

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2026/62/91335/W
Site Address:	Percy Shaw House, Queen Street South, Huddersfield, HD1 3BZ
Description:	Change of use of building from education (F1) to office (E(g)(i))
Recommending Officer:	Elenya Jackson

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 13th July 2026

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Officer Report

Site Description

Percy Shaw House, Queen Street South, Huddersfield, HD1 3BZ is a two storey, detached, stone built structure which is located on the eastern side of Queen Street South, 149m South of Queensgate Road.

The building is currently in use as part of the 'University of Huddersfield's' complex and it utilised as an extension of the teaching facilities.

The site has ample parking provision to the south and is set back from the public realm by 27m due to additional parking provision to the front of the site.

The site is within an area that has the potential to have bats according to the councils GIS system.

Description of Proposal

The application is seeking planning permission for the change of use from a Change of use of building from education (F1) to office (E(g)(i)) and no external alterations are required.

History of negotiations

As the application site is located 180m south of Huddersfield Town Centre's boundary and is proposing to be converted into an office which is considered a main town centre use, officers requested a retail sequential test was provided.

Relevant Planning History

2010/92802: Change of use from offices to higher education use.

Whilst there is additional history on site, it is considered that the above application is relevant to the proposal.

Representations

The site was advertised by site notice and on the council website. Publicity expired on 6th July 2026. No representation was received.

Consultation Responses

KC Highways Development Management – Informal discussions whereby they confirmed they have no objections

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated within the Kirklees Local Plan.

Kirklees Local Plan (KLP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 3** – Location of New Development
- **LP 13** – Town Centre Uses
- **LP 21** – Highway Safety
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 51** – Protection and Improvement of Local Air Quality
- **LP 52** – Protection and Improvement of Environmental Quality
- **LP 53** – Contaminated and Unstable Land

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the follow SPDs (and design guides) are applicable:

- Highways Design Guide
- Biodiversity Net Gain Technical Advice Note

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th 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 9** – Promoting Sustainable Transport
- **Chapter 12** – Achieving Well-Designed Places
- **Chapter 13** – Protecting Green Belt Land
- **Chapter 15** – Conserving and Enhancing the Natural Environment

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. In this case the Technical housing standards – nationally described space standard guidance document (dated March 2015) is considered to be of relevance

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations

1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is re-iterated within paragraph 2 of the National Planning Policy Framework (NPPF).

Section 2 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and defines this as the balance of economic, social and environmental elements.

Paragraph 10 states that at its heart is a presumption in favour of sustainable development. For decision making this means that development proposals that accord with the Development Plan should be approved without delay, but where the Development Plan is absent, silent or relevant policies are out of date, LPAs should grant permission unless any adverse impacts of doing so

would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or specific policies within the NPPF indicate that development should be restricted.

Town Centre uses (Sequential Test and Impact Assessment)

Policy LP13 of the Kirklees Local Plan and Chapter 7 of the NPPF identify offices as main town Centre uses. Such uses should be directed to defined centres in the first instance, with edge-of-Centre sites only acceptable where no suitable in-Centre alternatives are available. Development should also be of a scale that does not undermine the vitality and viability of existing centres.

The application site is located circa 180m from the Huddersfield Town Centre Boundary and adjacent to a Priority Employment Area. Given the proximity to the Town Centre boundary, the application site is classed as edge-of-Centre for the purposes of Policy LP13 and the NPPF, and a Sequential Test is required.

A Sequential Test, has been submitted in support of the application. This involved a web-based review of available commercial premises (Rightmove, Zoopla and on the market), using a minimum floorspace parameter which was similar to the application site and which could accommodate staff and visitor parking.

The test identified three potential sites within Huddersfield Town and Centre which are outlined below:

- Station Street Buildings, 12 Station Street, Huddersfield, West Yorkshire, HD1 1LN-
- Northumberland street Huddersfield HD1
- New Street Huddersfield

Officers have reviewed the detail of the sequential test and largely accept the findings; however, it is also acknowledged that, the building is currently utilised as part of the university complex and is owned by the university and that the building was formerly an office prior to being converted into an Education facility.

Officers consider that, in this instance, the submitted Sequential Test is proportionate to the scale and nature of the proposal. It demonstrates that there are no suitable or available in-Centre alternatives capable of accommodating the proposed office use and due to the existing merits of the site, it would be reasonable for the property to be converted into an office as part of the University. Officers therefore consider the Sequential Test to be passed.

In terms of impact, the proposal would deliver 2,122.26m² office space in an accessible edge-of-Centre location. The scale of development is modest in relation to the overall role and function of Huddersfield Town Centre, and it is not anticipated that it would divert significant investment or occupiers from the Centre itself. The development, in conjunction with the university has the potential to generate to increase footfall and linked trips into the Centre, with associated spend in retail and leisure uses.

On this basis, officers are satisfied that the development would not give rise to any significant adverse impact on the vitality or viability of Huddersfield Town Centre. The proposal is therefore considered to comply with Policy LP13 of the Kirklees Local Plan and Chapter 7 of the NPPF (2024).

It is considered necessary to remove permitted development rights to restrict the use to an office use only to ensure any future development is appropriately assessed against its impact on a town centre.

2. Impact on Visual Amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby 131 provides a principal consideration concerning design which states:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that 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...”

The proposal would not require substantial alterations to the external appearance of the building to facilitate the development. The proposal is therefore considered to be in accordance Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. Impact on residential amenity

Section B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users. Policy LP52 of the KLP requires, amongst other things, that noise emissions are acceptable.

The proposal would not require any external alterations and there are no residential properties adjoining the site; therefore, the proposed change of use is considered to not cause significant harm to the amenity of neighbouring occupiers. The scheme therefore complies with Local Plan Policy LP24(b) and Chapter 12 of the National Planning Policy Framework

4. Impact on Highway Safety

Paragraph 116 of the NPPF states that: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Policy LP21 of the Kirklees Local Plan states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. The Highways Design Guide SPD is also relevant.

KC Highways Development Management (HDM) have been consulted on the proposal and have not raised any objections. They recommend specific details of waste storage / cycle parking be provided.

They further recommend that before the development is brought into use the ingress and egress to the parking area in the basement floor shall be signed and lined ‘IN’ and ‘OUT’ and directional markings installed within the car parking areas circulatory area to indicate direction of travel. A condition to ensure this is provided, as a scheme which is first agreed by the LPA, is recommended.

Waste storage and cycle parking arrangements are already present in the locality and the site is to be occupied by the university which is consistent with its existing use and as such it is not considered necessary to require details of parking / waste storage to be submitted given the existing facilities would be able to be utilised as part of the development.

It is therefore considered that, the development would not result in significant harm to highway safety, thus complying with policy LP21 & LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF.

5. Other Matters

Ecology

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

Within the applicant's application form they have stated that the development is exempt from providing BNG as it falls under the de minimis exemption. The nature of the development is considered to be such that it would fall within this exemption. Furthermore it is not considered reasonable of the LPA to insist upon biodiversity enhancements in this case in relation to the aforementioned planning policies given the nature of the proposal would have a largely neutral impact upon ecology / biodiversity.

The proposal is for a change of use only of the building and although the site is within a Bat Alert Layer on the councils gis system, it is not considered that additional surveys would be required in this instance. Officers will add a note to the decision notice advising of how the developer should proceed if a bat is encountered on site.

It is therefore considered that the proposal would accord with LP30 of the Kirklees Local Plan.

Land Stability /Contaminated Land

Chapter 15 of the NPPF promotes safe and healthy living environments and requires that land contamination and other environmental constraints are considered and mitigated as part of the planning process. Policies LP51 and LP53 of the Kirklees Local Plan seek to ensure that development does not cause, or result in exposure to, pollution or environmental risks that would be harmful to human health or the environment. These policies require developments to be appropriately assessed and, where necessary, remediated to ensure that sites are suitable for their intended use.

The site lies partially with the Development Low Risk Area as defined by the Coal Authority (The Mining Remediation Authority) and is also recorded as potentially contaminated land. The proposal relates primarily to a change of use and does not involve any excavation, intrusive groundworks or structural

alterations. In accordance with the Coal Authority's standing advice, proposals of this nature fall outside the requirement for consultation, as they are unlikely to pose risk to subsurface coal features or land stability. As such, it is recommended that the Coal Authority's standing advice is attached to any decision as an informative.

In respect of potentially contaminated land, the proposal relates to the change of use of an existing building while works are proposed at basement level these would not include excavation or ground disturbance. As such, there is no reasonable justification to impose conditions relating to land contamination assessment being carried out. A condition requiring such assessment in the event contamination is encountered is recommended.

In light of the above, it is considered that the development would comply with Policy LP53 of the Kirklees Local Plan and with Paragraphs 196 and 197 of the National Planning Policy Framework.

Flood and Drainage

Chapter 14 of the NPFF seeks to direct development away from areas at risk of flooding and ensure that new development does not increase flood risk elsewhere. It also requires that surface water is managed using SuDs where possible and that developments are supported by appropriate drainage infrastructure, taking into account ground conditions and pollution risk. Policy LP28 of the Kirklees Local Plan reflects these national objectives, requiring all new development to incorporate appropriate foul and surface water drainage arrangements, including SuDs where feasible, and to ensure that any such infrastructure does not increase flood risk or lead to pollution on or off site.

The site is located adjacent to areas identified as Flood Zone 2. Officers have informally discussed the application with The Lead Local Flood Authority (LLFA) who have confirmed that the proposed change of use does not increase the drained area of the development, therefore there is no increase in flood risk. It is advised that the developer should produce an Evacuation Plan to indicate safe routes and assembly areas for staff in the event of flooding to the site. The developer should also consider signing up to the Environment Agency's Flood Warning service.

The part of the site occupied by the building lies outside of these higher-risk flood zones, as the proposal is for a change of use with no alterations to the building, drainage, or external ground levels, there is no increased risk of flooding as a result of the development.

Officers have not consulted the Canal and River Trust on this application as it is for a change of use only and would not become a more vulnerable use.

On this basis, the proposal is considered to comply with Policy LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

6. Representations

No representations received

Conclusion

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.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the proposed development would constitute sustainable development and is therefore recommended for approval.

Decision Authorisation - Delegated Powers

Application Number:

Officer Recommendation: Approve

Conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to accord with policies LP1, LP2, LP3, LP7, LP8, LP13, LP21, LP22, LP24, LP26, LP27, LP28, LP30, LP51, LP52 and LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders), the Class E floorspace hereby approved shall be used for use Class E(g)(i) purposes only unless otherwise agreed by way of a formal application for planning permission.

Reason: To safeguard the site for employment use associated with the wider site and for the avoidance of doubt as to what is being approved, and to prevent other town centre uses in this location, in accordance with Policies LP8 and LP13 of the Kirklees Local Plan and Chapter 7 of the National Planning Policy Framework 2024.

4. Before the development is brought into use the ingress and egress to the parking area in the basement floor shall be signed and lined 'IN'

and 'OUT' and directional markings installed within the car parking areas circulatory area to indicate direction of travel, in accordance with details that have been approved in writing by the Local Planning Authority. The signs and lining approved shall thereafter be retained.

Reason: To ensure a suitable access and layout in the interests of highway safety in accordance with Policy LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework 2024.

5. In the event that contamination not previously identified by the developer is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with LP53 of the Kirklees Local Plan and policies contained within Chapter 15 of the National Planning Policy Framework.

NOTE: It is recommended that the developer should consider producing an Emergency Evacuation Plan for staff and members of the public using the building in the event of a flooding event. This plan should indicate a place of safety should an evacuation become necessary. Additionally, it is recommended that the building management subscribe to the Environment Agency Flood Warning system to get advanced notice of any flooding event.

NOTE: All Bats and their roosts are fully protected under the EC Habitats Directive, transposed into UK legislation by the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats Regulations 2017. It is an offence to A) Kill, injure or take a bat. B) Destroy a place where they live or breed. C) Damage one of the above places. D) Disturb a bat. It is recommended that works proceed with caution and that works are stopped and Natural England contacted immediately should any bats or evidence of bats be found at site. All contractors on site should be made aware of this requirement.

NOTE: The granting of permission does not override the requirements of the Wildlife and Countryside Act 1981 (as amended) or the Conservation of Habitats and Species Regulations 2017 (as amended). The applicant is reminded that, under these Acts, it is an offence to kill, injure or disturb bats, or to damage or destroy the breeding sites or resting places of bats or wild birds. If bats or evidence of bats are discovered during works, all works should cease immediately, and the advice of a suitably qualified ecologist should be sought.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays. To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan.

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Location Plan			18/05/2026
Ground floor			18/05/2026
Basement floor plans			18/05/2026
First floor plans			18/05/2026

Second floor plans			18/05/2026
Supporting Planning Statement			18/05/2026
Sequential test	AB.YK7444P		18/05/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.