Robert Halstead

Chartered Surveyors & Town Planners

N.C. Willock MRICS MRTPI

Office G of H, Bridge Mills, Huddersfield Road, Holmfirth, HD9 3TW

Tel: 01484 686322 e mail: nick@roberthalstead.co.uk

Planning Development

Planning Statement: Turnbridge Mills, Quay Street, Huddersfield, HD1 6QT

Case Summary and Background

The joint applicants for these proposals are John L Brierley Ltd (the current landowners) and Paxman Coolers Ltd (the proposed occupier).

John L Brierley Ltd (JLB) are the longstanding owners of the site covering an area north and south of Quay Street. - a family-owned textile manufacturer that has operated for over 125 years. JLB supply quality yarns to mainly the UK weaving & knitting industries, sourced from trusted suppliers across the world.

The planned occupiers of the proposed development Paxman Coolers Ltd are looking to re-locate and expand from their current premises at Fenay Bridge. They have been searching for a new premises for some time, however the shortage of suitable employment premises and land in the Huddersfield area has hampered this search.

3D Visual Proposals c/o Enscape Ltd.

The proposed site at Quay Street would not only allow a bespoke, purpose-built new premises to be constructed, but would also allow Paxman Coolers to locate adjacent to, and collaborate closely with, Huddersfield University and the new National Health Innovation Campus (NHIC).

All the JLB and related businesses have consolidated within the buildings on the south side of Quay Street (including within the principal – and listed - multi-storey mill) because the amount of space needed has reduced over recent decades.

There are a number of longstanding and unsustainable pressures facing the JLB business at this site:

1) The structural issues (see Structural Appraisal) together with the economically obsolete nature of the older traditional multi-storey buildings on the north side of Quay Street result in either areas that are un-lettable, or achieve unsustainably low rents that do not cover the ever-growing repairs and upkeep liabilities needed to maintain these buildings going forward.

2) The costs of simply repairing the external envelopes of these buildings (see Conditions Appraisal) without any internal improvements to improve their attractiveness to the market, would take the landowner nearly 200 years to break even from current and foreseeable levels of income from the buildings. Consequently, there is no incentive for any rational landowner to risk spending circa £3 million to repair simply the external fabric of these buildings when there is no reasonable prospect of this expenditure being recouped. Adding internal renovation costs (in order to try and improve attractiveness and hence rental prices) provides a wholly unviable development scheme and one which commercial demand for is highly uncertain. Such a speculative investment scheme with no identified end users would also pose high and unacceptable levels of risk for JLB.

3) This is in addition to the six figure annual maintenance costs for other buildings on the Turnbridge Mills site, creating further pressures on JLB as a profitable business. The ongoing and future maintenance and liability costs of the two listed buildings (H and M on map below) can only be provided by the landowner acting alone, without grant aid (as no grants are available in this regard).

4) The buildings have also been marketed for a considerable period of time without success.

5) The trajectory for these buildings is one of continued decline and eventual total dereliction. Nothing can change this outcome of this ongoing and worsening liability crisis created by the presence of and excessive number of obsolete mill buildings, unless multi-million pound grant funding became available, and there is no foreseeable prospect of this (as Historic England have confirmed). Without a viable solution to these older buildings, JLB cannot sustain the ongoing financial drain on its core business, and unless resolved, the situation will eventually threaten its very existence.

However, in order to provide a clear and evidenced conclusion that the current scheme is the only feasible and viable development solution for the site (and conditional upon grant funding from WYCA), a Sequential Options Assessment has been produced to explore and discount all reasonable options in the interests of demonstrating that the proposed development represents the optimum viable use of the site from a heritage (and economic) perspective, balanced against the numerous and significant public benefits in accordance with the requirements of the NPPF. None of the options explored are viable without grant funding (and WYCA funding is focused on supporting innovation in the health, wellbeing and digital industries. It is also understood that projects will only attract grant funding if

there is a firm end user proposal which ties in with the aspirations of the Investment Zone, rather than speculative re-development with no firm tenants).

The idea of a specific, agreed single large end user, also provides the necessary certainty for JLB in terms of moving forward with a redevelopment proposal on the north side of Quay Street. It provides certainty in terms of the form of development, the funding streams necessary for the redevelopment project to occur, and the long-term certainty of viable rental income from a large new purpose-built building.

From Paxman Cooler's perspective. the new building needs to be adjacent to Huddersfield University and the new National Health Innovation Campus (NHIC) because principally, the expansion plans require specialist skills & expertise, so it imperative for Paxman to establish direct links with the region's academic base to "home-grow" this talent in collaboration with the University of Huddersfield.

The proposed site at Quay Street would not only allow a bespoke, purpose-built new premises to be constructed, but would also provide Paxmans sufficient space for future expansion, and allow their existing facility to be re-purposed for the expansion of another local manufacturing business (Reliance Precision Engineering – also creating additional jobs).

There are also significant medium to long term public heritage benefits in supporting the ability of JLB to remain within Building H (the listed mill) and continue their long-term stewardship of the overall site.

There are also critical timescales for these proposals: Paxmans' requirement to move premises because its lease runs out at its existing site at Fenay Bridge in December 2026; and secondly, because the grant proposals are understood to be time-limited and specific to the Paxman proposals in the health sector, in this location.

In summary, the joint applicants' perspective is that the proposed scheme aligns perfectly with the aims and core principles of the proposed Station to Stadium Enterprise Corridor, the National Health Innovation Campus (NHIC), and the objectives of the Investment Zone.

The nature of Paxmans business is uniquely placed to attract WYCA grant funding in connection with the new National Health Innovation Campus (NHIC) means that a rare, once-in-a-generation opportunity arises. Granting planning permission for this scheme will enable support and growth for the Paxman Group business (as one of the most important innovative businesses in the Huddersfield area) and its associated high quality jobs, *and* ensure the long term continued success of the JLB Group on this site – also enabling them to manage and maintain the two existing listed structures.

<u>Site Description</u>

The site falls within a mixed business and industrial area 150 m east of Huddersfield town centre, the boundary of which falls on the western edge of Southgate. Sainsbury's supermarket lies to the south of the site, while Huddersfield canal adjoins the site's eastern boundary.

The site lies to the north of Quay Street; however, the wider site includes buildings to the north and south of the application site belonging to John L Brierley Ltd (JLB) - a family-owned textile manufacturer that has operated for over 125 years. The mill buildings to the north of Quay Street were purchased later in 1925. JLB supply quality yarns to mainly the UK weaving & knitting industries, sourced from trusted suppliers across the world.

The site contains multi-storey traditional mill buildings together with numerous other low-level buildings of various ages. The multi-storey mill on the southern side of Quay Street is a Grade II listed building as is the mill chimney lying just to the north of Quay Street adjacent to the canal. The multi-storey former mill building to the north of Quay Street is not in itself listed.

Planning History

Planning history relating to the buildings and land within the red site boundary:

2011/92305 – Installation of electric security gates - Approved

98/93539 – Erection of extensions/alterations - Approved

98/92973 – Erection of new roof over boiler and storage areas and new doorways - Approved

95/92878 – Erection of extension to form car port - Approved

93/01960 – Change of use from car sales to car sales and sale of temp. buildings and sheds - Approved

88/00838 – Erection of two storey office building - Approved

Local Plan Allocation

The site is 'without notation' on the Kirklees Local Plan. In terms of the Biodiversity Opportunity Zones, the site is partly located in a Built-Up Area and partly in a Flood Plain and adjacent to the Kirklees Wildlife Habitat Network. The site is also within the Sand and Gravel Mineral Safeguarding Area.

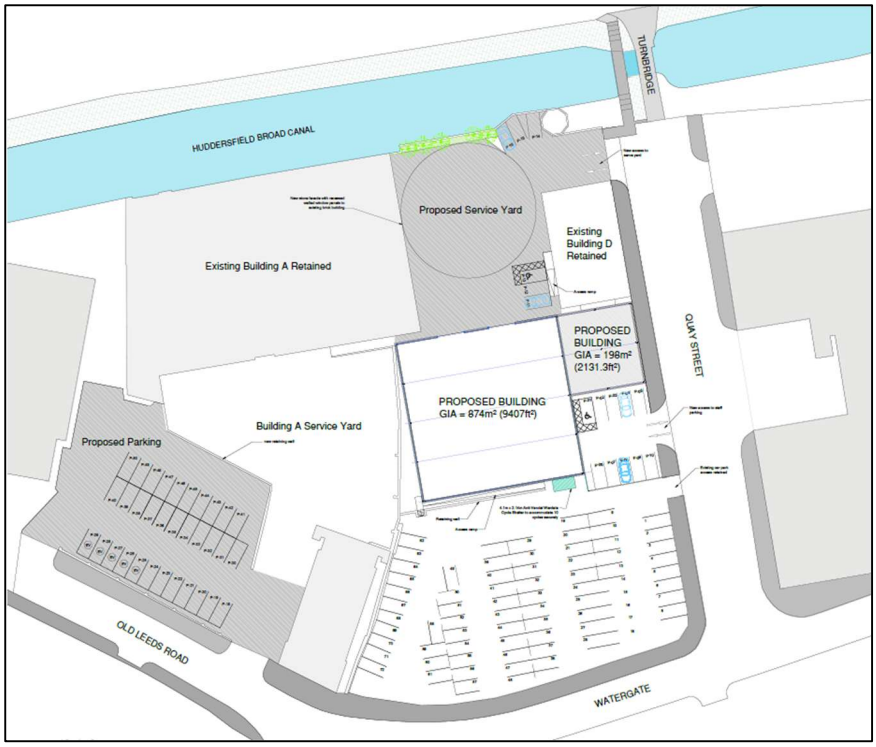
The Proposals

This application seeks planning permission for the demolition of existing buildings and re-instatement of a façade to an existing building. The proposals then seek to convert and renovate one existing building and erect a new adjoining building for mixed-uses E(g) (i, ii and iii) and B8. Two new vehicular access points, a service yard and parking area are also included.

The proposed conversion of one building (referred to as Building D [1]) and the erection of a new building have been specifically designed for the intended end user Paxman Coolers Ltd. The existing building extends over four floors and would predominantly comprise office space, research and development, meeting rooms and staff areas. The larger element of the new building would extend over two floors (part of which is a mezzanine floor) and would comprise manufacturing and warehousing. The smaller element of the new building would also extend over two floors and would comprise meeting rooms and staff areas. A link is proposed between the existing building and the smaller area of the new building at ground and first floor.

The development is aiming to achieve the BREEAM 'Excellent' standard.

[1] See existing site plan / demolition pan with buildings identified with letters (and Heritage Statement Page 9)



Proposed Site Plan c/o T D Jagger Ltd

Further details of the proposals are provided as follows:

1) Demolition of existing buildings (marked with the following letters on the plan below):

   - Building B (Hirst Mill) – currently occupied on five out of six floors
   - Building C – JLB maintenance building
   - Building E – Storage and Offices
   - Building F – Storage
   - Building G – Derelict
   - Building N - canopy
   - Garage (at northern end of site) – car repair garage

2) Where the proposed demolition of Building B takes place, the southern elevation of the building immediately to the north (Building A) will need to be made good. This would be achieved by constructing a new stone façade with recessed walled window panels.

3) Conversion of Building D, a four storey building to comprise office space, research and development, meeting rooms and staff areas.

4) Erection of a two storey mixed use building (floor plate 874 sq.m) comprising manufacturing, warehousing, research & development, and offices. The larger element of the building measures 30.5m by 29.7m, with maximum heights above ground level of 7.8m to the eaves and 9.9m to the ridge. The smaller element measures 15.3m by 14m, with maximum heights above ground level of 8.2m to the eaves and 10.2m to the ridge.

5) The formation of two new access points, with associated parking, service yard (turning) area, and landscaping is proposed in the western area of the site. A second smaller car parking area

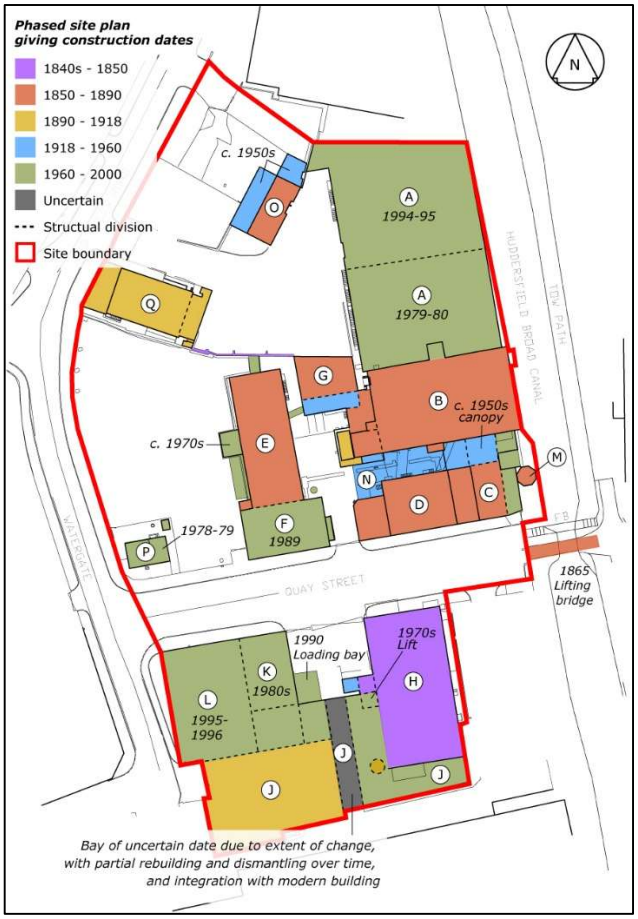
is proposed at the front of the site adjacent to the new building and Quay Street, and a larger parking area is proposed in the northern area of the site (Building A, its access, parking and turning areas would remain unaltered).

6) The materials would comprise of coursed natural (reclaimed) stone, dark grey coloured panels, and Goose Wing grey roof.

7) The proposed floor space breakdown (1,833 sq.m new space and 730 sq.m converted space- total 2563 sq.m) – split between the new building and converted Building D - would comprise:

- 436 sq.m Warehouse Use B8
- 872 sq.m Light Industrial Use E(g)(iii) (including mezzanine area)
- 815 sq.m Offices E(g)(i)
- 440 sq.m Research and Development E(g)(ii)

8) The proposed operating hours would be 6am to 7pm Monday to Friday and 8am to 4pm Saturdays, Sundays and bank holidays.



Existing Site Plan c/o Humble Heritage Ltd - Buildings identified by age range and alphabetic letters

Early engagement - pre-application discussions and other interested parties

In accordance with NPPF paragraphs 40 to 43, the applicants engaged in pre-application discussions with the Council (and subsequently) Historic England commencing in April 2024.

Whilst the proposals have been broadly welcomed in principle in terms of the significant economic benefits (without prejudice to the outcome of the formal planning application), one of the main issues debated in the early stages of pre-application discussions was the status of buildings proposed to be removed as part of the development scheme, and whether or not some were deemed to be listed by virtue of being curtilage buildings to existing specified listed buildings on the site.

Accompanying the pre-application enquiry was a report from Humble Heritage (heritage consultants), providing a detailed analysis of the history of the mill complex (and citing relevant case law) and concluded that no buildings on the site were in fact curtilage buildings.

The LPA provisionally disagreed with this opinion and representatives of Historic England were brought into the discussions during last summer. Unfortunately, they declined to offer an opinion on the matter, instead deferring it back to the LPA.

The matter therefore remained unresolved and the LPA (judging that the proposals would be likely to constitute 'substantial harm' in the event that a curtilage listed building was proposed to be demolished), requested a report to sequentially address levels of heritage 'harm' in terms of how all reasonable options had/have been assessed in order to retain buildings of historic interest on the site - in particular, the large multi-storey Hirst Mill (Buildings B), including conducting a full review of the wider site operations, current and future parking requirements etc. Viability, marketing, Building Condition Surveys and other relevant evidence was requested to be submitted to accompany this report.

This Sequential Options Assessment was submitted to the LPA as a result of evolving pre-application discussions over the past 12 months. The final version of this report now accompanies this application and concludes that the current scheme is the only viable redevelopment solution for the site, and one that is supported by the West Yorkshire Combined Authority for grant aid in principle (which is essential in order to help fund an otherwise unviable regeneration project). Please refer to the accompanying Sequential Options Assessment and the relevant section below summarising this report and its conclusions.

As a result of the pre-application discussions focusing principally on the matter of heritage and the 'harm versus public benefits' debate, the applicants have recently sought to obtain a definitive legal view on the curtilage building matter, subsequently instructed senior Counsel (a leading national expert in listed curtilage building matters).

Counsel has concluded that other than the two buildings included in the official list of listed buildings: the 1846 Mill on the southern site (Building H) and the 1872 chimney on the northern site (Building M), the other buildings on the northern site (in particular Buildings B, C and D) are not listed as they are not included in the list; are not ancillary to either of the listed buildings; and nor within the curtilage of any.

Therefore, notwithstanding the fact that at the time of writing, Historic England are assessing whether a not to list Building B (Hirst's Mill) at the current time as matters stand (whilst the outcome of that assessment is awaited), the buildings proposed to be demolished are neither listed in their own right,

nor curtilage listed buildings. As such, following the conclusion of the pre-application process, the applicants have proceeded on the basis of the current factual position which is that there are no Listed Building Consent requirements for the proposed development.

However, as a result of pre-application discussions and recognising that the key buildings have a degree of heritage interest in the form of being potentially non-designated heritage assets, the proposals have been altered in response to feedback received from the LPA, resulting in amended proposals that will involve the retention of Building D (previously proposed to be demolished). The scheme incorporates this building into the new scheme by converting this element to offices / research and development, whilst providing a link to the new manufacturing and warehouse facility.

The planning application has therefore been prepared and submitted on this basis, and in addition to heritage matters, all other material planning considerations are detailed below in connection with relevant local and national planning policies.

Validation Requirements

Furthermore, in accordance with NPPF paragraph 45, recent correspondence between the applicants' agents and the LPA has also taken place with regard to the Council's validation requirements for the application. Unless otherwise stated (reasons provided), the applicants have adhered to the advice provided in terms of the technical reports to accompany the planning application (see details below).

Engagement with Local Stakeholders

The joint applicant Managing Director of John L Brierley Ltd had a productive meeting with the Huddersfield MP Harpreet Uppal in January, who expressed support for the project and its objectives.

Although already aware of the project, Ward Councillors Ahmed, Hawkins & Khan have also been formally notified of the proposed scheme at the time of submission. This notification included an offer to address any comments or questions the Ward Councillors may wish to raise, and to meet with the applicants to discuss the desired.

Huddersfield Civic society have also been notified and offered a meeting to address any comments or questions they may wish to raise.

Reports accompanying this application

The application is accompanied by the following plans and reports:

1) Plans - TD Jagger Ltd
2) Planning Statement – Robert Halstead Chartered Surveyors & Town Planners
3) Design Statement – Mark Hide Associates
4) Design and Access Statement – Robert Halstead Chartered Surveyors & Town Planners
5) Sequential Options Assessment (Heritage) – Robert Halstead Chartered Surveyors & Town Planners
6) Structural Appraisal – Rose Consulting Engineers
7) Conditions Appraisal – TD Jagger Ltd
8) Transport Assessment – Paragon Highways
9) Travel Plan – Paragon Highways
10) Heritage Statement – Humble Heritage

11) Flood Risk and Drainage Strategy (including addressing Water Quality / Water Framework Directive) – JNP Group
12) Phase I Land Contamination and Coal Mining Risk Assessment – Abbeydale
13) Bat Emergence Survey – Knight Sky Ecology
14) Ecology & BNG Statement - Knight Sky Ecology
15) Air Quality Assessment - Robert Halstead Chartered Surveyors & Town Planners
16) Rapid Health Impact Assessment – Robert Halstead Chartered Surveyors & Town Planners
17) Climate Change Statement – Robert Halstead Chartered Surveyors & Town Planners
18) Viability Report & Appendices – Metcalfe Commercial [2]

Other reports were requested, however these have been judged not to be reasonably necessary as follows:

1) Noise Impact Assessment – the proposals by definition will not be detrimental to residential amenity by virtue of issues such as noise, being a light industrial use (as opposed to General Industrial) (Use Class E (g) (iii) i.e. "any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit." Furthermore, such proposes uses will not exceed the background noise levels currently emanating from the lawful B2 general industrial uses already at the Turnbridge Mills site.

2) Ventilation / Extraction Statement – not applicable as only normal air conditioning is proposed.

3) Town Centre Sequential Assessment Test – this was highlighted by the LPA more as a question to be addressed than a requirement, and related to the office use element of the proposals (as a main town centre use). In response, the element of office use within the proposals is very much integral and ancillary to the principal (non-main town centre) manufacturing, storage and research and development uses. Moreover, the office elements of the scheme are purely for employees and directors of Paxman Coolers. The office uses cannot be disaggregated from the other elements of the business as they are all needed together on one site for operational effectiveness and efficiency purposes.

<u>Assessment of the Proposals</u>

The Principle of Development – sustainable economic development

Local Plan Policy LP1 [3] adopts a positive approach towards sustainable development: "When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework."

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. [4] Within this concept, Paragraph 8 states, "Achieving sustainable development means that the planning system has three overarching objectives, which are

[2] Submitted under separate cover for commercial confidentiality reasons.

[3] Presumption in favour of sustainable development

[4] NPPF Paragraph 7

interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure….”

The Local Plan Statement for Placemaking [5] states that Huddersfield’s strengths and opportunities for growth include “strong and innovative manufacturing sector linked to educational establishments.”

Paragraph 7.3 goes on to state that, “In meeting these needs the Local Plan must positively respond to identified business needs within the economic markets.”

The Local Plan also states that the “Council's overarching objectives for the economy place significant emphasis on the need to support the growth aspirations of the districts indigenous businesses, as well as securing the inward investment opportunities which are likely to occur during the course of the plan period. Much of this emphasis has been placed on taking advantage of the districts key manufacturing assets with focus being placed on the precision engineering and advanced manufacturing sectors.[6]

The Local Plan seeks to deliver approximately 23,000 jobs over the plan period from 2013-31 to meet the objectively assessed jobs need. [7]

LP2 (Place shaping) states “All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan, in order to protect and enhance the qualities which contribute to the character of these places.”

The relevant sub-area (Huddersfield) referred to by LP2 lists various relevant strengths/opportunities for growth to these proposals including (those with extra resonance are highlighted in bold):

- **Frequent rail services to major cities across the north of England from Huddersfield station.**
- Good access to the M62.
- Frequent bus network connecting Huddersfield town centre to outlying areas of the town and to other areas in Kirklees
- **The University of Huddersfield and Kirklees College potentially attracting investment**.
- **Strong and innovative manufacturing sector linked to educational establishments.**
- The River Holme, River Colne, Huddersfield Narrow Canal and Huddersfield Broad canal, with the Aspley Marina and Waterfront Quarter can provide attractive settings for development and attract investment.
- **Economic opportunities in the creative sector linked to the University, Kirklees College and media centre**

[5] Section 5.1 (5.7) of the Local Plan Strategy and Policies document

[6] Section 7.12 of the Local Plan Strategy and Policies document

[7] Section 7.8 of the Local Plan Strategy and Policies document

Policy LP3 (Location of new development) also emphasises the need for development proposals to accord with the Spatial Development Strategy, through development reflecting the settlement's size and function, spatial priorities for urban renaissance and regeneration; and the need to provide for new homes and jobs.
Paragraph 85 in the NPPF states that,

'Planning policies and decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.'

Local Plan Policy LP8 (safeguarding employment land and premises) seeks to support the retention and re-development of existing employment sites - for employment purposes.

Local Plan Policy LP9 states that,

'The Council will work with partners to accelerate economic growth through the development of skilled and flexible communities and workforce in order to underpin future economic growth to deliver the Kirklees Economic Strategy.'

Paragraph 87 in the NPPF goes on to state,

'Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for:

a) clusters or networks of knowledge and data-driven, creative or high technology industries; and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries (including data centres and grid connections);

c) the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience.'

In accordance with the above referenced national and local polices,:

a) This scheme represents sustainable development in that the proposals will contribute towards a strong, responsive, and competitive local economy, by enabling a brownfield site to be regenerated and rejuvenated to support the continued growth, innovation, and improved productivity of a well-regarded and internationally renowned local manufacturer and innovator – Paxman Coolers Ltd. The proposals specifically respond to their needs in trying to find a suitable site in a suitable location for their long terms needs.

b) It supports one of the key Local Plan Placemaking objectives of providing a "strong and innovative manufacturing sector linked to educational establishments". In this case, the new premises for Paxman Coolers would be located alongside the University of Huddersfield's National Health Innovation Campus, enabling Paxmans and the University to collaborate on key health innovation matters.

c) Alongside the grant funding applied for through the West Yorkshire Combined Authority, the project will represent significant inward investment for Huddersfield.

d) The proposed development would also represent sustainable development for the existing core JLB businesses at the site, helping to safeguard and sustain their long term viability, in order to keep the business on its own original, longstanding site.

As the aforementioned Government and local policy emphasises, "significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development", and "focus being placed on the precision engineering and advanced manufacturing sectors."

The scheme provides a 'win-win' for the joint applicants, Huddersfield University, and the economy of the Huddersfield area and it is the specific sustainable economic factors that carry very significant, specific, and unique weight in this particular case, and one which represents a once-in-a-generation opportunity in the public interest.

Station to Stadium - Enterprise Corridor objectives

The site is also located within the (Kirklees Council) proposed Station to Stadium Enterprise Corridor, specifically allocated as the "Old Leeds Road Development Area" on the draft Master Plan. [8]

The Kirklees Council website states:

"The scheme represents one of the most exciting economic development opportunities in the Yorkshire region and beyond. It aims to grow and attract good quality jobs and businesses in Huddersfield for the benefit of the whole district, which will encourage and support businesses to grow and expand into the area."

"Investment from the TransPennine Rail Upgrade will make Huddersfield one of the best-connected places in the North of England. The University of Huddersfield's investment in the Health Innovation Campus at Southgate will put the town on the map globally in terms of translational health and wellbeing research and applied applications. The Station to Stadium scheme will build on these assets and will act as a key investment, creating a corridor for enterprise, which combined will ensure a greater long-term impact."

Within the proposed 5 core principles, the S to S scheme aims to achieve: "Innovative and high-value employment – "supporting the local economy by attracting new innovative businesses while increasing productivity", and "Raised aspirations, skills, and education - create a mix of inclusive spaces for Kirklees and beyond to support people into employment, strengthen entrepreneurship, increase skill levels and raise aspirations."

From the joint applicants' perspective, the proposed scheme aligns perfectly with the aims and core principles of the proposed Station to Stadium Enterprise Corridor in terms of supporting and growing the Paxman Group business (as one of the most important innovative businesses in the Huddersfield area) and its associated high quality jobs, and ensuring the long term continued success of the JLB Group on this site. The presence of the Paxman Group within the S to S corridor and adjacent to the new National Health Innovation Campus (see below), also ideally places it within this key enterprise corridor thereby strengthening entrepreneurship, research & development, skill levels and raising aspirations.

[8] https://www.kirklees.gov.uk/beta/regeneration-and-development/station-to-stadium-enterprise-corridor.aspx

The West Yorkshire Investment Zone objectives

£100 million of levelling up funds are now formally approved by the Government for the proposed investment zone with the programme going live in 2024. [9]

The investment will be distributed among the region's local authorities, with Kirklees' share to be managed by Kirklees Council to support innovation in the health, wellbeing, and digital industries.

The Council's plans for the Investment Zone are centred on the Station to Stadium Enterprise Corridor, which is aims to boost economic development in Huddersfield and create high quality jobs. The corridor would be anchored by the new National Health Innovation Campus (NHIC) – which will be spearheaded by the University of Huddersfield.

The Council says that its plans for the Investment Zone will build on Kirklees' existing local strengths in innovation and research and will aim to develop a strong cluster of interconnected businesses, suppliers, and other local research institutions, extending beyond Kirklees to other Investment Zone sites across Leeds, Bradford, and the rest of West Yorkshire.

The Mayor of West Yorkshire Tracy Brabin announced: "We are creating the future of Health Tech and Digital Tech here in West Yorkshire……Our universities are conducting groundbreaking research, our businesses are creating cutting-edge innovations, and our people are developing the critical skills they need to make the breakthroughs of tomorrow."

Positive and productive discussions have been ongoing regarding the proposed development scheme in recent months between JLB, Paxman Coolers and Kirklees Council representatives Chris Duffill and Andrew Sharp. The proposed development falls squarely within the aims of the Investment Zone and S to S Corridor strategic objectives, with the Council supporting the JLB / Paxman project with regard to the allocation of a portion of the Government's recently announced funding. An initial £17m is proposed to be put towards the development of the "West Yorkshire Life Sciences Investment Zone" which will focus on Kirklees Council's Station to Stadium Enterprise Corridor.

This emphasises the importance of timing in this case. Grant funding has not been available to assist with the development of this challenging site since the need to consider such re-development plans was first discussed internally at JLB nine years ago. The proposals therefore represent a once in a generation opportunity.

The Intended Development End User – Paxman Coolers Ltd

The intended occupier of the proposed development, Paxman Coolers Ltd, are global leaders in manufacturing scalp cooling technology, which helps reduce the risk of hair loss for patients undergoing chemotherapy treatment for cancer. Their cold cap system is clinically proven and cost-effective and has been widely embraced by doctors, nurses, and patients. Paxman Coolers Ltd also work in partnership with medical professionals, research centres, cancer support groups, charities, and patient groups to continually improve their technology and expert knowledge base.

[9] https://www.examinerlive.co.uk/news/west-yorkshire-news/west-yorkshire-2500-new-jobs-28750702?utm_source=app

Since Paxman's launch in the US it has seen significant growth, with turnover increasing rapidly by over 800% and head count reaching 105 globally currently, from only 35 in 2017. The company has impressive growth ambitions not only with its existing technology but also entry into additional oncology markets such as peripheral neuropathy.

The proposed development would allow this unique and important local business to invest, expand and adapt at its current location, enabling its continued growth and productivity. The company currently employs 75 full time staff in the UK (with a further 30 abroad), and the proposed expansion would result in an additional 38 full time jobs by 2027, and by 2029 – a further minimum of 10 (therefore a total of a minimum of 33 full-time jobs within the UK arm of the company).

Project success is predicated on the company's ability to find a 25,000 ft2 site, with the prerequisite skills and expansion space to grow the business over the next 15 years. The Mill site's proximity to the University of Huddersfield and the National Health Innovation Campus makes it the only credible site in WY to enable Paxman to achieve this, and in doing so, safeguard 100 staff (65 in Huddersfield; 35 in USA).

Critically, the launch of Paxman's new smart manufacturing line (2026) will require the recruitment of 38 new Huddersfield-based staff with specialist expertise in digital manufacturing, engineering, and cryotherapy research. West Yorkshire currently lacks the prerequisite employment demographic to fulfil this requirement; thus, making it imperative for Paxman to establish direct links with the region's academic base to "home-grow" this talent in collaboration with the University of Huddersfield.

Paxmans and Huddersfield University plan to establish a collaborative R&D and PhD programme (5 x PhD students over the 5 years), alongside provision of bespoke CPD courses for existing and new staff. This will require ongoing access to the NHIC's specialist facilities, particularly the Daphne Steele Building. Proximity to the campus is critical to minimise day-to-day business disruption, as key staff participate in outsourced training and R&D provision

The alternative for Paxman Coolers is to relocate the whole business to the Texas Medical Centre Area in Houston Texas, where they already have a presence, which has a readily available skills pool of 250,000 researchers and engineers and is located close to Paxman's international offices in the city.

Making best use of brownfield and under-utilised land

Local Plan Policy LP7 also seeks to ensure the efficient and effective use of land and buildings, stating that proposals:

a. should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value;
b. should encourage the re-use or adaptation of vacant or underused properties;

The NPPF echoes these policy objectives stating that Planning policies and decisions should: …. give substantial weight to the value of using suitable brownfield land within settlements … and promote and support the development of under-utilised land and buildings …" (NPPF Paragraph 125).

The proposed development would be located on a site currently used for business and industry and as such can be considered to constitute brownfield land. Both the NPPF [10] and the Local Plan [11] strongly support the regeneration and recycling of brownfield sites as a priority, in order to help support the overarching principles of sustainable development, which remain at the heart of Government planning policy. In particular NPPF paragraph 125 states:

'Planning policies and decisions should: c) give ***substantial weight*** [12] *to the value of using suitable brownfield land within settlements for homes and other identified needs.'*

Highway Considerations

A Transport Statement and a Travel Plan have been prepared by Paragon Highways and accompany the application.

1- Access

The application site along the north side of Quay Street contains two points of vehicular access. The first located 30m east of the Watergate/Quay Street junction serves the existing parking area, which is the main car park for the Turnbridge Mills complex. There is also a vehicular access to the small parking area located within a central position between buildings B, D, E and F. This access is 52m east of the Watergate/Quay Street junction and takes the form of a priority junction with kerbed radii on both sides.

The site also contains an access for the adjacent uses located off Old Leeds Road around 90m north of Quay Street/Watergate junction. This access serves the parking and servicing area of the adjacent Building A and car sales business.

The proposals include a new vehicular access located off Quay Street, at its far east side not far from the canal bridge. The access will form a typical industrial access with kerbed radii on the west side and an angular alignment on the east side given that vehicles are unlikely to turn left onto the canal bridge. Given the existing north side footway width, suitable visibility can be provided on Quay Street to the west (2.4m x 43m). To the east it is proposed to provide hatching and a give-way line where the canal bridge meets Quay Street, to provide intervisibility between vehicles travelling westbound over the canal bridge and vehicles moving out of the proposed site access. This access would lead to the proposed service yard that can accommodate HGVs associated with the end user, and also two small car parking areas. The access will be 7.6m in width and would provide a turning facility to allow vehicles to enter and exit the site in a forward gear.

The existing access off Quay Street that currently serves the existing buildings will be closed off and a new access created further west to provide a small car park. This access will be around 5.8m in width

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[10] Paragraph 124 in the NPPF states that, *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses.'*

[11] LP 3 (Location of new development) also states the following: *'2) Development will be permitted where it supports the delivery of housing and employment growth in a sustainable way,* (which includes), *c. ensuring that opportunities for development on brownfield (previously developed) sites are realised early in the plan, subject to maintaining a five year supply of housing land and to delivering the overall housing and job requirements.'*

[12] Our emphasis

allowing for simultaneous two way travel and will contain visibility splays of 2.4m x 43m to the west and east.

The existing access for the car park located on the far west side of the complex will remain. Similarly, the car park access that served Building A and the proposed car parking area will also remain.

2- Parking

The Turnbridge Mills complex contains a large car park located on the north side of Quay Street. The car park provides 72 car parking spaces and is primarily used by the occupiers of the mill buildings to the south of Quay Street, with 44 staff situated within these buildings – i.e. JLB textiles and SCM Turbomotive Ltd. There are around 35 employees out of this total of 42 who park [13] within this car park. Some tenants of the buildings to be demolished as a result of the development also park within the main parking area. This car park and its users will remain post-development.

The parking area to the north of the main complex is served from the existing access off Old Leeds Road. This parking area contains a mix of marked out and unmarked spaces for car sales and also Aura Print who are currently situated in Building B.

The proposed development would provide 17 car parking spaces within the small car park adjacent to the new building and within the service yard (two of which would be designated disabled spaces). The development also proposes a further 33 car parking spaces to the to the north of the site from the existing parking area served from Old Leeds Road, which are currently occupied by a car sales business. The car sales building would be demolished as part of the proposals.

Using the TRICS output, there would be a maximum demand of 45 car parking spaces at the site. This parking demand can therefore be easily accommodated with 50 new car parking spaces being provided overall. Disabled parking is also being provided with one space located adjacent to the building's main entrance and reception area and one space located adjacent to the service area.

The proposals are therefore considered to comply with paragraph 112 in the NPPF and Local Plan Policy LP22 in respect of parking.

3 Traffic Impact

Using the TRICS database, the existing use of the site has the potential to generate around 103 vehicle movements during the morning peak and 169 vehicle movements during the evening peak. By contrast, the proposed development would generate around 22 vehicle movements during the morning peak and 21 vehicle movements during the evening peak. The proposals therefore provide a substantial reduction in vehicle trips during the network peak hours, providing a positive impact on traffic conditions along the local network.

The proposals therefore accord with paragraph 116 in the NPPF.

4 Accessibility and sustainable modes of travel

The application site is situated in a highly sustainable location close to Huddersfield Town Centre, just east of the ring road. Footway provision is already in place along Quay Street and the surrounding

[13] Other either travel my non-car modes or work from home.

streets leading into the town centre. There are also many local areas located within the accepted cycling journey duration of 20 mins. Both Huddersfield train station and Huddersfield bus station are located only 0.5 miles away from the site and as such are also within easy walking distance for both future employees and visitors of the new development.

The canal towpath is also located directly east of the application site. This provides an additional pedestrian and cycle link to areas both north and south of Huddersfield.

Pedestrians will gain entry to the new building via the reception, which can be reached via Quay Street footways and the new car park adjacent to the new building. A secure cycle shelter is proposed adjacent to the parking area within the service yard that can accommodate up to 10 cycles.

In accordance with LP Policy LP24 d (v), electric charging points are provided to encourage the use of electric and low emission vehicles.

5 Travel Plan Initiatives

A Travel Plan accompanies the planning application and includes the following initiatives in order to discourage single occupancy car use and encourage the use of more sustainable modes of transport:

- Improvements to increase pedestrian usage – safe and convenient access with appropriate lighting
- Improvements to increase cycle usage – safe and convenient access and secure cycle parking provision
- Travel information to be promoted to all staff – Travel Information Welcome Pack
- Appointed Travel Plan Coordinator – to promote walking, cycling and the use of public transport, set targets for reducing use of the private car and monitor and review the ongoing situation regarding the initiatives set out in the Travel Plan

In summary on highway matters, the proposals are therefore considered to be acceptable in terms of highway considerations and accord with Local Plan Policies LP20, LP21, LP22 and LP23 and the aims of Chapter 9 in the NPPF.

Heritage Impact

A Heritage Statement accompanies this planning application.

As detailed above, following the conclusion of the pre-application process, the applicants have proceeded on the basis of the current factual position which is that there are no Listed Building Consent requirements for the proposed development.

Nevertheless, as matters stand there is a minimum requirement to assess the impact of the proposals on the setting of the two existing listed buildings, and the adjacent Turn Bridge as a scheduled ancient monument.

As part of the pre-application enquiry (at the time when LPA were of the opinion that Building B was most likely curtilage listed), the LPA requested an assessment detailing how and why options other than the demolition Building B as the principal historic mill building to be affected, had been discounted during the process of planning the current redevelopment proposals.

The aim of the report was to provide an audit of evidence in discounting various options in the interests of demonstrating that the proposed development represents the optimum viable use of the site from a heritage perspective, balancing this against the public benefits in accordance with the requirements of the NPPF.

The options that were assessed and discounted are as follows:

1) The 'do nothing' scenario
2) Viability of speculative development vs specific end user (and why Paxmans in this location)
3) The re-use of all existing historic buildings identified for removal vs some vs none
4) Parking configuration and demand matters

Paragraph 213 in the NPPF states:

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

The accompanying Heritage Statement has conducted a thorough review of the history and heritage significance of the entire site including the south side of Quay Street, and its conclusions on significance in relation to the buildings proposed to be removed are:

Building B – moderate
Building C - low
Building E – low to moderate
Building F (modern building) - neutral
Building G – low
Building N (canopy) - neutral

The report assesses that the loss of the buildings (except N & F) that relate to the Hirst mill complex established in c.1872 will be harmful to heritage, as the historic and architectural significance of this part of the mill complex have group value and will be lost.

The report welcomes the retention, repair and re-use of Building D to form offices for a new manufacturing facility, as this secures a long term sustainable future for a historic building in poor repair and hence represents a heritage benefit.

The report also judges that "the design, siting and materials of the proposed buildings and development positively responds to the mill setting and takes cues from the scale, form and materials of the collection of buildings with varying roof heights, pitches and fenestration across the site."

In addition, "the semi-basement wall of Building B will be retained on the canal frontage and will have a reclaimed stone coping. The south elevation of Building A will be re-clad with a stone plinth and metal panels above to match the new manufacturing building and provide an aesthetic enhancement."

The report also notes: "It is relevant to note that recent planning decisions have determined that there is capacity for modern industrial buildings to be erected within the immediate vicinity of these heritage assets. For example, in 2015 approval was granted for the erection of a factory and ancillary offices with car parking and a new service access road at St Andrew's Road (application number 2015/92014)."

The report concludes that the level of heritage 'harm' is judged to be 'less than substantial' in planning policy terms.

NPPF paragraph 215 states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." This is echoed in Local Plan Policy LP35.

As part of the pre-application enquiry, the LPA also requested an assessment detailing how and why options other than the demolition of older mill buildings have been discounted during the process of planning the current redevelopment proposals.

The aim of the report was to provide an audit of evidence in discounting various options in the interests of demonstrating that the proposed development represents the optimum viable use of the site from a heritage perspective, balancing this against the public benefits in accordance with the requirements of the NPPF.

This comprehensive report clearly evidences and demonstrates that only viable development solution is considered to be the proposed joint venture between JLB and Paxmans – the subject of this planning application.

The full Sequential Options Assessment is submitted as part of this application and contains full details of the discounted options and proposed sole viable solution. It also needs to be read in conjunction with:

a) Viability Report
b) Conditions Appraisal
c) Structural Appraisal

Notwithstanding the above however, the evidence and arguments presented in this case are considered to demonstrate that in the event Building B was listed by Historic England (at time of writing no decision has been made) this case passes the threshold of 'substantial public benefits' outweighing 'substantial harm.'

Design and Visual Amenity

Local Plan Policy LP24 states:

'Proposals should promote good design by ensuring: a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.'

Paragraph 135 in the NPPF also sets out various design objectives, including the need to ensure that developments: function well and add to the overall quality of the area; are visually attractive; are sympathetic to local character and history; and establish or maintain a strong sense of place.'

A Design Statement has been produced by Mark Hide Associates and is submitted as part of the application. The key points of note are as follows:

- Building D is proposed to be retained and renovated to form offices, research and development space and staff areas for the new manufacturing / warehousing facility. The

renovation works would include the return of the fenestration to its original form and the reinstatement of the loading doors to a window. The ashlar stonework on the rear elevation would also be retained and reconstructed.

- A two storey building is proposed to be built to the west of Building D. This building would be constructed using reclaimed natural stone with a continuation of the basement plinth and fenestration to match Building D. The building would have a slated double pitched roof, also to match Building D and have a traditional appearance.

- The larger element of the new building is proposed to set back from the road and would be partly hidden from it by the smaller building. The building is simple in design with a natural stone base, a stone string course and metal panels above. The building would have a shallow pitched roof which includes rooflights. The height of the building is further reduced by setting the forecourt parking at a higher level.

- The southern elevation of Building A is proposed to be made good. This would be achieved by constructing a new stone façade with recessed walled window panels.

- A small area of soft landscaping is proposed along the northern boundary of the proposed service yard.

The proposed development is considered to retain and enhance the key buildings on the north side of Quay Street. The retention of Building D, the sympathetic addition of the smaller element of the new building (designed to look like a mill building), and the setting back of the larger manufacturing building element would significantly reduce the impact of the new development on the setting of the listed mill, chimney and historic bridge.

The simple, traditional and robust external material palette proposed accords with the predominant natural stone materials at Turnbridge Mills, but with a contemporary appearance using simple robust materials appropriate for an industrial building for the new building.

The proposed development is therefore considered to be acceptable with regard to design and visual amenity and complies with Local Plan Policy LP24 and paragraph 135 in the NPPF.

Noise / Residential Amenity

Local Plan Policy LP24 states:

'Proposals should promote good design by ensuring: b. they provide a high standard of amenity for future and neighbouring occupiers.'

Paragraph 198 in the NPPF also states:

'Planning policies and decisions should also ensure that new development is appropriate for its location … In so doing they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.'

The proposed development would include E(g) (I, II & III) uses. These uses are by definition uses which can be carried out in a residential area without detriment to its amenity i.e. they are not noise inducing

uses. The fact that the application site is located in an industrial area with no residential dwellings within close proximity, means the development proposals are suitable for the location and would not be incompatible with any neighbouring uses or detrimentally affect any residential amenity.

The proposals therefore accord with Local Plan Policy LP24 and paragraph 198 in the NPPF in this regard.

Flood Risk and Drainage

A Flood Risk Assessment and Drainage Strategy have been carried out by the JNP Group in accordance with Local Plan Policies LP27 and LP28 and paragraphs 181 and 182 in the NPPF. The full report is submitted as part of this application, but in summary, the main findings and conclusions are as follows:

- The EA's Flood Map for Planning indicates that most of the site is located in Flood Zone 1. However, the eastern edge of the site is shown to lie in Flood Zone 3.

- The nearest surface water feature is the Huddersfield Canal which is located along the eastern boundary of the site. Detailed modelling established maximum flood levels within the channel of the canal of 64.26m AOD (0.1% AEP + 20% climate change) and 64.61m AOD (1% AEP + 50% climate change). The topographical survey of the site shows that existing ground levels, ranging between 65.5 AOD and 68.7 AOD, are higher than the maximum modelled flood level.

- The risk of flooding from all sources (fluvial, tidal, surface water, groundwater, sewer and reservoir) is low.

- The proposed drainage strategy intends to collect runoff via rainwater pipes and gullies before discharging to a below ground network and outfalling via an attenuation tank and flow control. Attenuation is provided up to and including the 100yr + 45% climate change event.

- Exceedance flows will typically follow pre-development conditions. The new service yard and smaller car park will either re-enter the drainage system or flow away from the adjacent buildings.

- It is proposed that foul water from the new development is discharged to the local combined sewer through a new connection or via the on-site system. The overall building footprint and potential occupancy of the site is being reduced so the capacity within the existing network will be improved as part of these works.

As a result, the proposed development is not at risk of flooding for the design flood event (1 1% AEP +CC) and would not increase flood risk off-site. The proposals are therefore considered to be acceptable in relation to flood risk and drainage and comply with Local Plan Policies LP27 and LP28 and the aims of Chapter 14 in the NPPF.

In order to conserve and enhance the water environment in accordance with Local Plan Policy LP34, the quality of the water in the canal will need protecting both during construction and post-development. It is therefore recommended that drainage during construction should be controlled via a Construction Environmental Management Plan or a Surface Water Management Plan and post-development an oil separator is proposed in the new service yard area to provide a level of treatment to the service yard runoff prior to outfalling to the canal.

Under NPPF paragraph 172, the application does not need to be accompanied by a Flood Risk Sequential Assessment because the proposed built development would take place on land that is within Flood Zone 1. Only a very small fraction of the site (a strip adjacent to the canal) is located within Flood Zone 3.

Contaminated Land and Coal Mining Legacy

A Phase I Report and Coal Mining Risk Assessment has been completed by Abbeydale Building Environment Consultants Ltd in accordance with Local Plan Policy LP53 and paragraph 196 in the NPPF.

The key findings and recommendations in relation to land contamination area as follows:

- The site has previously been occupied by industrial buildings and as such there is a moderate to high risk of potential contamination resulting from this usage. However, based on the proposed end use of the site, the overall risk to future site users is considered to be very low.

- Prior to the demolition of any buildings, it is recommended that asbestos surveys are carried out.

- The risk of potential contamination from off-site sources is considered to be moderate.

- The potential for ground gas generation that could enter any proposed buildings on the site is low risk. However, it is recommended to undertake ground gas monitoring.

The key findings in relation to the Coal Mining Legacy are as follows:

- The risk of unrecorded shallow mine workings beneath the site is deemed to be low.
- No recorded mine entries have been recorded within 100m of the site. The risk of encountering unrecorded mine entries across the site is deemed to be very low.

- No quarrying has been identified on or within the immediate vicinity of the site from the geological or historical records. The resultant risk of unrecorded quarrying affecting the site is deemed to be very low.

Given the above, the report recommends that a Phase II Geo-Environmental Ground Investigation is carried out at the site prior to development commencing. The investigation should confirm ground conditions and geotechnical properties of the soil. It is considered that this can be conditioned subject to planning permission being granted. The proposed development is therefore considered to be acceptable with regard to land contamination and coal mining risk and complies with Local Plan Policy LP53 and paragraph 196 in the NPPF.

Ecology

A Bat Survey has been carried by Knight Sky Ecology. The full report is submitted as part of this application with the key findings summarised below:

- No evidence of a bat roost was observed within buildings B, D or G during this survey period. During each dusk emergence survey, bat activity comprised one to five Common Pipistrelle Bats. Bats were recorded on a frequent to constant basis. Such activity and species diversity

are a reflection of the urbanised location and environmental conditions. The buildings and the adjacent canal do not provide a sheltered foraging feature for Common Pipistrelle.

- Bats do not therefore represent a significant constraint to the development proposals. As a result, the development would not require a European Protected Species licence and unlicenced precautionary mitigation procedures should be followed during demolition. These are discussed in Section 5 of the report.

- Evidence of nesting birds were observed in Building D (Blue Tit) and Building B (Swift). As a result, works that could potentially impact nesting birds should be carried out between March to September. In addition, it is recommended that three Swift bird boxes are installed on an adjacent building to Building B.

In addition, an Ecology Technical Note has also been produced by Knight Sky Ecology and accompanies the application. The Technical Note covers Biodiversity Net Gain (see below) and the Sir John Ramsden's Canal Local Wildlife Site. The canal supports a notable diversity of aquatic plants and provides good public access and high wildlife value.

In summary, the proposed works would not pose a significant risk in impacting the features associated with LWS. However, in the interests of protecting the water environment, it is recommended that the project adopts strict pollution protocols. These protocols should be detailed within a specific method statement. It is considered that this could be conditioned should the application be approved.

The proposed development is therefore considered to be acceptable in relation to bats and birds and accords with Local Plan Policy LP30 and the aims of Chapter 15 in the NPPF.

Biodiversity Net Gain

Certain types of development are exempt from the mandatory biodiversity net gain requirements. This includes a development that does not impact a priority habitat and impacts less than:

- 25 square metres (5m x 5m) of on-site habitat
- 5 metres of on-site linear habitats such as hedgerows

The Government guidance states that a development 'impacts' a habitat if it decreases the biodiversity value. [14]

A Technical Note: Ecology Statement has been produced by Knight Sky Ecology and accompanies the application. The note confirms that the proposed development would impact less than 25 square metres of habitat with a measurable biodiversity value. The application site contains buildings and hard standing areas only. There is a vegetated verge on the edge of the canal to the immediate south of the chimney which is to be retained. The canal itself would not be impacted, in that, the proposed development would result in no loss or gain in the value of the watercourse.

The proposals are therefore considered to be acceptable with regards to biodiversity and accord with Local Plan Policies LP30 and LP34 and the aims of Chapter 15 in the NPPF.

[14] Understanding Biodiversity Net Gain

Crime Prevention

The West Yorkshire Police Designing Out Crime Officer submitted a standard advice document in relation to crime prevention as part of the Pre-App enquiry. The document included advice relating to windows, doors, CCTV, alarms, internal security measures and vehicle parking.

Although the advice has been considered, the applicant is content to provide further details at a later stage and accepts a pre-commencement or pre-occupation condition. On this basis, the proposals are considered to comply Local Plan Policy LP24 e. and paragraphs 96 and 135 in the NPPF.

Health Impact Assessment

As the development is a major development of over 1000 sq.m of floorspace and falls within a ward (Dalton) Kirklees ward which has been identified to have one or more of the five public health indicators where the land use for planning could have influence on health, a Rapid Health Impact Assessment accompanies this application.

The Rapid Health Impact Assessment guidance notes states (Employment and economic vibrancy section)

"The Local Plan seeks to develop a strong and thriving economy, combining great quality of life and a strong and sustainable economy leading to thriving communities, growing businesses, high prosperity and low inequality and where people enjoy better health throughout their lives. This reflects the Local Plan vision, and the main priorities identified in the Leeds City Region (LCR) Strategic Economic Plan (SEP) and the Kirklees Economic Strategy (KES) and Joint Health and Well-being Strategy."

In summary, the proposed development would have a positive impact on health in terms of:

- Active travel and sustainable development – ease of walking and cycling and access to public transport links
- Community and personal safety – improved traffic management and lighting, and through provision of a safe and inclusive environment and prevention of crime and anti-social behaviour
- Employment and economic vibrancy – local employment opportunities and job creation
- Climate change – no adverse impact on flood risk, air quality, noise and waste

Other health indicators (access to open and green spaces, access to healthy and affordable food and community cohesion) are not considered relevant to the proposed development and would therefore neither have a positive nor a negative impact.

The proposed development is therefore considered to be acceptable and accords with Local Plan Policy LP47 and Paragraph 96 of the NPPF.

…./cont.

Air Quality

The proposals have been considered against Policy LP51 [15] and NPPF Paragraph 199 [16], together with the guidance in the Air Quality & Emissions Technical Planning Guidance for West Yorkshire.

As a result of:

1) the floorspace amounts of the different components of the proposed development being below the thresholds in Table 1 of the WY guidance;
2) the fact that the levels of two way vehicle movements do not exceed the thresholds set out [17]; and
3) because the development is not located adjacent to an existing Air Quality Management Area

Development that is within or adjacent to an Air Quality Management Area (AQMA)

Climate Change

Paragraph 164 in the NPPF states that, *'New development should be planned for in ways that: b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design.'*

Local Plan Policy LP24 also states that, *'Proposals should promote good design by ensuring: d. high levels of sustainability,'* through a number of criteria.

A Climate Change Statement is submitted as part of the application with the following climate change mitigation measures forming part of the proposals:

- The development is aiming to achieve BREEAM 'Excellent' standard.
- Installation of solar PV panels on the southern facing roof slopes of the proposed building and Building D.
- Installation of air source heat pump on the proposed building.
- Installation of air con and ventilation with heat recovery.
- Potential rainwater harvesting of 'grey' water from the toilets.
- Building thermal elements will adhere to new Building Regulations standards.
- Re-use of stone and slates from the demolition of existing buildings to be used on new office block extension.
- Installation of five EV charging points.

The proposals would therefore have a positive impact on climate change and accord with Local Plan Policy LP24 and the aims of Chapter 14 in the NPPF.

[15] Protection and improvement of local air quality

[16] Air quality national policy considerations

[17] 100 or more two way movements per day or 30 or more two way movements in any hour

Conclusion and planning balance

This application seeks planning permission for the demolition of a number of existing buildings, the conversion and renovation of one existing building, and the erection of a mixed-use E(g) (i, ii and iii) and B8 building.

The site is 'without notation' on the Kirklees Local Plan and located within an established industrial area in a sustainable location on the edge of Huddersfield town centre.

Pre-application discussions have been ongoing for 12 months with the Council and Historic England. While the proposals have been broadly welcomed in principle by the Council in terms of the significant economic benefits, the question of the listed status of curtilage buildings (and therefore the potential implications for the formal assessment of a planning application), remained unresolved. However, the applicants have since sought to obtain a definitive legal view on this matter and expert Counsel has concluded that the other buildings on the northern part of the site (in particular Buildings B, C and D) are not listed as because they are not ancillary to either of the listed buildings, nor within the curtilage of them.

Therefore, notwithstanding the fact that at the time of writing, Historic England are assessing whether a not to list Building B (Hirst's Mill) in its own right, the applicants have proceeded on the basis of the current factual position which is that there are no Listed Building Consent requirements for the proposed development as there are no proposals to alter or remove any listed buildings on the site. Nevertheless, the scheme has evolved through the pre-application discussions, principally through the changes to retain the multi-storey older Building D and incorporate this into the proposed development.

In respect of relevant Local Plan and national (NPPF) planning policies,:

a) The proposals align perfectly with national and the Council's overarching sustainable economic objectives as set out in the Local Plan, Kirklees Economic Strategy and Station to Stadium Enterprise Corridor scheme, and should be afforded *significant weight* according to relevant policies. The proposals will help "build a strong, responsive, and competitive economy" – bringing significant inward investment and jobs into the Huddersfield area, and supporting the growth aspirations of a key local indigenous business - Paxman Cooler Ltd, whilst also helping supporting and retain another important local manufacturing business – John L Brierley Ltd.

b) The proposed development would be located on a site currently used for business and industry, and as such can be considered to constitute brownfield land. Both the NPPF and the Local Plan strongly support the regeneration and recycling of brownfield sites as a priority.

c) The proposals provide suitable and safe access and off-street parking, whilst traffic levels would see a net reduction given the proposals to demolish more industrial floorspace than is being proposed.

d) The application site is situated in a highly sustainable location close to Huddersfield Town Centre, just east of the ring road. Footway provision is already in place along Quay Street and the surrounding streets leading into the town centre. Both Huddersfield train station and Huddersfield bus station are located only 0.5 miles away from the site and as such are also within easy walking distance for both future employees and visitors of the new development.

e) The proposed Travel Plan initiatives aim to discourage single occupancy car use and instead encourage the use of more sustainable modes of transport.

f) As matters stand at the time of writing, no listed buildings are affected by the proposals and the harm to heritage interests is judged to be 'less than substantial' – based on loss of potential 'non-designated' heritage assets and limited harm to the setting of existing listed buildings.

g) The Sequential Options Assessment was first requested on the Council's view at the time that the proposals involved the demolition of potential curtilage listed buildings. As such, the aim of the report was to provide an audit of evidence in discounting various options in the interests of demonstrating that the proposed development represents the optimum viable use of the site from a heritage perspective. The report concludes that the unique factors associated with the current proposals (assisted by grant funding) are the only feasible and viable development option.

h) The scheme design has evolved through the pre-application discussion. The retention of Building D, the sympathetic addition of the smaller element of the new building – designed to look like a small mill building, and the setting back of the larger manufacturing building element would significantly reduce the impact of the new development on the setting of the listed mill, chimney and historic bridge.

i) The proposed development – irrespective of the awaited Historic England decision to list other buildings or not – is concluded (through detailed & robust evidence) to represent the optimum viable use of the site from a heritage perspective – and which inevitably brings to a head the fact that not all historic buildings can retained long term due to costs and lack of grant funding, and also because the scheme would support the ability of John L Brierly to continue surviving and operating at this site, and hence continue their long term stewardship of two existing listed buildings.

j) Consequently, whether the harm caused is judged to be 'substantial' or 'less than substantial' (dependent on the awaited Historic England listing decision), this case clearly demonstrates substantial public benefits to outweigh any perceived level of harm, in accordance with the key heritage policy requirements of the NPPF.

k) There are no material concerns in relation to other relevant planning matters: noise, air quality, flood risk, drainage, contaminated land, coal mining legacy, ecology, crime prevention, health impact, or climate change mitigation. Such matters are capable of being addressed through suitably worded planning conditions.

In conclusion, the scheme provides a highly significant 'win-win' for the joint applicants, the economy of the Huddersfield area, and Huddersfield University, and it is the collective material planning factors detailed within this submission that carry very significant, specific, and unique weight in this particular case, and which represent a once-in-a-generation opportunity in the public interest.

NPPF Paragraph 11c states that decisions should apply the presumption in favour of sustainable development by (c) "approving development proposals that accord with an up-to-date development plan without delay"

This project represents a significant opportunity to secure sustainable development for the Huddersfield area and the applicants therefore respectfully request that planning permission is granted accordingly.

Robert Halstead Chartered Surveyors & Town Planners

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