Change of use from domestic to commercial, demolition of existing workshop and erection of three storey office building (within a Conservation Area)

Date Responded: 23/01/2024

Responding Officer: NR

Responding Ref:

This application is for the change of use of land from domestic to commercial along with the demolition of an existing workshop and erection of a new three-storey extension (within a Conservation Area) at Dene End Funeral Home, 50 North Road Kirkburton, Huddersfield, HD8 0RW. The site is located approximately 10m away from the boundary of Kirkburton District Centre (DCB5) as designated within the Kirklees Local Plan which was adopted on 27th February 2019. Part of the site is also located within Flood Zone 3a (Environment Agency and the SFRA). The Local Plan should be fully considered; however, the following response relates to specific Local Plan policies which are of particular relevance to the proposal, other policies that are not mentioned here may also apply.

Currently, the site is in use as a domestic garden and a light industrial building. The proposed development would demolish part of the light industrial building and replace it with a new three-storey extension accommodating a staff restaurant, archive store, lobby, conference room and offices along with a new staff car park. The development would result in 592 sq. m of floorspace. Offices are considered to be a main town centre use (as defined in the Glossaries of the NPPF and the Kirklees Local Plan and as such the proposal needs to be considered against the relevant town centre policies in the Kirklees Local Plan.

LP9 – Supporting skilled and flexible communities and workforce

This policy is aimed at supporting skills, employment and economic growth in Kirklees and in order to achieve this, the Council will seek to secure agreed training programmes or apprenticeships on employment developments that would result in 3,500 sq. m or more of business or industrial floorspace and housing developments which would deliver 60 dwellings or more. In the case of the proposed development, 592 sq. m of floorspace is proposed so the threshold has not been met however, the Council should still seek to secure alternative education or training programmes with the applicant in accordance with Policy LP9 of the Kirklees Local Plan.

LP13 – Town centre uses

Part B - Sequential Test

Part B of Policy LP13 states that proposals which come forward for main town centre uses which are located outside of the defined centre boundaries will require the submission of a Sequential Test. Main town centre uses should first be located in the defined centres, then edge of centres and only if there are no suitable sites shall out of centre locations be considered. With this site being approx. 10m away from the boundary of Kirkburton District Centre, it can be considered to be in an edge of centre location.

Based on property searches and the Local Planning Authorities occupancy database (the latest occupancy survey for Kirkburton District Centre being carried out in 2023), Planning Policy are not aware of any vacant premises or alternative sites within Kirkburton District Centre which could accommodate the proposed development. It should also be noted that the company is acquiring the application site to provide staff parking and create additional office space to improve the work environment. Overall, it is considered that the sequential test is passed.

Part C – Impact Assessment

Part C of Policy LP13 states that where an office development meets one or more of the following thresholds, a retail impact assessment will be needed:

- the proposal provides a floorspace greater than 500 sq. m gross; or

- the proposal is located within 800 metres of the boundary of a Town Centre or District Centre and is greater than 300 sq. m gross; or
- the proposal is located within 800 metres of the boundary of a Local Centre and is greater than 200 sq. m gross.

In proposing 592 sq. m gross floorspace and being located within 800m of Kirkburton District Centre boundary, the proposal meets the threshold at which an impact assessment would be met. The applicant has not included an impact assessment in their submission, however it is considered that with the applicant already operating its company headquarters in Dene House and are proposing to use the site to create an employee car park and additional office space along with the possibility that employees could also use existing shops and services within Kirkburton District Centre, the proposed development will not have an adverse impact on Kirkburton District Centre.

Flood Risk

Part of the application site is located within Flood Zones 2 and 3 (EA) and Flood Zones 2 and 3a, where there is a medium to high probability of flooding. Annex 3 of the NPPF defines buildings used for offices and general industry as being less vulnerable in terms of flood risk, therefore, it is appropriate, only after the sequential test has been passed (table 2 NPPG).

However, some developments in Flood Zone 3a are exempt from the test. Paragraph 174 of the NPPF states that applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 59.

Footnote 60 explains that small non-residential extensions (those with a footprint of less than 250 sq. m) are exempt from the Sequential Test and with the footprint of the new extension being around 220 sq. m it is exempt from the requirements of the sequential test. However, it is insufficient to just state that the Flood Risk designation is due to the circumstances described in paragraph 6.1 of the Planning Statement therefore the applicant still needs to submit a Flood Risk Assessment.

Conclusion

It is considered that the proposal would not harm the vitality and viability of Kirkburton District Centre however, the applicant still needs to prepare a Flood Risk Assessment. Due to the proposal coming under Use Class E(g), there will also need to be a restrictive condition to prevent changes of use to other uses within Use Class E to ensure that the vitality and viability of Kirkburton District Centre is protected.