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

**PLANNING SUB-COMMITTEE**

**Date: 11/08/22**

**Ref: 2022/20509**

**Subject: Pre-application for Proposed development, collectively known as the Cultural Heart**

**APPLICANT**

Chris Calvert

**DATE VALID**

12-Apr-2022

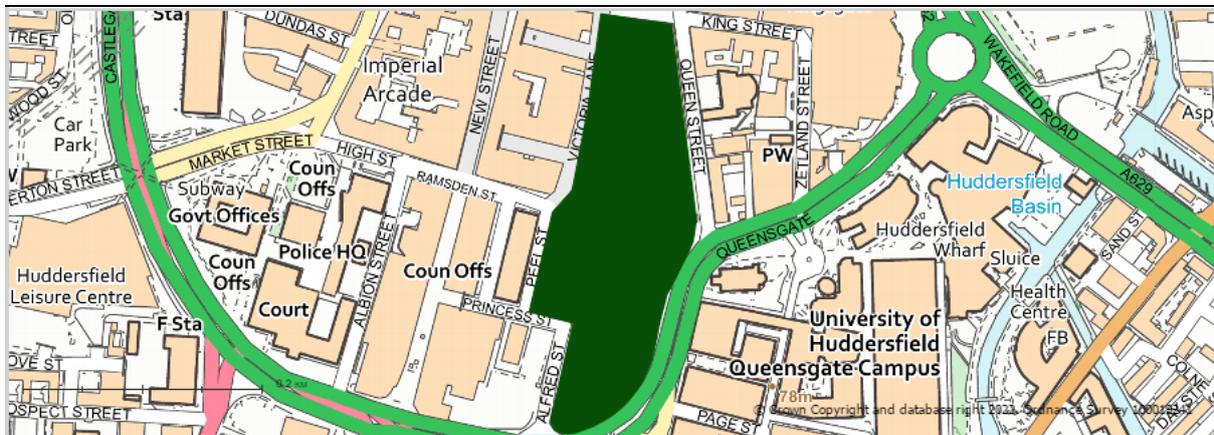
**TARGET DATE**

09-May-2022

**EXTENSION EXPIRY DATE**

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**LOCATION PLAN**



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

**RECOMMENDATION:** That members note the contents of this report for information.

**1.0 INTRODUCTION:**

1.1 This is a pre-application is brought to Strategic Planning Committee to inform members of a potential major planning application that is likely to be submitted for a mixed- use development Queensgate Market, Huddersfield Library and Piazza (and The Shambles) Shopping Centre, Huddersfield. The forthcoming major application would be brought to Strategic Planning Committee for determination given the size of the site and the amount of development proposed.

1.2 The Cultural Heart is a key regeneration project for Kirklees Council and as a significant component of the Huddersfield Blueprint. It is of great importance to the ten-year vision to transform Huddersfield Town Centre. The development combines the retention and in some cases re-use of key civic buildings, the demolition of outdated and uninspiring building stock and the creation of a multi-functional, high-quality destination. The site extends from the outer edges of the town centre ring road (Queensgate) to the south and west extending to Kings Street that forms the northern boundary of the site. Demolition will enable the site to be remodelled and rejuvenated and reveal open views over spacious leafy and useable areas of public realm. The scheme aims to improve accessibility within this part of the town centre and provide both indoor and outdoor spaces for events for the residents of Huddersfield and the wider area of Kirklees to enjoy.

## **2.0 SITE AND SURROUNDINGS**

2.1 Land and buildings at Queensgate Market, Huddersfield Library and Piazza (and The Shambles) Shopping Centre, Huddersfield.

2.2 The proposed site extends to 3.81 Ha and is just outside of the Huddersfield Town Centre Conservation Area which wraps around the eastern, northern and western boundaries site boundaries. The site boundaries are formed by Queensgate and Queens Street to the east, Kings Street to the North, Victoria Lane and Peel Street to the west and Alfred Street and Queensgate to the south. The site is very accessible with the bus station to the west with Huddersfield train station to the north west.

## **3.0 PROPOSAL**

3.1 The Cultural Heart will involve demolition of buildings within the site, including the parade of shops within the Piazza, elements of the Market Hall fronting onto Peel Street, the Shambles shopping arcade and the retail units fronting Princess Alexandra Walk. The applicants state that. The scheme will include the retention and reuse of Listed Buildings within the site, principally the Market Hall and the Library and Art Gallery. The development intended to comprise of the following elements:

- Creation of a central events venue and food hall
- Museum to be located within the existing library and art gallery building, along with an extension
- Demolition of the Piazza and elements of Queensgate Market/Library buildings
- New library largely within retained part of Queensgate market, along with extension
- Creation of an Urban Park including outdoor event space
- New Multi-Storey Car Park- below the Venue building
- New link(s) to the University and surrounding area
- New retail, restaurants and bars

3.2 Vehicular access points and movement of vehicles pedestrians and cyclists are under consideration with discussion with the key council consultees. The likely access solution for the MSCP being the creation of an access onto Queensgate.

#### **4.0 CONSULTATION RESPONSES:**

4.1 As part of the pre-application enquiry process a number of key consultees within the Council have been contacted to seek their advice on the potential implications of such development in this location and the measures required to mitigate the associated impacts. These consultees are identified and their views are summarised as follows:

#### **Statutory Consultees**

##### KC Highways DM

##### Key matters

- Consideration of a new (all movements) signalised junction is being considered on Queensgate. Its impact on the operation of this section of the ring road requires justification. Highways DM initial preference being to utilise the existing access arrangements. However aware of the limitations of continuing to use the existing Queen Street South subway and accept that other access options should be investigated.
- Potential linked trips to other town centre retail and leisure uses excepting the museum and art gallery where all trips need to be considered to be new to the local road network. Trip Generation Calcs (Appendix B) show trip rates being reduced by 30% for linked trips
- vehicle trip generation is generally acceptable in principle.
- parking accumulation exercise based on tables 10,11 and 12 indicates maximum parking demands in the region of 240 spaces (Weekday Daytime Peak), 515 (Evening Peak Weekday/Saturday) and 550 (Saturday Daytime Peak). It is essential to review the Town Centre Parking Strategy and establish the capacity of the new MSCP to ensure that appropriate and convenient parking is provided/maintained for the proposed Cultural heart and existing town centre uses

##### KC LLFA

##### Flood Risk- Main River

The site generally falls at a flat slope in a south-easterly direction towards the river. The closest watercourse is the Huddersfield Broad Canal, approx. 250 m SE. The site is located in Flood Zone 1. This application would not be subject to a sequential test.

## *Surface Water Drainage Strategy*

Where practicable, SuDS drainage methods (such as permeable paving, rain gardens, soakaways, etc) should be employed to reduce/eliminate surface water flows off site

Off-site discharges should be connected to the existing YW Combined Sewer network (subject to YW approval) via existing connections from the pre-development site where possible.

## **Non Statutory**

### KC Ecology

The applicant should engage a suitably qualified ecologist to undertake a Preliminary Ecological Appraisal (PEA) in accordance with national guidelines. This work should identify any important ecological features present (species or habitats), or make recommendations for further survey where this is necessary to determine presence/absence of a feature or to what extent a feature is important. The results of the PEA, and any additional surveys, should be used to inform an ecological report to support the planning application. The most appropriate report format to support a planning application is an Ecological Impact Assessment

The following matters are likely to be the key ecological issues

- The site is located within 400m of a swift nesting record and suitable nesting habitat could be present within the site. The site should be assessed for its suitability for swift, with potential enhancement features to be development post development.
- A biodiversity metric calculation should be undertaken with a 10% net gain achieved post-development (see section below on the Mitigation Hierarchy and Biodiversity Net Gain). This should be in accordance with Kirklees

### KC Trees

- The proposed scheme is outside of the Huddersfield Town Centre Conservation Area however it is nearly encircled by it so any changes to the area will impact on the setting of that conservation area. The trees are not protected by TPO.
- Trees along Queens Street and Queensgate do contribute to the setting of the area and should, if possible, be retained
- Discussion on trees for Grass verges required
- The town park - tree species capable of growing to large size to create a striking visual space and add height to the park design such trees can offer welcome shade in warmer climate in an urban setting. Smaller trees in other areas.

- Arboricultural Impact Assessment required at PA stage to include constraints and impacts of proposals. Detailed method statement to demonstrate how the retained trees will be worked with/around is required. A detailed landscaping scheme including details of tree planting pits and underground infrastructure for new trees to provide mitigation for tree losses

### KC Environmental Health (Pollution & Noise Control)

#### *Air Quality*

The site of the proposed development is within an Air Quality Management Area and adjacent to a road of concern (Queensgate). West Yorkshire Low Emissions Strategy (WYLES) -Technical Planning Guidance. this application will be classified as Major, therefore for any future application we would expect a full detailed Air Quality Impact Assessment to be submitted with the application.

#### *Contaminated Land*

The proposed development site is shown as being potentially contaminated from its former use (our site reference 577/9) therefore, contaminated land issues need to be considered.

It is not, located close to any historic landfill sites that may have an adverse impact on the proposed development. We would therefore expect a current Phase 1 Contaminated Land Report (Desk top study and site walkover) to be included with any future application for this development.

Other issues for applicant to address at application stage.

- External lighting,
- Odours
- Electric Vehicle Charging Points (EVCP)

### KC-Conservation & Design

The Conservation area surrounds 3 sides of the site and key Listed Buildings are located inside and outside at proximity to the application site.

Conservation & Design team are fully supportive of the scheme subject to full details being submitted at planning application stage. Enhancements to the area are welcome with regards to the demolition of buildings that make a negative contribution to the character of the area and setting of the heritage assets . We welcome further details to ensure that enhancements are made and any harm is fully justified and minimised.

This scheme should be designed to better enhance and reveal the significance of the listed buildings and conservation area and should consider LP24 and LP35 .

Heritage impact Assessment is required that takes into account the relevant planning policies and guidance and Chapter 16 of the NPPF.

## 5.0 MAIN ISSUES

5.1 At planning application stage, the following issues are considered to be key considerations.

### Planning Policy

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

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

The application site is within Huddersfield town centre (TCB1) and within the primary shopping area (PSA1) and includes 5 primary shopping frontages set out below and as designated in the local plan:

Primary shopping frontages:

PSF5 (part, 20- 24 King Street)

PSF8 1 Princess Alexandra Walk to 20 Princess Alexandra Walk

PSF9 1 The Shambles to 21 Princess Alexandra Walk

PSF10 12 The Shambles to 11 Victoria Lane

PSF12 (Queensgate Market)

5.4 The most relevant Local Plan policies are:

- LP2 Place Shaping
- LP3 Location of new development
- LP5 Masterplanning sites
- LP7 Efficient and effective use of land and buildings
- LP9 Supporting skilled and flexible communities and workforce
- LP13 Town centre uses
- LP14 Shopping frontages
- LP16 Food and drink uses and the evening economy
- LP17 Huddersfield Town Centre
- LP24 Design
- LP47 Healthy, active and safe lifestyles
- LP48 Community facilities and services

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

### Supplementary Planning Documents

- Highways Design Guide SPD (2019)

## Guidance documents

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

## National Planning Guidance

5.6 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) 2021, published 20th July 2021, and 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 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Other relevant national guidance and documents:

- MHCLG: National Design Guide (2021)

## Climate change

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

5.8 On the 12th of November 2019 the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a

climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the council would use the relevant Local Plan policies and guidance documents to embed the climate change agenda

### Economy and Investment Opportunities

5.9 The Cultural Heart programme is an ambitious regeneration project that will redevelop the entire town centre site and be a catalyst that stimulates social and leisure activity such as hotel, restaurants and bars, on adjacent and nearby sites. Much of the existing built infrastructure will be demolished, including the Piazza, providing the opportunity to create new core facilities. Cultural Heart will deliver:

- vibrant hub of cultural, art, leisure, event and entertainment provision
- a reinvigorated evening offer
- a place for businesses to develop and thrive
- a great place to live
- improved local access and enhanced green and public spaces.

### Impacts upon Heritage Assets

5.10 Following assessments to understand the significance of the heritage assets on the site (i.e. the Market Hall and the Library and Art Gallery). The applicants have engaged with statutory consultees, such as Historic England, the 20<sup>th</sup> Century Society and the LPA's Conservation Officer. The discussions have informed the design iteration process to date and the comments have been supportive toward the principle of the development, with focus now upon the detail of the scheme.

### Urban Design & Public Realm

5.11 The scheme has evolved over the last 12 months, through a first phase of public consultation and ongoing meetings with relevant LPA officers and consultees. The proposal centres on the reuse of the Listed Buildings and the creation of a 'four room' approach to public realm, which offers an inclusive development. Consideration has been given to the siting, scale and massing of new build elements and work is now underway to consider the materials for the scheme.

### Access Highways and Sustainable travel

5.12 The applicants have undertaken traffic surveys and are now underway with their modelling of the scheme. This is linked to the means to enter and exit the proposed multi storey car park and to achieve the necessary servicing requirements for the development as a whole (and also neighbouring areas). This will involve a new access onto the Queensgate ring road, the design of which being presently designed and will assess peak times and usage. The design of the access and car park itself will be such that mitigates queue times and impacts on the flow of the ring road.

5.13 Given the sites central location, with broad opportunities for multi-mode journeys and linked trips the scheme has the attributes to be a highly sustainable development. The site is well located in terms of access to public transport, such as the bus stops on Peel Street and walking distances to other public transport nodes. The design iteration process is reviewing the options for cycle parking throughout the site. A detailed Travel Plan shall be submitted as part of the application, this will focus on minimising the use of the private car and emphasising the merits of the sustainable location of the site.

#### Drainage

5.14 The applicants have undertaken drainage assessment works and have held meetings with relevant stakeholders, including LPA officers. The objective of the scheme will be to minimise and regulate overland water flows before it reaches the wider drainage system of the town centre. The inclusion of a substantial area of public realm will result in a net benefit to the management of water across the site.

#### Landscaping, Trees

5.15 The public realm offers the substantial opportunity for new landscaping within the town centre, the open space will also link the Kirklees Cultural Heart to the wider town centre, including opening up links to the University and the Lawrence Batley Theatre. The 'four rooms' approach to the landscape design means that the available space will suit a wide range of visitors to the site, offering wide opportunities for play and rest. The Public Square will offer a dynamic space adjacent to the proposed food hall and allow for a wide variety of outdoor events to take place. When not in use for such events, it is proposed that it will accommodate water features, which will encourage activity and use of the space.

5.16 The proposals include the removal of some of the trees upon the boundary with Queensgate, these are positioned in front of the ceramic art features and Historic England have suggested that they should be removed to better reveal this important part of the Listed Building.

5.17 Clearly the proposed public realm offers opportunities for replacement planting and the designers are aiming to achieve a replacement planting scheme in the order of 1:3.5

#### Biodiversity

5.18 The applicants are targeting a 50% Biodiversity Net Gain (BNG) for the site. This is realised via the public realm and the range of planting and environments that can be created. As it presently stands, the site offers little in terms of biodiversity and the applicants wish to maximise the opportunities for BNG.

## Sustainability & Climate Change

5.19 The proposed venue will look to be built to high energy efficiency standards and has been designed to reduce energy demand during peak operations and low occupancy when not in use. The venue will also look to deploy a large and efficient PV array to maximise the roof area to generate renewable energy for the building.

5.20 To encourage low carbon modes of transport, 20% of car parking spaces will support electric car charging, with some of these spaces being rapid charging points. The remaining 80% of spaces will have passive provision for future installation of Electric car charging points. This allows for the adoption of new and innovative charging technologies which are emerging and avoids locking in redundant services.

5.21 The food hall will undertake a sympathetic low energy retrofit to ensure that the listed features are upgraded without compromising their heritage importance. The food hall will allow users to enjoy the refurbished space comfortably during all seasons.

5.22 The library will undergo a major low energy refurbishment with an extension which is sympathetic to the existing features of historical and heritage importance. The design team is working to find the balance between replacement and improvement with the retention of existing elements in line with best practice energy efficiency, embodied carbon and circular economy principles.

5.23 The grade two listed Library and Art gallery will be retained and refurbished to ensure the building's energy consumption is dramatically reduced relative to current operational use. The heating systems will be replaced in support of low carbon technologies to generate heat and domestic hot water. Brand new and efficient building services will be installed to ensure the internal comfort of occupants is maintained, in addition to ensuring the correct conditions for exhibited pieces and installations.

5.24 The new gallery building will look to achieve exemplary levels of energy efficiency and has been designed to be a low embodied carbon building. This has been achieved through the process of structural rationalisation and the use of mass timber structure.

5.25 The public realm will support the ecological improvements of the scheme in addition to providing resilience to flood risk and changes to our climate. The applicant team are reviewing what the likely health and air quality benefits the soft landscape offer as well as reviewing planting options and the carbon sequestration potential of the scheme. The public realm will also offer a space to users of all abilities and be an inclusive place for all.

5.26 The buildings and public realm will offer best practice facilities for the use of sustainable modes of transport such as bicycles. The site will also offer a new link for pedestrians and cycle users.

5.27 The design team have set ambitious embodied carbon targets for the scheme and are undertaking a technical review of what materials and components can be feasibly reused in support of best practice circular economy principles. Timber and low carbon materials are being prioritised where permitted as a means to reduce the inherent embodied impact of the scheme.

#### Residential Amenity

5.28 The applicants are undertaking noise assessment work, including liaison with the EHO. This is establishing the baseline noise conditions within the vicinity of the site and example receptors. It is acknowledged that the scheme will introduce new uses into this part of the town, this will not be without some effect, but the work undertaken to date will ensure that those effects are acceptable and can be subject to planning conditions.

#### Air Quality

5.29 The applicants are assessing the impacts of the development upon Air Quality, this will form one chapter within the Environmental Statement. It will need to be demonstrated that the scheme will not have any unacceptable effect upon this environmental matter.

#### Land Contamination

5.30 The applicants have undertaken significant assessment works to understand the potential for land contamination, particularly as a result of the proposed demolition of buildings upon the site. Appropriate assessments shall be provided as part of the application.

#### Odours

5.31 Elements of the scheme, notably the Food Hall shall have the propensity to generate odours. The scheme shall adopt appropriate technologies to ensure that such odours are removed or minimised to acceptable levels.

#### Light

5.32 A lighting assessment shall be provided as part of the application, this shall balance the needs to create a safe and welcoming environment, alongside lighting being used to create public art statement and the amenity of surrounding uses.

#### Waste Collection

5.33 A site waste management plan shall form part of the application. This will demonstrate the ability of the site to meet the Councils requirements, including recycling initiatives.

## Security & Designing out Crime

An objective of the Kirklees Cultural Heart is to create a safe, welcoming and family friendly environment. The designers of the scheme are developing strategies to ensure that the proposals meet this objective.

### **Recommendation**

6.1 That members note the contents of this report for information.