

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

Julie Muscroft

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

Tel: 01484 221000

Please ask for: Sheila Dykes or Richard Dunne

Email: sheila.dykes@kirklees.gov.uk or

richard.dunne@kirklees.gov.uk

Wednesday 3 August 2022

Notice of Meeting

Dear Member

Strategic Planning Committee

The **Strategic Planning Committee** will meet in the **Council Chamber - Town Hall, Huddersfield** at **1.00 pm** on **Thursday 11 August 2022**.

(Members of the Committee will depart the Town Hall, at 11.00 am to undertake a site visit. The consideration of planning applications will commence at 1.00 pm in the Council Chamber).

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft".

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Strategic Planning Committee members are:-

Member

Councillor Steve Hall (Chair)
Councillor Paul Davies
Councillor Carole Pattison
Councillor Mohan Sokhal
Councillor Bill Armer
Councillor Mark Thompson
Councillor Andrew Pinnock

When a Strategic Planning Committee member cannot be at the meeting another member can attend in their place from the list below:-

Substitutes Panel

Conservative

A Gregg
D Hall
V Lees-Hamilton
R Smith
J Taylor

Green

K Allison
S Lee-Richards

Independent

C Greaves
A Lukic

Labour

A Anwar
F Perry
M Kaushik E Firth
T Hawkins

Liberal Democrat

A Munro
PA Davies
J Lawson
A Marchington

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

To receive any apologies for absence, or details of substitutions to Committee membership.

2: Minutes of the Previous Meeting

1 - 10

To approve the Minutes of the meeting of the Committee held on 14th July 2022.

3: Declaration of Interests and Lobbying

11 - 12

Committee Members will advise (i) if there are any items on the Agenda upon which they have been lobbied and/or (ii) if there are any items on the Agenda in which they have a Disclosable Pecuniary Interest, which would prevent them from participating in any discussion or vote on an item, or any other interests.

4: Admission of the Public

Most agenda items will be considered in public session, however, it shall be advised whether the Committee will consider any matters in private, by virtue of the reports containing information which falls within a category of exempt information as contained at Schedule 12A of the Local Government Act 1972.

5: Public Question Time

To receive any public questions in accordance with Council Procedure Rule 11.

6: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), members of the public should provide at least 24 hours' notice of presenting a deputation.

7: Site Visit: Pre- Application 2022/20509

Pre-application for proposed development collectively known as the Cultural Heart.

(Estimated time of arrival at site – 11.05 a.m.)

Contact: David Wordsworth, Planning Services

8: Planning Applications

13 - 14

The Planning Committee will consider the attached schedule of Planning Applications.

Please note that any members of the public who wish to speak at the meeting must register to speak by no later than 5.00pm (for phone requests) or 11:59pm (for email requests) on **Monday 8th August 2022**.

To pre-register, please email governance.planning@kirklees.gov.uk or phone **Sheila Dykes** or **Richard Dunne** on 01484 221000 (Extension 73896 or 74995).

Please note that in accordance with the Council's public speaking protocols at planning committee meetings verbal representations from the public will be limited to three minutes per person.

An update, providing further information on applications on matters raised after the publication of the agenda, will be added to the web agenda prior to the meeting.

9: Planning Application - Application No: 2022/91456 15 - 46

Reserved matters application pursuant to outline permission 2021/91544 for the erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness, and the discharge of conditions 5 (masterplan), 6 (design code), 8 (access), 9 (internal access) and 19 (BEMP) at Southgate/Leeds Road, Huddersfield.

Ward(s) affected: Dalton, adjacent to the boundary with Newsome.

Contact: Nick Hirst, Planning Services

10: Planning Application - Application No: 2022/91453 47 - 56

Erection of classroom and play deck at Southgate School, Southfield Road, Almondbury, Huddersfield.

Ward(s) affected: Almondbury

Contact: Ellie Worth, Planning Services

11: Pre-Application 2022/20509 57 - 68

Pre-application for proposed development collectively known as the Cultural Heart, Huddersfield.

Contact: David Wordsworth, Planning Services

Planning Update

The update report on applications under consideration will be added to the web agenda prior to the meeting.

This page is intentionally left blank

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 14th July 2022

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Paul Davies
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mohan Sokhal
Councillor Mark Thompson

1 Membership of the Committee

All Committee members were present.

2 Minutes of the Previous Meetings

RESOLVED – That the Minutes of the Meetings held on 25 May and 9 June 2022 be approved as a correct record.

3 Declaration of Interests and Lobbying

Councillor Armer advised that he had been lobbied on Application 2021/92086.

Councillors Armer, P Davies, S Hall and A Pinnock advised that they had been lobbied on Application 2021/93644.

Councillor A Pinnock advised that he had been lobbied on Application 2021/94060.

4 Admission of the Public

It was noted that all agenda items would be considered in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were submitted.

7 Site Visit - Application No: 2021/92086

Site visit undertaken.

8 Site Visit - Application No: 2021/93644

Site Visit Undertaken.

9 Site Visit - Application No: 2021/92206

Site visit undertaken.

10 Planning Application - Application No: 2021/92086

The Committee gave consideration to Application 2021/92086 – Erection of 277 residential dwellings and associated infrastructure and access (amended scheme) at land at Bradley Villa Farm, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Jonathan Dunbavin (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor Homewood.

RESOLVED – That the determination of the application be deferred to obtain further clarity in regards to the S106 contribution.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, P Davies, S Hall, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (no votes)

11 Planning Application - Application No: 2021/92206

The Committee gave consideration to Application 2021/92206 – Erection of 137 homes with open space, landscaping and associated infrastructure at land off Woodhead Road, Brockholes, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Paul Butler (on behalf of the applicant), Andrew Naylor (applicant) and Lee Henton (local resident).

Under the provisions of Council Procedure Rule 36(a), the Committee received a representation from Councillor Greaves.

RESOLVED –

1) That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Three Year Time Limit for Commencement
- Development to be carried out in accordance with approved plans
- Details of phasing (Pre-commencement)
- Construction Management Plan (Pre-commencement)
- Highway/PROW Condition Surveys (Pre-commencement)
- Detail of highway improvements (Pre-commencement)
- Detail of internal estate roads, footpaths etc
- Condition ensuring access to undeveloped land
- Erection and repair of existing and proposed dry stone walls
- Detail of visibility splays across site access (Pre-commencement)
- Various off-site highway and PROW works and Road Safety Audits

Strategic Planning Committee - 14 July 2022

- Highway structure details (Pre-commencement)
- Surfacing and draining of vehicle parking areas
- Temporary retaining structure details (Pre-commencement)
- Retaining Wall facing materials
- Timely removal of temporary construction access
- Structural details of pipes/manholes (Pre-commencement)
- Cycle storage details
- Temporary waste storage for dwellings during the construction period
- Electric vehicle charging points
- Finished floor level restrictions
- Compliance with arboricultural method statement
- Detailed design of foul and surface water drainage scheme (pre-commencement)
- Surface water emergence and land drainage mitigation (pre-commencement)
- Storm Event Scenarios (Pre-commencement)
- Temporary Surface Water Details (Pre-commencement)
- PD Rights Removed for Plot 122 (Side extensions)
- PD Rights Removed for Plot 123 (Outbuildings)
- PD Rights Removed for 62no. plots in respect of boundary treatments relative to shared spaces
- Implementation of sound attenuation scheme
- Ventilation scheme for noise impacted properties (Pre-commencement)
- Dust mitigation details during construction period
- Unexpected contamination/coal deposits
- Imported Top/sub soil verification report
- Physical samples of facing materials
- Boundary treatment detailing
- Hard and soft landscaping details (Pre-commencement)
- Maintenance of landscaping and occupier notification mechanism
- Biodiversity Management Plan (Pre-commencement)
- Construction Environmental Management Plan (Pre-commencement)
- Eradication of invasive non-native species (Pre-commencement)
- Lighting Design Strategy
- Protected species Mitigation Strategy
- Working times compliance
- Further Archaeological Investigation (Pre-commencement)
- Details of substation and pumping station design and appearance
- Definitive footpath surfacing adjacent T18
- Details of any PROW diversion
- Riverside footpath construction specification and delivery
- Rapid Health Impact Assessment submission and implementation

2) That the following matters to be delegated to officers to resolve prior to the issue of the decision notice: (i) NDSS shortfall of (7 units) to be addressed – this could be a condition or an amended plan and (ii) lighting of the PROW /footpath connection from the site to Smithy place/ Brockholes to provide improved safety and security for residents.

3) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover (i) affordable housing – a 20% (19.7%) on-site

Strategic Planning Committee - 14 July 2022

contribution of 27 affordable homes with the following tenure split; 15 affordable rent, 5 shared ownership and 7 first homes (ii) education – a financial contribution of £546,137 made towards local schools (iii) public open space – an off site financial contribution of £94,288 to address shortfalls in specific open space typologies (iv) biodiversity – a financial contribution of £471,500 towards off site measures to achieve biodiversity net gain (v) sustainable transport – measures to encourage the use of sustainable modes of transport, including a £70,075.50 financial contribution towards a sustainable travel fund as well as a further £10,000 towards travel plan monitoring (vi) off site highway works – an off site financial contribution of £33,000 towards bus stop upgrades and signage improvements on Smithy Place Lane as well as a further £15,000 to contribute towards signalised junction improvements in Honley (vii) management – the establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including surface water and foul drainage infrastructure until formally adopted by the statutory undertaker),

4) That, pursuant to (3) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Planning and Development shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the Application and impose appropriate reasons for refusal under delegated powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, P Davies, S Hall, Pattison, Sokhal and Thompson (7 votes)
Against: Councillor A Pinnock (1 vote)

12 **Planning Application - Application No: 2022/91138**

The Committee gave consideration to Application 2022/91138 – Demolition of existing training centre and occupational health buildings, erection of new headquarters including indoor training centre, extension of existing building to form new fire station, extension of car parking and associated landscaping and drainage at Oakroyd Hall, West Yorkshire Fire and Rescue Service Headquarters, Bradford Road, Birkenshaw.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Clare Plant (on behalf of the applicant).

RESOLVED - That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Three Year Time Limit for Commencement (S91 TCPA)
- Compliance with Approved Plans
- Construction Management Plan (Pre-commencement)
- Landscape and Ecological Design Scheme
- Fire Station Extension Materials (to match)
- Compliance with Submitted Materials (HQ & Training Centre)
- Submission of Outstanding Materials (HQ & Training Centre)

Strategic Planning Committee - 14 July 2022

- Biodiversity Enhancement and Management Plan (No Net Gain)
- Protected Species restrictions to Working Practices
- Details relating to identification and remediation of Mine Shafts
- Structural Safety Sign-Off by Competent Person (Mine Shafts)
- Drainage Design including 30% betterment and surface water filter interceptors (Pre-commencement)
- Temporary Drainage Details (Pre-commencement)
- Parking restrictions to Whitehall Road West and Bradford Road
- Car Park Management Plan
- Compliance with Submitted Travel Plan
- Submission of Arboricultural Method Statement
- Implement Agreed Dust Mitigation Scheme
- Details of Kitchen Extract System
- Details of Pollution Prevention for Food Outlets (oil, fat and grease reduction to public sewer)
- Details of Electric Vehicle Charging Point Provision
- Post Demolition Phase 2 Contaminated Land ISI Report
- Submission of Contaminated Land Remediation Strategy
- Implementation of Contaminated Land Remediation Strategy
- Submission of Contaminated Land Validation Report
- Details of External Artificial Lighting
- Details of means of Securing External Access Doors
- Details of Fire Appliance Siren Policy

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, P Davies, S Hall, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (no votes)

13 **Planning Application - Application No: 2021/93644**

The Committee gave consideration to Application 2021/93644 – Erection and operation of grid-connected solar photovoltaic farm to supply up to 49.9MW with ancillary infrastructure and landscaping and biodiversity enhancements at Low Farm, Wakefield Road, Flockton.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Mike Greetham (local resident) and Jack Spurway (applicant).

RESOLVED - That authority be delegated to the Head of Planning and Development to notify the Secretary of State of the Local Planning Authority's intention to approve the application, to give the Secretary of State the opportunity to consider whether to exercise call in powers and that, subject to the response from the Secretary of State, progress to approve the application and issue the decision notice and complete the list of conditions including matters relating to;

- Development to commence within 3 years
- Development to be carried out in accordance with the approved plans and specifications

Strategic Planning Committee - 14 July 2022

- Temporary permission (40 years, with non-operational clause for removal), with notice of commencement to be submitted
- Limitation of site to 49.9MW
- Green Belt: Prior to development commencing, full details of landscaping and screening strategy (i.e., numbers, species mixture, planting timeframe etc.) and management / maintenance to be submitted and approved
- Green Belt: Decommissioning statement prior to use
- Green Belt: Notwithstanding the submitted plans, details of container colour to be submitted
- Green Belt: No lighting erected without details being submitted
- Green Belt: CCTV plan
- Land use: Grazing Management Plan
- Glint and Glare: Mitigation measures to be installed prior to use commencing
- Amenity: Site operate in accordance with the Noise Impact Assessment
- Amenity: Construction Environmental Management Plan
- Highways: Access improvements to be implemented prior to solar panels being installed (per parcel)
- Highways: Sightlines as shown on plan to be implemented and retained
- Highways: Construction Management Plan
- Drainage: Yorkshire Water easement
- Contamination: Ground investigation – Contamination (Phase 2, Remediation, Validation)
- Contamination: Ground investigation – Coal (Phase 2, Remediation, Validation)
- Ecology: No clearance within the bird breeding season without survey
- Ecology: protected species holes in fence, for access
- Ecology: Ecological Design Strategy (EDS)
- Ecology: Invasive species removal protocol
- Ecology: Construction Environmental Management Plan: Biodiversity
- Education: Submission of education strategy
- Trees: No solar panels to be erected within 15m of the ancient woodland
- Trees: An Arboricultural Method Statement and Tree Protection Plan shall be provided before development commences
- Trees: A plan showing the exact location of tree friendly construction for access road

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors P Davies, S Hall, Pattison, A Pinnock and Sokhal (5 votes)

Against: Councillors Armer and Thompson (2 votes)

14 **Planning Application - Application No: 2021/94060**

The Committee gave consideration to Application 2021/94060 – Variation condition 32 on previous permission 2016/92298 for outline application for re-development of former waste water treatment works following the demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) at Former North Bierley Waste Water Treatment Works, Oakenshaw.

Strategic Planning Committee - 14 July 2022

Under the provisions of Council Procedure Rule 37, the Committee received representations from Charlie Brown (local resident) and Jeremy Williams (applicant's agent).

RESOLVED –

- 1) That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
 - Reserved matters to be submitted prior to commencement
 - Reserved matters to be submitted to the LPA and carried out per plans
 - Reserved matters time limit for submission
 - Reserved matters time limit to commence
 - Phasing plan to be submitted
 - Biodiversity Enhancement and Management Plan to be submitted
 - Construction Ecology Management Plan to be submitted
 - Construction Environment Management Plan to be submitted
 - Lighting Design Strategy for Biodiversity to be submitted
 - Sewer easement
 - Access to Moorend combined sewer overflow and syphon sewer details
 - Separate foul and surface water required
 - Drainage details to be submitted
 - Outfall details to be provided
 - Development done in accordance with Flood Risk Assessment
 - Coal working site investigations
 - Layout and landscape RMs to include consideration of coal working investigations
 - Layout and landscape RMs to include Arboricultural Survey and Method Statements
 - Layout and landscape RMs to include treatment of PROW on site
 - Limiting floorspace constructed to 17,642m² until given highway works are approved or Highway England works undertaken
 - Limiting floorspace occupied to 17,642m² until given highway works implemented (as approved by condition 20) or Highway England works undertaken
 - Development restricted to the areas shown on plateau plan
 - Reserved Matters shall include a 'Residual Uncertainty Assessment' in relation to flood risk
 - Reserved Matters to include surface water disposal strategy
 - Before occupation, SUDS features management, maintenance, and adoption to be submitted
 - Temporary surface water details to be provided
 - Prior to occupation, confirmation of highway works to be provided (improvements to Mill Carr Hill Road and Cliff Hollins Lane)
 - Fixed mechanical services and plan to be noise controlled
 - Layout and landscape RMs to include noise attenuation
 - Unexpected contamination procedure
 - Layout and landscape RMs to include low emission and charging point details
 - Limitation on B2 and total floor space (to be varied)

Strategic Planning Committee - 14 July 2022

- Prevent given area being used as Last Mile (new)

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover a deed of variation which ties the S106 obligations from 2016/92298 (the original consent) to the new S73 consent.

3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Planning and Development shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the Application and impose appropriate reasons for refusal under delegated powers.

4) That any subsequent Reserved Matters applications be submitted to this Committee for determination.

5) That Condition 33 be amended to read as follows:

33. The hereby approved development does not authorise the operation of any 'Last Mile' and/or 'Parcel Distribution' distribution use within the area highlighted in red on plan ref. '2147 PL 100B', as submitted on the 13th June 2022. 'Last Mile' and/or 'Parcel Distribution' is hereby defined as any single parcel undertaking its last leg of a journey from a transportation hub to a final destination, based upon the nationally recognised TRICS (Trip Rate Information Computer System) database definition. Reason: In the interest of highway safety, to ensure the development operates within the parameters of the assessment undertaken, in accordance with LP21 of the Kirklees Local Plan.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors P Davies, S Hall, Pattison, A Pinnock and Sokhal (5 votes)

Against: Councillors Armer and Thompson (2 votes)

15 **Planning Application - Application No: 2021/93539**

The Committee gave consideration to Application 2021/93539 – Demolition of existing building and erection of detached dwelling at 628 Halifax Road, Hightown, Liversedge.

RESOLVED – That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Timescale for implementing permission
- Development to be carried out in accordance with the approved details
- Samples of materials to be submitted for approval
- Submission of Phase II Intrusive Site Investigation Report
- Submission of Remediation Strategy
- Implementation of Remediation Strategy
- Submission of Validation Report

Strategic Planning Committee - 14 July 2022

- Submission of scheme for electric vehicle charging point
- Removal of permitted development rights (classes A-E)
- Submission of details for provision for a fire tender/dry riser
- Areas to be surfaced and drained
- Submission of details for biodiversity enhancement measures

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, P Davies, S Hall, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (no votes)

16 **Planning Application - Application No: 2021/93911**

The Committee gave consideration to Application 2021/93911 – Erection of 7 single storey garages and extension to access track at land off Perseverance Street, Cowlersley, Huddersfield.

RESOLVED – That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Three years to commence development
- Approved Plans and Documents
- Pre-commencement condition on materials and colour to be approved by the Local Planning Authority before construction

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, P Davies, S Hall, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (no votes)

This page is intentionally left blank

KIRKLEES COUNCIL			
DECLARATION OF INTERESTS AND LOBBYING			
Strategic Planning Committee			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

LOBBYING

Date	Application/Page No.	Lobbied By (Name of person)	Applicant	Objector	Supporter	Action taken / Advice given

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
(b) either -

- the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Lobbying

If you are approached by any Member of the public in respect of an application on the agenda you must declare that you have been lobbied. A declaration of lobbying does not affect your ability to participate in the consideration or determination of the application.

In respect of the consideration of all the planning applications on this Agenda the following information applies:

PLANNING POLICY

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

National Policy/ Guidelines

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, 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.

REPRESENTATIONS

Cabinet agreed the Development Management Charter in July 2015. This sets out how people and organisations will be enabled and encouraged to be involved in the development management process relating to planning applications.

The applications have been publicised by way of press notice, site notice and neighbour letters (as appropriate) in accordance with the Development Management Charter and in full accordance with the requirements of regulation, statute and national guidance.

EQUALITY ISSUES

The Council has a general duty under section 149 Equality Act 2010 to have due regard to eliminating conduct that is prohibited by the Act, advancing equality of opportunity and fostering good relations between people who share a protected characteristic and people who do not share that characteristic. The relevant protected characteristics are:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- religion or belief;
- sex;
- sexual orientation.

In the event that a specific development proposal has particular equality implications, the report will detail how the duty to have “due regard” to them has been discharged.

HUMAN RIGHTS

The Council has had regard to the Human Rights Act 1998, and in particular:-

- Article 8 - Right to respect for private and family life.
- Article 1 of the First Protocol - Right to peaceful enjoyment of property and possessions.

The Council considers that the recommendations within the reports are in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

PLANNING CONDITIONS AND OBLIGATIONS

Paragraph 55 of The National Planning Policy Framework (NPPF) requires that Local Planning Authorities consider whether otherwise unacceptable development could be made acceptable through the use of planning condition or obligations.

The Community Infrastructure Levy Regulations 2010 stipulates that planning obligations (also known as section 106 agreements – of the Town and Country Planning Act 1990) should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The NPPF and further guidance in the PPGS launched on 6th March 2014 require that planning conditions should only be imposed where they meet a series of key tests; these are in summary:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects

Recommendations made with respect to the applications brought before the Planning sub-committee have been made in accordance with the above requirements.

Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 11-Aug-2022

Subject: Planning Application 2022/91456 Reserved matter application pursuant to outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness, and the discharge of conditions 5 (masterplan), 6 (design code), 8 (access), 9 (internal access) and 19 (BEMP) Southgate/Leeds Road, Huddersfield, HD1 1TW

APPLICANT

Tim Hosker, University of
Huddersfield

DATE VALID

04-May-2022

TARGET DATE

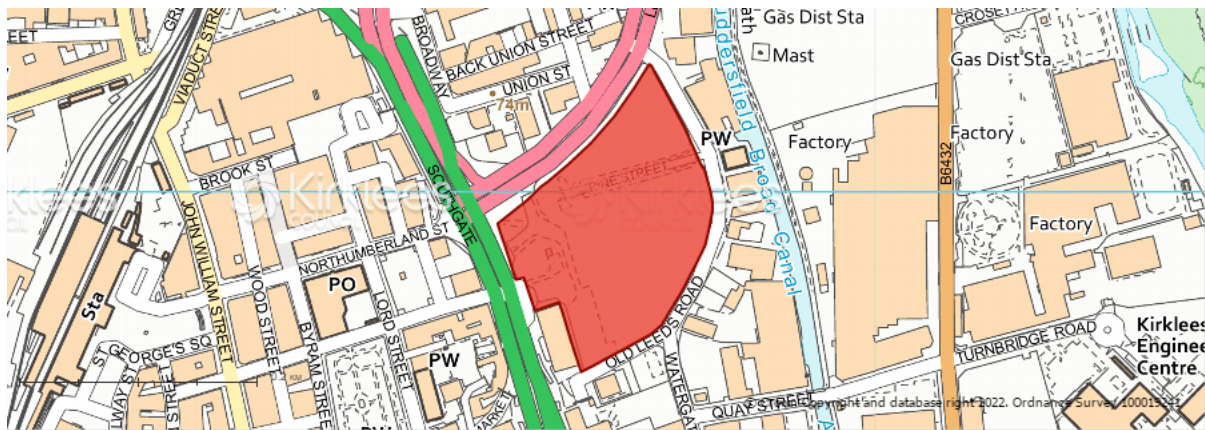
03-Aug-2022

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Within Dalton Ward, adjacent to the boundary with Newsome Ward.

Ward Councillors consulted: Yes

Public or private: Public

Recommendation

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and to secure a S106 agreement to cover the following matters:

- Ecology – Contribution (£18,860) towards off-site measures to achieve biodiversity net gain, with alternative option to provide on-site or nearby provision if suitable scheme identified;

In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

1.0 INTRODUCTION

1.1 The application seeks approval of all Reserved Matters (namely access, appearance, landscaping, layout, and scale) to phase 1 of the Outline application 2021/91544.

1.2 It is brought to the Strategic Committee on request of the committee, stipulated when the parent Outline application was determined (meeting dated 26th of August 2021). For clarity the Outline approved the following development description, subject to conditions:

Outline application for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/healthservices; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness

The outline's approved maximum floor space is 75,000sqm across the campus.

1.3 This item was presented as a position statement at the committee held on the 9th of June, 2022. The position statement included an overview of the proposal, including the site and planning history from officers, and a presentation from the applicant. Members were then invited to comment upon the proposal, and several questions posed as prompts for discussion. Members' comments are summarised within section 5.3 of this report.

2.0 SITE AND SURROUNDINGS

- 2.1 The Outline application site fully extends to an area of 2.67 hectares comprising the entire Southgate site. It is bounded by Southgate and Crown House, a 1970s office block, to the west, Leeds Road to the north and Old Leeds Road to the south and east. The site was formerly occupied by two 11 storey high-rise housing developments, a large sports centre, multi-storey car park and various other buildings, however it was cleared and re-graded by the Council in 2016. Part of the site has most recently been used as a temporary car park providing 166 spaces to accommodate parking displaced by the closure of the Market Hall car park.
- 2.2 This reserved matter application relates to the phase 1 of the site's development, which is a 0.48ha parcel of land alongside the site's west and north-west boundaries. This is circa 20% of the whole site.
- 2.3 The surrounding area is mixed in character. Opposite the site on Old Leeds Road the buildings are principally in light industrial / business use within a variety of older Victorian mill buildings, as well as more recent 1970s business units. Opposite the site on Leeds Road is Harold Wilson Court, a recently refurbished 11-storey residential block.
- 2.4 Huddersfield Town Centre lies to the west. The west side of the ring-road forms the boundary for the Huddersfield Town Centre Conservation Area, which hosts numerous Listed Buildings; notably the Grade 1 Huddersfield Railway Station is situated at a distance of approximately 450m from the site. The station would be accessed via Northumberland Street and across Southgate. This route also provides a pedestrian connection via Leeds Road to John Smith's Stadium, which is situated approximately 0.5 miles to the east of the application site.

3.0 PROPOSAL

- 3.1 The application seeks approval of all Reserved Matters (namely access, appearance, landscaping, layout, and scale) on Phase 1 of Outline application 2021/91544. This initial phase of the development has a site area of 0.48ha to the Outline's full 2.67ha.
- 3.2 The building would be sited adjacent to the boundaries to Leeds Road and Southgate. It would have an irregular footprint and would be surrounded by hard and soft landscaping which would also form the connections into the later phases of the site. External facilities would include waste storage and cycle parking. No dedicated parking is proposed as part of this phase; however, this phase would not require the removal of the adjacent temporary car park off Pine Street, which would serve this phase of the development. The masterplan currently includes a 'sustainable transport hub' car park on site as a later phase.
- 3.3 The building's design would be contemporary. The height would be split level, principally comprised of four storey and a seven-storey sections. The four-storey section would be predominantly faced in natural stone and the seven-storey section in metal cassette cladding (in bronze), with large glazing panels throughout. The building would include a mezzanine level and several tiered roofs, roof terrace / terrace garden areas. Solar panels are indicatively shown on the roofs.

- 3.4 The building would have a footprint of circa 2,000sqm, providing a total of 10,269m² across all floors. Approximately 60% of the floor space would be dedicated to academic space, 25% for clinical and public space, with the remainder being partner space, plant, and ancillary space. The site is expected to have a daily occupancy of up to 1,635, consisting of 185 staff, 1,340 students, and 110 visitors.
- 3.5 The working name for the building is The Health and Wellbeing Academy. It is intended to be occupied by the University's School of Health and Human Sciences. The building would host a number of classrooms, laboratories and other specialist facilities for learning. Of note these include:
- Mock operating theatre
 - Mock ambulance (aka simulance)
 - A mock community flat / dwelling, to replicate visiting patients at home, with external area.
 - A functional podiatry and orthotics clinic which would be open to members of the public (circa 1000sqm of floor space).
 - Dedicated office / work space for 'external partners'.
- 3.6 Externally, to address falling land levels (down to the east), a staircase is to run east to west. Soft landscaping includes tree lined (pedestrian) streets and sloping grassed areas. External structures include a screened bin-store, sprinkler tank, and cycle store. These are intended as temporary, to be expanded and formalised as part of a subsequent phase. The bin-store would be screened by 2.2m high fencing and necessitate retaining works to form a level surface. The retaining works would be 1.6m in height and consist of timber cribs. The cycle store is to be a prefabricated compound and would allow for the medium / long term storage of 96 bikes, while 26 Sheffield stands (short / medium term storage) are also proposed.
- 3.7 Surface water is proposed to be discharged via combined sewer. As a brownfield site policy seeks for a minimum of a 30% betterment in discharge rate: a discharge rate of 34l/s to the combined sewer is intended. Attenuation is to be delivered via a mixture of rain gardens, filter strips, and underground tanks.
- 3.8 Outline application 2021/91544 was approved with 32 planning conditions. Of those, five conditions required the submission of specific information at application stage. These conditions are 5 (masterplan) 6 (design code), 8 (access), 9 (internal access), and 19 (BEMP). Details to address these five conditions have been submitted to support the proposal.

4.0 RELEVANT PLANNING HISTORY (including enforcement history)

4.1 Application Site

2009/93675: Erection of replacement retail store (Class A1) with petrol filling station, car parking, landscaping and associated works – Allowed on appeal (expired)

2015/93322: Prior notification for demolition of buildings – Approved

2020/91629: Temporary use of site as a car park for a period of 3 years – Approved

2021/91544: Outline application for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health-services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness – Approved with S106

2022/91412: Discharge of conditions 4 (phasing), 5 (masterplan), 6 (design code), 7 (CEMP), 8 (access), 9 (internal access), 10 (highway retention), 11 (highway drainage), 12 (drainage strategy), 13 (drainage assessment), 14 (temporary drainage), 18 (EcIA), 19 (BEMP), 23 (phase II investigation), 27 (noise), 31 (cycle parking) and 32 (climate change) of previous Outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health-services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness – Decision Pending

4.2 Surrounding Area

Crown House

2017/93186: Prior approval from change of use from office (B1) to dwellinghouses (C3) (98 flats) – Details Approved

2017/93866: Prior approval from change of use from office (B1) to dwellinghouses (C3) (110 flats) – Details Approved

2018/90213: Alterations to lower ground to create 7 apartments and external alterations – Approved

2021/92282: Prior approval for change of use from office (Class B1a) to 85 residential units – Details Approved

4.3 Enforcement

The site has no Planning Enforcement history.

5.0 HISTORY OF NEGOTIATIONS

5.1 No pre-application submission was made for this phase of the development, however prior to submission a meeting took place between the applicant and senior planners where the applicant presented the proposal in detail.

5.2 Prior to the committee on the 9th of June, 2022, where the position statement was presented, no negotiations had taken place. Planning officers were awaiting responses from their consultees and the expiration of the public representation period.

5.3 Members comments / questions from the committee are summarised below, with officer comments.

- Requesting clarification on the climate and energy credentials of the proposal.

Response: The applicant has submitted an amended document on this matter which provides much greater detail and reassurance that appropriate consideration has been given. An assessment on this may be found in paragraphs 10.57 – 10.59.

- The committee expressed a broad welcoming of the proposal and quality and design.

Response: This was noted and welcomed.

- Concerns over the proposal's future parking arrangement, and the potential use of multi-storey car parks.

Response: This concern is noted. Ultimately the site's long-term car park does not form part of phase 1 and this reserved matters. In the masterplan the applicant shows an intended 'Sustainable Transport Hub' that will include car parking and other methods of transport management. What form this will take is unclear at this time, but may include a multi-storey car park. The outline description of development does specifically allow for a multi-storey car park on this site (although the specific details, such as height and design, would be required as a late phase's reserved matters submission). For clarity however, members should note the chance of this including subterranean parking is unlikely.

- Members sought reassurance that the stone to be used would be natural.

Response: The applicant has confirmed that the facing stone for the building would be natural, and locally sources. Nonetheless, condition requiring samples and confirmation of the source of the stone is recommended. Paving stones are to be reconstituted, which is considered reasonable but again with a recommendation that samples are provided.

- Questions over the connectivity between the University's existing campus, and that proposed, particularly for pedestrians. This included querying how students can be prompted to walk through the town centre, as opposed to along the ring road.

Response: The applicant has provided a 'Connectivity Study', as well as updated Transport Assessment. These have helped inform officer's assessment on these concerns. Please see paragraphs 10.15 – 10.22 which considers these concerns.

- Seeking clarification on adjacent highway works ongoing at the time of the committee (still ongoing) and relationship with the proposed development.

Response: The works are the 'Corridor Improvement Programme: A62 Smart Corridor'. The following is a summary of the works. Sections in **bold** are those considered directly relevant to the proposal.

Scheme description

The scheme will improve the A62 Leeds Road corridor in Huddersfield between the junction of Huddersfield Ring Road, Southgate, Northumberland Street and Old Fieldhouse Lane – a corridor length of approximately 2km. The improvements will include:

- *A new left turn access slip road into Great Northern Retail Park from Lower Fitzwilliam Street*
- *Removal of a gyratory at the junction of Fitzwilliam/Gasworks, and replacement with two signalised junctions at A62 / Gasworks Street / Lower Fitzwilliam Street / Great Northern Retail Park*
- ***Upgraded junction layouts at A62 / Bradley Mills Road, A62 / St Andrew's Road, A62 / Hillhouse Lane / Thistle Street, and A62 / Southgate / Northumberland Street***
- *Revised vehicular turning movements - ban turn at Leeds Road / Thistle Street / Hillhouse Lane*
- ***Segregated cycle lanes, on highway cycle lanes, and advanced cycle stop lines***
- ***Improved bus stop provision (new/improved shelters, bus layby, real time information screens)***
- ***Improved footway surfacing for pedestrians***
- ***Signals optimisation***
- ***New signage/lighting***
- ***Road surfacing & marking***
- ***Green infrastructure (grass verges, street trees, green space, sustainable drainage system [SuDS])***

Impact

This scheme will increase the highway capacity and reduce congestion along the A62 Leeds Road corridor in Huddersfield, supporting improved journey times for all road users and the access to existing employment and housing as well as facilitating future developments, supporting the Local Plan. Upgrading of the junction layouts will also improve safety for pedestrians, cyclists and motorists.

- 5.4 Officers continued their assessment post the position statement being presented at committee, giving due regard to members' comments. Overall officers considered the proposal to be of a high quality, however clarifications and / or amendments were required on numerous points to ensure policy compliance. This included, initially, inadequate Highways information being provided to undertake an informed assessment, along with inadequate landscaping details. Other concerns included seeking revisions to the Masterplan, Phasing, and Design Document. Initially these were submitted as a single document, which was considered convoluted.
- 5.5 To progress the proposal several in-person meetings have taken place since the previous committee. The Masterplan, Phasing, and Design Document was split into three documents, and received revisions based on offer feedback. The landscaping strategy was expanded to include proposed species and initial concerns raised by Yorkshire Water were discussed and resolved between all parties. Comprehensive Highway information has been provided, along with details of the applicant's involvement with the Council and their ongoing improvement works.
- 5.6 Detailed discussions have also taken place regarding Ecology. The proposal's ecological impacts have been appropriately assessed and considered to be acceptable, although the matter for securing net gain was less straight forward. Condition 19 requires each phase to demonstrate how it will contribute towards the site's calculated 10% net gain figure. The applicant has demonstrated they are unable to deliver this within the phase one boundary, nor has a suitable alternative site been identified nearby. Therefore, a contribution of £18,860 has been calculated and agreed to be secured via S106.
- 5.7 Based on the amendments and clarifications provided, officers are now satisfied that the proposal represents a high quality of development which fully complies with local and national policy, therefore enabling a recommendation for approval.

6.0 POLICY

- 6.1 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).

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

- 6.2 The application site is allocated as Mixed Use (MXS2) within the Kirklees Local Plan. It falls within the defined boundary of Huddersfield Town Centre.
- 6.3 Relevant Local Plan policies are:

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP9** – Supporting skilled and flexible communities and workforce

- **LP17** – Huddersfield town centre
- **LP20** – Sustainable travel
- **LP21** – Highway safety and access
- **LP22** – Parking
- **LP23** – Core walking and cycle network
- **LP24** – Design
- **LP26** – Renewable and low carbon energy
- **LP27** – Flood risk
- **LP28** – Drainage
- **LP30** – Biodiversity and geodiversity
- **LP32** – Landscape
- **LP33** – Trees
- **LP35** – Historic environment
- **LP47** – Healthy, active and safestyles
- **LP49** – Educational and health care needs
- **LP51** – Protection and improvement of local air quality
- **LP52** – Protection and improvement of environmental quality
- **LP53** – Contaminated and unstable land
- **LP67** – Mixed use allocations

6.4 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

6.5 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

6.6 Other relevant national guidance and documents:

- MHCLG: National Design Guide (2021)

Climate change

6.7 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.

6.8 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.

7.0 PUBLIC / LOCAL RESPONSE

Public representation

7.1 The application has been advertised as a major development via site notices and through neighbour letters to properties bordering the site, along with being advertised within a local newspaper. This is in line with the Council’s adopted Statement of Community Involvement.

7.2 The public representation period ended on Sunday 12th of June 2022. Amendments / further details have been received during the course of the application, however these were considered limited in scope and did not justify a re-advertisement period

7.3 No public representations have been received.

7.4 The site is within Dalton Ward and is adjacent to the boundary with Newsome Ward. Councillors for these wards were notified of the proposal. No comments have been received.

8.0 CONSULTATION RESPONSES

8.1 Statutory

K.C. Highways (Development Management): The application initially provided insufficient information to allow for a detailed assessment. This primarily revolved around traffic generation and parking demand, but also student pedestrian movement details. Following meetings where this was discussed, further details including a Transport Statement and Connectivity Study was provided. On review of this, K.C. Highways confirm no objection, subject to condition.

K.C. Lead Local Flood Authority: Expressed an initial objection as inadequate drainage details had been provided. This led to discussions between the relevant parties, and amended details being provided. No objection based on the amended details.

The Canal and Rivers Trust: Offer no comment.

The Coal Authority: No objection.

The Environment Agency: No comments received.

Yorkshire Water: Raised initial concerns, requesting further details on the diversion of water pipes across the site. The applicant provided information to demonstrate that this had been considered. Based on this, Yorkshire Water have confirmed no objection, subject to an easement condition.

8.2 Non-statutory

Huddersfield Civic Society: No comments received.

Historic England: Offer no comment. Advise seek advice from local Conservation and Design team.

K.C. C+D: No objection. It is considered that the proposal would cause less than substantial harm to the historic environment, however this is clearly outweighed by the public benefits it would deliver.

K.C. Crime Prevention: Discussions are ongoing; however, it has been agreed that a condition, requiring details of security mitigation measures, would be suitable to adequately address matters.

K.C. Ecology: No objection regarding the proposal's impact. Have been involved in discussions about securing this site's ecological net gain. Subject to either the net gain being delivered on site, or nearby, or a contribution valued at £18,860 towards local provision being secured, no objection.

K.C. EV Health: No objection to this Reserved Matters.

K.C. Highways (Waste): Advice offered on the appropriate management, storage, and collection of waste. This has been provided to and partly incorporated by the applicant, with final details to be secured via condition.

K.C. Landscape: Initially sought further information and clarification on the landscaping proposals. This was provided, assessed, and considered acceptable. Ongoing management and maintenance arrangements of the planting are required via condition.

K.C. Trees: No objection. While trees are to be lost, none on site are considered worthy of TPO, nor provide material public amenity. The tree loss is adequately mitigated by the proposed re-planting.

9.0 MAIN ISSUES

- Land use and principle of development
- Access
- Appearance, Scale, and Layout
- Landscape
- Other matters
- Discharge of conditions
- Representations

10.0 ASSESSMENT

Land use and principle of development

10.1 Paragraph 47 of the National Planning Policy Framework (the Framework), which is a material consideration in planning decisions, confirms that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. This approach is confirmed within Policy LP1 of the Kirklees Local Plan, which states that when considering development proposals, the Council would take a positive approach that reflects the presumption in favour of sustainable development contained within the Framework. Policy LP1 also clarifies that proposals that accord with the policies in the Kirklees Local Plan would be approved without delay, unless material considerations indicate otherwise.

10.2 The site is allocated as 'Mixed Use' within the Local Plan (MXS2). The parent outline permission 2021/91544 established the principle of development upon the whole site for the following, with all matters reserved:

Erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/healthservices; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness

10.3 Having been considered and determined as part of the outline planning permission, no further assessment of the principle of development is appropriate or necessary as part of this application. It is considered that this Reserved Matters is fully compliant with the outline permission. The development will be subject to the relevant outstanding conditions set out in the outline permission.

10.4 Accordingly, an assessment of the Reserved Matters applied for is required, followed by assessment of any other material considerations.

Access

10.5 Access is defined as:

the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

10.6 First considering vehicle access, service vehicles (waste collection, deliveries etc.) will access the site from a new road from Old Leeds Road, to the south of the site, to be built atop the former leisure centre's car park. The applicant has submitted an initial design for this road, including sightlines and swept paths. The plans currently show refuse vehicles turning within a pedestrian area: officers have raised concerns over this, and an amended turning arrangement has been verbally agreed with the agent. The plans are pending; confirmation of receipt shall be provided within the update. Beyond this, the plans have been reviewed and considered acceptable in principle, with full technical construction details to demonstrate appropriate standards recommended to be secured via condition. This will lead to a bin-store and waste management area. While they would be of solid and permanent construction, the bin-store and waste management area are intended to be incorporated and improved as part of a later phase. The Council's Highways (Waste) officer has reviewed the proposal and offers no objection.

10.7 Day to day vehicle access to the building for staff and visitor drivers will be via Pine Street, which is an established road abutting the site. Pine Street historically served the demolished multi-storey car park and residential block; now it provides access to a temporary car park (Pine Street Car Park). Despite being an in-service road, the applicant has provided details of Pine Street's junction to Old Leeds Road, including sightlines, to demonstrate that it is of a reasonable quality and standard to serve this development. Technical details on the transition between Pine Street and the development's pedestrian area are outstanding, but are expected imminently or may be secured via condition if necessary. Should this be received and raise any matter of note it will be reported within the update to members.

10.8 As the masterplan progresses, Pine Street is intended to be redeveloped into a shared surface street and become part pedestrianised; the access off Old Leeds Road will be utilised as the main vehicle access to the Sustainable Transport Hub and Waste Management Centre.

10.9 The provision of local public transport and pedestrian and cycling facilities create conditions which are well suited to promote sustainable travel, minimising the number of staff and students travelling by car. Nonetheless the proposal will inevitably generate vehicle movements; the proposal is not a typical higher education campus, as it includes an element of public access (notably, the health clinics).

10.10 The Pine Street Car Park is to be this building's dedicated car park, until a later phase of the masterplan delivers the campus' 'Sustainable Transport Hub' as a permanent replacement. The Pine Street Car Park, originally owned by the Council, has temporary planning permission (via app ref. 2020/91629) to be a car park until September 2023. Currently it is used by the public as a town centre car park. The whole Southgate site, including the Pine Street Car Park, has since been bought by the University, and its open public use is to end.

- 10.11 The Pine Street Car Park has 159 parking spaces. In accordance with the University's policy, it would be used by staff and visitors only, with students typically not permitted to park. Visitors will be required to pre-book. The applicant has undertaken a Trip Generation and Parking Demand assessment. Given this building is to host medical clinics, visitor (non-staff) numbers have been accepted to be higher than typical for an education building. Nonetheless, the assessment concludes staff and visitors for this building will, at the peak, require a total of 95 spaces. Even allowing for a sizable buffer, it is considered that the building would be well-served by the existing car park. The methodology applied has been reviewed and accepted by K.C. Highways. Nonetheless, a condition for a car parking management plan is recommended. This is to ensure details of restrictions, signing and markings to ensure drivers are aware of the proposed parking provision are secured and implemented, along with details of a scheme ensuring the car park is used exclusively by those for which it is intended should also be supplied.
- 10.12 Until the phase of development including the Sustainable Transport Hub comes forward, each intervening phase of development will be required to repeat this assessment, to determine whether the existing Pine Street Car Park is sufficient for cumulative demand. If not, additional provision may be necessary.
- 10.13 To address the matter of the Pine Street Car Park only having a temporary planning permission, a condition is intended which requires a detailed parking strategy to serve this phase of the development. This would be required to be submitted and implemented prior to the development being occupied. Given the scale of the undeveloped land on the site, and the principles established by the parent outline planning permission for this land, which includes the delivery of on-site parking, the prospect of an unsuitable parking strategy coming forward is negligible.
- 10.14 Regarding student vehicle movements, as noted students use of the car park would not be supported. Using current University student movement data, circa 23% of students are expected to travel via private car, which equates to 308 for this building. As per the existing arrangement for students, student drivers are expected to park elsewhere in the town centre at various on-street and off-street parking locations. Officers are satisfied that the town centre has sufficient capacity for this level of demand. However, if this trend continues for the remaining phases of site, it is expected that the applicant will need to give further consideration to managing and/or accommodating student drivers as the demand grows.
- 10.15 Turning to pedestrian and cycle access, the site is within Huddersfield Town Centre and is considered highly sustainable. It is a 3-minute walk from Huddersfield Railway Station and 6-minutes to the bus station. The main pedestrian routes to the proposed development from within the town centre are considered to be via Northumberland Street, Lord Street, St Peters Street and Beast Market, then across Southgate.

- 10.16 Pedestrian access to the site across Southgate is in the form of footways and controlled pedestrian crossings that are well established. Existing footway provision on both sides of Old Leeds Road and Leeds Road are of reasonable width, in good condition and well lit. The junction between Leeds Road and Southgate is currently being improved, as detailed within paragraph 5.3, but do not include an increase in pedestrian capacity. Nonetheless, a capacity increase is not currently considered necessary and the facilities are adequate to accommodate expected pedestrian movements. For the avoidance of doubt, the highway improvement works have been planned since before the University's involvement at the Southgate site and therefore are not in response to the current proposal.
- 10.17 At the previous committee members raised the matter of connectivity between this building and the University's main Queensgate Campus. The applicant has submitted a 'Connectivity Report' which studies the ideal walking / cycle routes to the site from the Queensgate Campus. It should first be noted that connectivity between the two campuses will not be substantial, and would largely operate as separate facilities. Therefore, the need to walk between the two would be limited. Notwithstanding this, the University considers that the preferable route for students would be through the town centre, principally along Queen Street, Lord Street, and Northumberland Street. This is because it is the most attractive and direct (from most, but not all of the large Queensgate Campus) route, which provides amenities along route (lunch, shopping etc.). They also note that the path along the Canal is likely to be utilised as well, as an attractive and more natural route. However, it is acknowledged that this route may not be suitable at all times, particularly when dark. Nonetheless, with this in mind, they do not consider that walking along the ring road would be common for students, but cannot be ruled out. Officers concur with the assessment undertaken, and agree the town centre route is likely to be preferred by options.
- 10.18 Options to further promote and reinforce the town centre as the key route have been discussed. This included an information campaign and signage, full details of which, are recommended to be secured via condition. Officers expect this to included details on student safety by the canal.
- 10.19 In regards to access in and around the site, there would be numerous pedestrian connections from Leeds Road and Southgate, which will enable strong access and connectivity. The building's main access will be open to the public during opening times which are expected to be 0600 – 2000, Monday to Friday, and 0800 – 1800, weekends. This will therefore also allow the public a route through the building. This strong initial ease of access and connectivity will improve the site's integration into the wider town centre, which will improve as the later phases are added. Connectivity through to Old Leeds Road is currently limited to Pine Street, but will be improved through later phases.
- 10.20 Specific to cycling, the Leeds Road / Queensgate improvement works include the provision of a dedicated cycle lane around the site, which is welcomed and will promote cycling to and from this site. Subsequent phases of the development intend to include cycling routes, although none are shown within the current phase. In terms of storage, the cycle store will allow for the medium / long term storage of 96 bikes, while 26 Sheffield stands (short / medium term storage) are also proposed. The store would be temporary, until the later 'Sustainable Transport Hub' delivers the site's permeant arrangements. This is considered an appropriate provision, the delivery of which may be secured via condition.

- 10.21 An ongoing ambition of the Council is to promote the Station to Stadium walking route. This strategy looks to promote walking as an attractive and viable transport option to John Smith's Stadium from Huddersfield centre. The proposal would not prejudice this ambition, and is expected to enhance it. By placing a prominent and notable building within the sightline from the railway station, the proposal will assist with 'place making' and making out the route (i.e., when navigating from the station, 'head towards the large glazed University building down Northumberland Street'). Furthermore, the proposal would regenerate the brownfield site in an attractive manner, making the walk more engaging and visually pleasant, while potentially adding commercial services (i.e., the café, subject to opening days / times).
- 10.22 Condition 17 of the parent outline permission requires a full Travel Plan to be provided for each and every phase 3 months prior to occupation (note, it does not require it as part of Reserved Matter submissions). At outline a framework travel plan was submitted which identified four key objectives:
- Promoting walking, cycling and public transport as the primary modes of travel;
 - To deliver mode shift from car journeys to alternative modes including multi-occupancy vehicle trips;
 - To reduce vehicle emissions through the take up of alternative transport modes and;
 - To deliver education and promotion of walking and cycling as options for a healthier lifestyle.

As considered at Outline stage, officers are satisfied that Travel Plans will contribute and assist to support a modal shift towards sustainable transport measures, and away from single car occupancy travel.

- 10.23 Concluding and summarising on the above, officers are satisfied that the proposed access details are acceptable, subject to the submission of final technical details and the recommended conditions. The proposal is deemed to be in accordance with the principles established at outline stage, and the expectations of Policies LP20, LP21, LP22, and LP24 of the Kirklees Local Plan.

Appearance, Scale and Layout

- 10.24 Appearance is defined as:

the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

- 10.25 Scale is defined as:

the height, width and length of each building proposed within the development in relation to its surroundings.

10.26 Layout is defined as:

the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

Visual Amenity

- 10.27 At outline stage it was accepted that, to facilitate 75,000sqm of development on this site, sizable buildings would be required. Nonetheless it was noted that detailed and throughout assessment would be needed at each phase's Reserved Matters application to evaluate the impacts. Phase 1 was intended as the 'flagship building' for the campus. The proposed does conform to the expectations expressed at Outline stage and the initial masterplan.
- 10.28 The character of Huddersfield Town Centre is largely defined by its 'mill town' origins and Victorian architecture, having many high-quality historic buildings with predominant Yorkshire stone use. Nonetheless, it also includes numerous modern buildings, of various scales, including visually diverse civic and commercial buildings. While not itself within the defined Town Centre, the University's current Queensgate Campus hosts numerous examples of large, modern architecture buildings alongside historic ones, which help define the area. As the first phase of a new University campus, this building would be contextualised against both the town centre and University's current architecture styles.
- 10.29 The proposed building is considered to be visually attractive, having an innovative and high-quality architectural design. The delivery of a statement, keystone building is the intent of the proposal, which is considered to be well achieved. The building would be large in scale, although not unduly so, considering the comparable height of buildings such as Crown House, Harold Wilson Court and Media Centre which it would be seen alongside, and other buildings within the town centre. It would be prominent, being highly visible from both close quarters and distant panoramic views. This has been adopted into the design, embracing the prominence it would enjoy while avoiding becoming invasive or incongruous in its setting. This has been achieved through the use of large glazing panels, tiered heights and features to break the horizontal and vertical massing of the building, therefore reducing its evident mass.
- 10.30 The building would be close to the pavement, particularly that of Southgate, which reflects the strong front building lines of Crown House and buildings on Northumberland Street. Nonetheless, it would have modest spacing from the pavement, allowing for the inclusion areas for landscaping (considered further below) which is a layout feature which contributes to the attractive design and would aid the development's transition from town centre to edge of centre. Conversely, to the rear the site would have a largely open layout featuring amenity grassland with a boulevard-like path. It is envisioned that, as the future phases develop, this will result in a welcoming 'urban park' feeling within the campus.

- 10.31 The mixture of materials is considered appropriate, with the use of natural stone providing a traditional grounding to the building while the cladding and glazing provide a lightweight modern element. Cladding and glazing interventions are common within the University's Queensgate Campus, with a lesser prominence in the town centre, therefore establishing a precedent for these materials. Notwithstanding this, if minded to approve, a condition will be sought requiring samples of the material to be provided for review. A criticism of many tall buildings is how they detail their rooftop accretions. Clarity of elevations and building silhouettes is often undermined by edge protection measures, plant etc. Railings should not be installed close to the parapets and all plant should be located within enclosures. A condition seeking to control this is recommended.
- 10.32 Ancillary structures include the bin-store, cycle store, and sprinkler tank. The bin-store and sprinkler tanks are to have 2.2m high timber fencing, which is considered a reasonable protective and visually unobtrusive security measure. Each would be positioned to the rear of the site, and would not be unduly prominent. The retaining works to enable the bin-store are modest and ultimately necessary given such structures need to be flat and level with their access. The sprinkler tank size is unknown at this time, with full details recommended to be secured via condition to ensure no undue harm through its implementation. The cycle store is to be a pre-fab structure, which is timber clad on a steel frame. This would be serviceable, until a more permeant structure is included in a subsequent phase.
- 10.33 In summary, the proposal represents an attractive and well considered design that is glamorous, without being ostentatious. It proposes the first of hopefully several high-quality buildings on this site, which, if they follow the standard of this proposal, would help define the attractiveness and innovation of Huddersfield Town Centre. Subject to the above detailed conditions, officers are supportive of the proposed design and considered that the development complies Policy LP24 of the Kirklees Local Plan.

Impact on Local Heritage Assets

- 10.34 There are various listed buildings around the site, with the applicant's heritage assessment identifying 33. This includes 29 Grade 2, three grade 2* and one Grade 1. The Grade 1 is the Huddersfield Station. In addition to listed buildings, the site is adjacent to the Huddersfield Town Centre Conservation Area.
- 10.35 Sections 16 and 66 of Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of conservation areas and listed buildings. In considering whether to grant planning permission for development which affects a heritage asset or it's setting the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.36 The proposed development will not affect the fabric of any of the identified heritage assets. This means, there will be no physical works upon, or in the case of the Conservation Area, within, the heritage assets. Nonetheless, due regard must be given to the setting of the heritage assets.

- 10.37 The proposed building will be prominently visible alongside many of the identified listed buildings, which is inevitable due to its scale and proximity to them. New, modern development within a town centre is to be expected and is not unreasonable, particularly given this building is outside the Conservation Area, which is well confined by the ring-road. Nonetheless, it must be accepted that such a large, modern intervention adjacent to historic buildings will affect their original setting.
- 10.38 Particular consideration has been given to the potential impact upon Huddersfield Railway Station, which is Grade 1 Listed. The heritage value of this building is extensive, but can be summarised as its architectural appearance, internal design, setting within the town centre, and social value. Views of both the new building and Railway Station will be limited. Views of the new building from the Railway Station, given the notable distance, would not harm its value. The predominant concern comes from the new building blocking views of the Railway Station from Old Leeds Road and the Canal Towpath, which would effectively be completely removed. Officers have considered the impact of this carefully, and concluded the harm to be limited. While views towards the Railway Station are important, those from Old Leeds Road and the canal are distant and of limited quality. Furthermore, there is limited historic connection between the canal, Old Leeds Road, and the Railway Station that would be eroded. Nonetheless, any loss of views of Huddersfield Railway Station will result in harm.
- 10.39 The NPPF requires the level of harm caused by a proposal to heritage assets to be quantified. The harm to the heritage assets, individually and cumulative, is considered to fall into the lower end of 'less than substantial'. 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 (NPPF Paragraph 202). The public benefits of the proposal are considered to be substantial. This includes economic, social, and environment benefits, through bringing a redundant brownfield site back into a high-quality education use. It is therefore concluded that the proposed development complies with S66 of the Act, LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

Residential amenity

- 10.40 New development has the potential to harm the amenity and living standards of neighbouring residents, with Policy LP24 seeking to protect established amenity standards.
- 10.41 Near to the site there is the tower of Richmond Flats to the north of the site as well as residential flats above ground floor units along Southgate to the west. Richmond Flats is 50m from the proposed buildings, while the nearest flat to the west is 37m away. The large size of the building is acknowledged, and that it would be prominently visible from windows facing towards it. The site is within the town centre where closely spaced buildings is not uncharacteristic: nonetheless, these given separation distances are not considered to be close, and are sufficient to prevent any concerns related to overbearing, overshadowing or overlooking.

- 10.42 Crown House, due south of the site, is currently vacant. Its last use was office; however, it does have permission for conversion to residential (85 units, via 2021/92282). The new building would be 22.5m away from Crown House, however this distance is to a predominantly blank elevation (bar staircase windows). The approved residential layout plans would not change this relationship, keeping only non-habitable windows on this elevation. The elevations to host habitable room windows would not have a direct or close view of the building. Accordingly, officers are satisfied that the proposed development would no prejudice the amenity of future potential occupiers of Crown House.
- 10.43 Policy LP52 requires consideration of pollutants that affect environmental quality and how they may affect amenity. The proposed development is not expected to be a substantial noise pollutant. While it is accepted it will introduce a large number of people to the site, typical use of the site with students, staff, and visitors, moving around the site or enjoying the open space will not result in loud noise. Condition 28 of the outline limits the noise level of external plant. In terms of odour pollution, condition 30 of the outline requires the submission of an odour strategy prior to any kitchen being brought into use.
- 10.44 Concluding on the above, officers are satisfied that the matters of layout, scale, and the appearance of the proposed development would not result in material harm to the amenity of neighbouring residents. Furthermore, it would not lead to harmful pollutants that harm amenity, with security offered by the conditions imposed at outline stage. The proposal is therefore deemed to comply with LP24 and LP52 of the Kirklees Local Plan.

Landscape

- 10.45 Landscape is defined as:

the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

- 10.46 The proposal would necessitate the removal of numerous trees on the site, predominantly along the site's boundary with Leeds Road. None of the trees benefit from TPO status, nor have they been identified as candidates following a review from K.C. Trees, as they are in a poor state. Nonetheless, LP33 seeks that '*Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment*'.
- 10.47 A detailed landscaping strategy has been provided which demonstrates that the proposal would deliver an attractive setting. Tree planting is prominent through the site, with 38 trees proposed across this phase. All paths would be treelined using ornamental species with a suitable native contingent. Planters and/or ornamental planting beds are likewise evident through the site and would further contribute to a verdant setting. A large area of open space, as

managed amenity grassland, would be sited to the east of the new buildings. The masterplan indicates this would be maintained through all phases of the development (bar a modest reduction in a later phase, with the land being used as part of a main boulevard, at which point additional open spaces around the site would be delivered). Hard surfaces would be predominantly artificial stone, with some natural stone around key entrances. This is not opposed in principle, however a condition for material samples to ensure suitable end products are used is recommended.

- 10.48 Regarding external views, tree planting is proposed between the building and Southgate. This would contribute to the site attractiveness, as well as that of the wider area. For the Leeds Road frontage, tree planting by the University is limited. This is to enable a path around the building. Nonetheless, the Council intends to have a circa 4 – 5m deep planting area of its own, as part of the Leeds Road / Southgate junction improvement works, which is expected to host trees. This is therefore outside the control of the applicant, although officers are aware that the Council's design team and applicant are in correspondence to ensure appropriate integration. Given this external landscaping, which is part of a scheme currently being delivered and which the University has been consulted on, officers do not consider the lack of planting by the applicant along the Leeds Road boundary materially harmful.
- 10.49 Further to the planting around the main building, planting of low trees and shrubbery, is proposed on the various roof terraces (fourth, fifth and six floors). This will contribute to a green appearance, when viewed from an appropriate distance and angle.
- 10.50 In regard to screening, given the nature of the proposal there would be no solid boundary treatment around the site's perimeter. The external area to the simbulance / mock dwelling would be enclosed in 1.8m high metal louvres and panels, to provide privacy and security. Timber screening is proposed around the bin-store and sprinkler tank, which is typical and reasonable for service areas. Each of these is considered acceptable and would not be unattractive.
- 10.51 Regrading works to ground levels would be required across the site, given its existing topography. There is an overall fall downwards from west to east. Methods to address the levels have evidently been considered early and appropriate, having been well incorporated into the proposed design. There would be no unsightly retaining structures, and both staired and sloped access through the site would be available.
- 10.52 K.C. Landscaping have reviewed the proposal, and offered the following assessment of the details provided:

A considered strategic framework supports the development and thinking behind proposals. The detail included is appreciated, especially the analysis around wider connectivity of the site for pedestrians. We consider this an extremely relevant and important factor in the sites success and integration into the setting. The materiality pallets are considered appropriate. Street furniture pallets are also considered appropriate and suggest robust, functional and elegant design throughout the scheme. The masterplan (as indicated on page 64 2022.07.12- Volume 1 - Master Planning.pdf) is welcomed, the scheme offers good permeability, pedestrian and cycle routes with priority appearing to be for the pedestrian. The proposed primary avenue is a

valuable element and key to the sites wider connectivity. The latest iterations now show a greater spread of green spaces with each campus building having direct access to external spaces, particularly at the heart of the development proposals. Avenues of trees add cohesion and strengthen the greening of the site and site biodiversity. Boundaries of the site particularly to the east and southeast do appear less considered with less sub canopy greening and narrower margins. The use of rain gardens and swales are welcomed as are any suggestions which improve site biodiversity and or mitigate negative environmental effects. The use of trees in the proposals is reasonable and we would not expect the proposed number to be reduced, preferably increased if appropriate. The phase one proposal (as shown in A 2022.07.12- Volume 1 - Master Planning) is welcomed the scheme balances well with the proposed structure, softening the built form and providing a valuable and inviting open space at the rear of the building.

- 10.53 Overall, the proposed-on site open space is welcomed and considered a strong start to an anticipated verdant and attractive campus. A condition is recommended requiring the implementation of the landscaping as proposed, alongside requiring a detailed the management and maintenance strategy for the open space and planting (for a minimum of five years). This is to ensure plants have adequate establishment opportunity. Subject to these conditions, the proposal is deemed to accord with LP32 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework

Other matters

The Huddersfield Blueprint

- 10.54 Huddersfield Town Centre benefits from the 'The Huddersfield Blueprint' document, which is 'a ten-year vision to create a thriving, modern-day, town centre'. The plan aims to deliver five key objectives for Huddersfield Town Centre: A vibrant culture, art, leisure and nightlife offer, thriving businesses, a great place to live, improved access and enhanced public spaces. It focuses on regenerating six key areas: Station Gateway, St Peter's (and Northumberland Street), Kingsgate and King Street, New Street, the Civic Quarter and a new Cultural Heart in the Queensgate and Piazza area.
- 10.55 The application site does not form one of the six key areas. Despite this, it is well-sited to influence and contribute towards the areas. Consideration should also be given whether the proposal would negatively affect the aims of the blueprint.
- 10.56 Officers consider the proposal would notably assist in the delivery of the five objectives of the blueprint, through offering a high-quality facility an enhanced offer within the town. As has been previously considered while separated from the town by the ring-road, the site will have a high level of pedestrian permeability and encourage movements in and around the site. Thorough increasing the University and town centre's attractiveness and footfall, the proposal will either directly or indirectly result in a greater culture offer, art provision, leisure facilities, business attractiveness, and a desirable place to live. Furthermore, through being a high-quality development immediately adjacent to St Peter's Garden and Northumberland Street, and by encourage pedestrian movements through Kingsgate and King Street, and the station gateway, the proposal will support the future delivery of enhancement works. There are deemed to be no detrimental impacts of the proposal, upon the aims and ambitions of the blueprint.

Climate change

10.57 Condition 32 requires that each phase of the development include a dedicated climate change statement. This has been provided. Officers consider it evident that the applicant has given due regard to climate change and energy management. The following are some of the key features of the building, but is not an exhaustive list:

- The building is being constructed to BREEAM Excellent and WELL Building standard Platinum.
- The building has been designed to operate using high-efficiency air source heat pumps to take advantage of the decarbonisation of the national grid and to benefit from future power-purchase agreements (PPAs) to significantly lower the carbon emissions in operation, in addition to reducing the maintenance requirements of the building.
- We would be installing an intensive building management system (Honeywell TREND) to manage the operation of the building with localised controls in suitable areas and time schedules enabled to manage usage efficiently accounting for type of space and time of year, e.g., teaching spaces would be set-back during summer when teaching is not scheduled, office spaces would be available all year round except for building closures.
- All white goods would be specified to high efficiency standards in compliance with our BREEAM Excellent accreditation. We would be issuing a comprehensive building user guide in compliance with our WELL Building Standard and BREEAM accreditations, this would include specific information regarding the heating and cooling systems amongst other relevant information.
- Wherever practical materials would be reused or materials would be sourced locally. During the enabling works all materials would be retained on site. Existing foundations, structures and obstructions would be crushed and screened for reuse in the piling mat, thus eliminating the need for vehicle movements and reducing carbon emissions. Local suppliers and contractors would be used wherever practical and meet the buyer events would be held to introduce the project, and potential tendering opportunities to the local supply chain. Wherever practical local labour would be used and a project specific skills and employment plan would be produced detailing the outputs. Locally sourced stone is a reoccurring material on the Universities campus which is being selected on this project for the façade. This is from a quarry in Huddersfield. Stone has a low embodied carbon compared to other cladding materials and is being used on half of the building envelope.
- Prefabrication of materials and components would also be investigated during the design stage. The use of MEP modules, prefabricated SFS panels, package plant rooms etc. would all be reviewed and implemented wherever practical. These opportunities significantly reduce the number of deliveries to site and also reduce the amount of on-site labour.

- The building has been designed to take advantage of the orientation of the site, utilising southerly, and easterly facades for natural & mixed-mode ventilation, significant glazing on the building would enable natural light deep into the floorplan and provide solar gain in winter when the building is in full operation. A significant proportion of the roof space has been set aside for Solar PV, whilst still enabling the mechanical services to be located alongside. The building would incorporate (circa) 40kWp of Solar Photovoltaics.
- Energy efficiency is paramount to the design, with high quality LED lighting throughout, access to natural light, plus a comprehensive building management system utilising multiple sensors including CO2. Water efficient toilets, urinals, taps, showers, and appliances have been specified into the design of the building. The University has a long-standing approach to specifying water efficient systems as standard. For air quality, the building has extensive mechanical ventilation systems designed to manage the areas adjacent to the ring road and Leeds Road. These are being designed to meet the high-standards of the WELL building standard, including high quality air filtration.

10.58 Of note, the building is not currently intended to connect to a District Heat Network (DHN), as the Council's plans are still early. However, the site may be connected in the future (subject to whole-life costing analysis would be conducted to determine the suitability of adapting the building to connect it). The masterplan includes a phase-by-phase assessment of connecting into the DHN, depending on the situation at the time of each phase.

10.59 The submitted details are comprehensive and welcomed. Their implementation / operation is secured via condition 32 on the parent permission and therefore a condition re-securing this is not required. The proposal is considered to adhere with the aims and objectives of Policies LP24 and LP26 in regards to energy.

Crime prevention

10.60 Advice has been provided by the Council's Designing Out Crime officer to the applicant, along with a request for a meeting from the district Counter Terrorism Advisor. This meeting is being facilitated, but is expected to relate to technical details that would not affect the reserved matters submission (i.e., glazing standards, CCTV location, internal locking). In accordance with Paragraphs 58, 69 and 164 of the NPPF a condition is to be imposed requiring the submission of the development's security mitigation and prevention measures, for review by the Designing Out Crime and Counter Terrorism Agency, if minded to approve.

Flood Risk and Drainage

10.61 The principles of the site's flood risk and drainage arrangements were assessed and established as part of the parent outline permission. For flood risk, it was concluded that there are no flooding issues within the site and, because it lies within Flood Zone 1, a Sequential Test was also not required. For drainage, as a historic brownfield site, it was identified that the site has a large discharge rate into public sewer. It was determined that;

The development scheme would manage the surface water runoff rate and incorporate the 1:100 + 30% climate change scenario. It acknowledges that the whole scheme would require management and storage and a preliminary estimate based on 100% of the development being positively drained is that the development would require 830m³ of storage.

- 10.62 A site wide maximum discharge rate of 138l/s was secured via condition 16 on the outline, while condition 12 requires each phase to have a dedicated Drainage Strategy. The condition does not require the Drainage Strategy to be submitted with each phase's Reserved Matters (i.e., as part of this application). Nonetheless, the applicant has submitted a Discharge of Condition (ref. 2022/91412) application alongside this Reserved Matters application seeking to discharge condition 12. The LLFA and Yorkshire Water have reviewed the Drainage Strategy for this phase, and each have confirmed they hold no objection.
- 10.63 Conditions relating to flood routing and temporary drainage arrangements during construction (per phase) are secured via conditions on the parent outline proposal.
- 10.64 There are numerous freshwater / foul-water pipes crossing the site, which are the responsibility of Yorkshire Water. Condition 15 on the parent outline sought to protect the foul water pipes by imposing standoff distances, unless a diversion was secured. A formal diversion has been approved by Yorkshire Water. The freshwater pipes were not identified at outline stage, but have been now. Yorkshire Water has requested a similar standoff distance condition, unless the pipe is formally diverted, for this application. This is considered reasonable and is recommended.

Ecology

- 10.65 At outline stage, a Preliminary Ecological Appraisal (PEA) was undertaken to determine the site's original ecological state and value. It was deemed to accurately identify the ecological context of the site and enabled ecological principles to be established. This included calculating the site's ecological value of 5.68 units, using the DEFRA Metric 2.0. This equates to 6.25 units, when accounting for 10% net gain. Given the application was outline with all matters reserved, it was considered that planning conditions would be most appropriate to secure ongoing ecological monitoring and net gain.
- 10.66 Condition 18 on the outline requires that a comprehensive Ecological Impact Assessment (EclA) be undertaken prior to any development commencing. This document has been submitted as part of the ongoing DOC 2022/91412 and assessed by K.C. Ecology, who have comment *'the EclA provides a robust assessment of the site and determines that the site is of minimal ecological value. The EclA clearly lays out the impacts on biodiversity in the absence of mitigation and details the requirements to ensure that there are no adverse impacts on ecological receptors associated with the proposed development.'* The implementation of the given mitigation measures is secured by condition 18.

- 10.67 Condition 19 requires that a Biodiversity Enhancement Management Plan (BEMP) be provided for each phase of the development. Its fundamental goal is to ensure the original required 6.25 habitat units are delivered throughout the different phases. The condition requires that the information be provided as part of each phase's Reserved Matters application.
- 10.68 It has been agreed between officers and the applicant that each phase would provide a prorated value of habitat units, based off each phase's proportionate site area. As phase 1 covers circa 20% of the outline site, it is expected to deliver 20% of the net gain, or 1.25 habitat units. The applicant has assessed this and determined they are unable to deliver all 1.25 units on this site, but can provide a reduced amount. The next option is to explore provision elsewhere in the area, but they have currently been unable to identify suitable nearby land. A full deficit of 1.25 units equates to £28,750, which will be reduced by whatever units they are able to provide. Discussions are ongoing on this matter, with further information to be provided within the update. The agreed figure is to be secured within the S106 agreement.
- 10.69 With the shortfall of net gain agreed to be secured via S106 Contribution, officers are satisfied that the proposal complies with the expectations set out at outline stage, in so far as it relates to ecology and ecological net gain, and adheres to the conditions. Furthermore, the proposal is deemed to comply with the aims and objectives of policy LP30 of the Kirklees Local Plan.

Discharge of Conditions

- 10.70 Outline application 2021/91544 was approved with 32 planning conditions. Of those, five conditions required the submission of specific information at application stage. These conditions, and an assessment of the details provided, are outlined below:

Condition 5 (masterplan)

5. As part of any reserved matters application for each phase, a Masterplan for the application site shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan shall at least include the following details:

- i. Define a clear structural layout of the new development, establishing the permeability of the public realm and establishing a clear pattern of gateways and streets/pedestrian route lined with trees;*
- ii. Positively address the ring-road network, detailing the strategy for boundary treatments along and the enclosure of the site, particularly to address the level-change across the site, vehicular access points and the hierarchy of site roads and gateways.*
- iii. Illustrate the physical and visual connections to the site based on pedestrian desire routes into the site and across the town centre and to the existing University campus;*

- iv. *This would also need to include a consideration of pedestrian routes through the site to improve the area's permeability to other destinations such as the stadium;*
- v. *Focus external views from the town centre along Northumberland Street, ensuring that the specifications for the 'landmark building' (at indicative site 01) addresses the need to express the connections with the historic core;*
- vi. *Consider key views / focal points from the surrounding area, including from the canal (a key pedestrian/cycle route) looking towards the Railway Station;*
- vii. *Indicate how the proposed campus development would architecturally address the integration of Crown Buildings;*
- viii. *Illustrate how vistas of key site gateways and internal nodes would be addressed to demonstrate active frontages and over-looked/passively controlled pedestrian/access areas;*
- ix. *Outline the service/operational requirements for the building blocks to be considered when determining whether façades of buildings are of sufficiently high-quality and function well, defining the public and private/service areas to maximise the permeability and vitality of the public realm.*
- x. *Establish how the structural landscaping would define the public realm, while compensating for the loss of tree groups*
- xi. *Consider the opportunity to create tree-lined boundaries to Southgate, Leeds Road, and Old Leeds Road to define the edges of the campus site, with similarly expressed key gateways and access points.*

The details comprised in the reserved matters for each phase shall comply in all respects with the approved Masterplan.

Reason: *To ensure that the development achieves high quality design across the whole site.*

10.71 Officers have worked with the applicant to refine the Masterplan as originally submitted. This included elaborating on certain points, or adding others that were lacking. Based on the amended proposal, officers are satisfied that the submitted Masterplan is acceptable, and puts forward a quality strategy for the ongoing development of the site. It is deemed to comply with each of the requirements set out within condition 5, in addition to the requirements of Policy LP5.

Condition 6 (design code)

6. As part of any reserved matters application for the first phase, a Design Code for the whole of the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: *To ensure that the development achieves high quality design across the whole site.*

- 10.72 The purpose of the design code is to establish the design principles for the site going forward. The NPPF defines a design code as a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area. The Framework confirms that design codes can be used on a site-specific level and should ensure a framework for creating a sustainable and distinctive development with a consistent and high-quality standard of design
- 10.73 The applicant has submitted a comprehensive design code. A balanced approach has been taken, as the University values the independence of varied design within their architecture, as evident by their existing campus. Nonetheless, distilling this into a reasonable design code has been achieved, in accordance with the expectations of condition 6.

Condition 8 (access) and Condition 9 (internal access)

8. As part of, or prior to the submission of the application for reserved matters for the first phase of development, a plan detailing the highway access into that phase shall be provided. This shall include the following:

- a) Provision of a visibility tangent of $x=2.4m$ by $y=43m$.*
- b) A corner radii of 10 metres minimum.*

The access into the relevant phase shall be implemented in accordance with the approved details prior to the first occupation of that phase.

Reason: *To provide a satisfactory means of access into the site in the interests of highway safety.*

9. As part of, or prior to the submission of any application for reserved matters pursuant to access for each phase of development, details of access arrangements within the site for that phase shall be provided. These details shall include the following:

- a) Full details and sections of any carriageway access, which should have a minimum width of 7.3m with a 2m footway and segregated cycleway and a minimum 35m centreline radius;*
- b) Details of parking arrangement for each phase, to include details of parking bays, which shall be a minimum of 2.4m x 4.8m and disabled bays at a minimum of 6.6m long x 2m wide.*

No building pursuant to an individual phase shall be brought into use until the above access works for that phase have been completed in accordance with the approved details.

Reason: *To ensure that suitable access is available for the development.*

- 10.74 This matter, and other highways considerations, have been address previously. Please see paragraphs 10.5 – 10.14 for details. It should be noted that the first phase is to use the existing Pine Street as the main vehicle route, which does not include a segregated cycle way. Using this existing infrastructure, which is to be notable changed in future phases (part pedestrianised, part shared surface), it is not considered reasonable or necessary to add a cycle route. The new access is for servicing and it is not desirable to add a cycle route on that road. Accordingly, notwithstanding the

expectation of the condition, it is considered reasonable for this phase to discount the expectation. The applicant proposes the use of the temporary Pine Street Car Park, which is reasonable, with a condition intended requiring a permeant solution to be put forward. This may include Pine Street Car Park becoming permeant, until the later phase which adds the Sustainable Transport Hub.

Condition 19 (BEMP)

19. For each phase of development, plans and particulars of the Reserved Matters pursuant to landscaping and layout shall include a Biodiversity Enhancement & Management Plan (BEMP) to ensure that a biodiversity net gain is achieved postdevelopment. The BEMP would be in accordance with the Biodiversity Metric 2.0 calculations as already submitted within the planning application and agreed in principle by the Local Planning Authority comprising an existing value of 5.68 habitat units and 0.29 hedgerow units. The development as a whole shall provide a minimum of 6.25 habitat units and 0.32 hedgerow units habitat units post-development. The BEMP shall therefore include the following:

- a) An updated assessment of the existing on-site and off-site habitats to be retained, lost and created utilising the Biodiversity Metric 2.0;*
- b) Description and evaluation of features to be managed and enhanced*
- c) Extent and location/area of proposed enhancement works on appropriate scale maps and plans*
- d) Ecological trends and constraints on site that might influence management*
- e) Aims and Objectives of management*
- f) Appropriate management Actions for achieving Aims and Objectives*
- g) An annual work programme (to cover an initial 5-year period to be reviewed and updated for a minimum period of 30 years)*
- h) Details of the management body or organisation responsible for implementation of the Plan*
- i) Ongoing monitoring programme and remedial measures*

The Plan shall include details of the legal and funding mechanisms by which the longterm implementation of the Plan would be secured by the developer with the management body responsible for its delivery. The Plan shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action would be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved Plan. The approved Plan would be implemented in accordance with the approved details.

Reason: To ensure that the development hereby permitted provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 and guidance within the NPPF.

10.75 This matter, and other ecological considerations, have been address previously. Please see paragraphs 10.65 – 10.69.

Representations

10.76 No public representations have been received.

11.0 CONCLUSION

11.1 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.

11.2 The site has outline planning permission to become a new campus for the University of Huddersfield, with the proposal representing the first of several phases. The design of the building is innovative and of the highest architectural quality. The development will assist in raising the standard of the surrounding built environment and sets a strong precedent for the redevelopment of the site. Furthermore, the development will provide a direct benefit to the local economy through investment within Huddersfield Town Centre. There will also be economic benefits through the purchase of locally sourced materials, from within Kirklees and the surrounding region. There will also be an indirect benefit through the enhancement of the University's existing education facilities, further growing the University of Huddersfield as a nationally recognised institution.

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

11.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Technical details for new road (adjacent Crown House).
2. Submission of permeant car parking arrangement.
3. Submission of car parking management plan
4. Details of methods to promote town centre (or canal) walking route
5. Cycle storage as shown to be provided.
6. Material samples to be provided
7. Condition to control rooftop features
8. Sprinkler tank details to be submitted.
9. Landscaping management and maintenance arrangements.
10. Site security measures to eb detailed and implemented
11. Yorkshire Water pipe easement

Background Papers

Application and history files

Available at:

[Link to application details](#)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022%2F91456>

Certificate of Ownership

Not applicable at Reserved Matters stage.

This page is intentionally left blank

Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 11-Aug-2022

**Subject: Planning Application 2022/91453 Erection of classroom and play deck
Southgate School, Southfield Road, Almondbury, Huddersfield, HD5 8TG**

APPLICANT

Joe Tingle, Kirklees
School Services Ltd

DATE VALID

28-Apr-2022

TARGET DATE

23-Jun-2022

EXTENSION EXPIRY DATE

15-Aug-2022

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Almondbury

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 Planning permission is sought for the erection of a detached classroom and play deck. If approved, the building would represent a departure from the development plan, as the application site is situated on Urban Green Space.
- 1.2 In this instance, the proposal has been assessed against local and national policy, whereby officers are satisfied that the new building would not result in a loss of the existing school playing fields. Instead, the educational building would be situated on the edge of an existing grassed area, incapable of affecting the existing playing pitch.
- 1.3 The design and access statement submitted as part of this proposal also sets out that *"the new outdoor classroom will provide a shared resource for all pupils and will facilitate learning outside the formal classroom environment. The outdoor classroom will be used to teach Art and Life Skills, for example how to fix a bike. It's proposed location with the views out onto the playing fields has been chosen to facilitate a closer connection to nature for all pupils and to utilise the calming effect of the natural surroundings to mitigate conflict"*.
- 1.4 Other matters of visual amenity, residential amenity, highway safety and all other material planning considerations are considered to be acceptable, subject to the development been completed in accordance with the suggested conditions set out at Section 12 of this assessment.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application relates to Southgate School, Almondbury, a relatively large plot of land contained within the school campus. The school benefits from a mixture of modern complex buildings, in which appear to of been constructed from brick and render, with flat roofs. Pedestrian and vehicular access can be taken from the northern boundary onto Southfield Road.
- 2.2 The wider area is predominantly residential in character, however, the school and its surrounding grounds are situated on Urban Green Space.

3.0 PROPOSAL:

- 3.1 The proposal seeks full planning permission for the erection of a modular classroom. The new building will provide the required accommodation for the children, to allow a closer connection to nature and to utilise the calming effect of the natural surroundings to mitigate conflict.
- 3.2 The proposed building will have a footprint of 10m in width x 8m in depth (10m overall to include decked area) and an overall height of 3.8m.
- 3.3 Internally, the structure will provide a large open plan classroom.
- 3.4 The building will benefit from a flat roof design and will be constructed using a timber frame system which will be externally clad, to provide a natural appearance. The roof is intended to be constructed from a high specification composite power coated metal skin with a highly insulated core. The additional windows and door will be constructed from UPVC or Powder Coated Aluminium.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 *Application site:*

2017/91646 Discharge of conditions 4 (parking) and 9 (biodiversity) of previous planning permission ref: 2015/90463 for extension and alterations to existing school to form new SEN school – Split decision.

2016/93359 Discharge condition 7 (vehicle charging) on previous permission 2015/90463 for extension and alterations to existing school to form new SEN school – Conditions approved.

2016/92977 Non material amendment on previous permission no.2015/90463 for extension and alterations to existing school to form new SEN school – Approved.

2016/92916 Discharge of condition 3 (Materials) on previous planning permission 2015/90463 for extension and alterations to existing school to form new SEN school – Conditions approved.

2015/90463 Extension and alterations to existing school to form new SEN school – Granted.

2010/90528 Erection of timber play shelter – Granted.

2009/92719 Erection of external storage container – Granted.

2000/92898 Erection of two storey classroom extension and kitchen store – Granted.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 No negotiations or amendments have been sought throughout the course of this application.

6.0 PLANNING POLICY:

- 6.1 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).

6.2 The site is situated on Urban Green Space on the Kirklees Local Plan.

Kirklees Local Plan (2019):

- 6.3
- LP1 – Presumption in favour of sustainable development
 - LP2 – Place shaping
 - LP3 – Location of new development
 - LP21 – Highway safety and access
 - LP22 – Parking
 - LP24 – Design
 - LP47 – Healthy, active and safe lifestyles
 - LP49 – Educational and health care needs
 - LP50 – Sports and physical activity
 - LP52 – Protection and improvement of environmental quality

6.4 Supplementary Planning Documents (SPD)

- Highways design guide

National Planning Guidance:

6.5 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

6.6 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 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal changes
- Chapter 15 – Conserving and enhancing the natural environment

Other Guidance

- 6.7
- National Design Guide

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been advertised by site notice, neighbour notification letters and the press. The consultation period ended on 17th June 2022.

7.2 As a result of the above, one representation in objection to the scheme has been received. A summary of the concerns have been highlighted below:

- I am not against the children having as much at their disposal as possible to learn new life skills but as a local resident to the school area, I believe that there are more pressing matters that require attention before this.
- The school needs to sort out the parking issues, which involve both parents and teachers on and around Southfield Road.

- The parking area needs extending so it is able to cope with the growing number of parents/careers that arrive at the school during drop off and pick up.
- Parents are showing complete disregard when it comes to parking on Southfield Road and are even covering driveways.
- If the issue continues to remain unresolved then a petition will be written up by local residents for double yellow lines to be painted on the road by Kirklees Council and white 'do not block' lines to be painted for those who have driveways.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

Sport England – Due to additional information being provided as to the nature of the school and the location of the building in relation to the sites playing pitch, we are satisfied that the proposed development would meet exemption 3 of our playing fields policy. As such, the original objection is now formally withdrawn.

8.2 Non-statutory:

KC Highways DM: Given that the development is not anticipated to increase traffic generation or parking demand at the school, no objections are raised from a highway's perspective.

KC Policy: No formal comments received.

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Landscape issues
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 10.2 The site is designated as Urban Green Space (UGS) on the Kirklees Local Plan. Therefore, Policy LP61 (Urban green space) is central to the consideration of the proposed development. This policy states that development proposals which would result in the loss of UGS will only be permitted where:
- a) an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value; or*

b) replacement open space, sport or recreation facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users; or
c) the proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space”.

- 10.3 This local policy basis is consistent with paragraph 98 of NPPF, which recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of local communities. Furthermore, within paragraph 99 of the NPPF, it is clear that existing open space, sport and recreational facilities should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use*
- 10.4 In light of the above, no further information has been provided as to how the proposal would specifically address the criteria set out within Policy LP61 of the Kirklees Local Plan and Paragraph 98 of the NPPF. However, within the Design and Access statement the agent has set out that the new building will provide and address the need for an additional outdoor classroom at the site. More specifically, it states that the “ *classroom will provide an additional space for pupils to learn in an environment that will improve their quality of life and enhance their ability to learn. By maximising the penetration of daylight and being closer to nature, children would be further motivated to learn*”. Furthermore, the statement also outlines the fact that the proposed development would only result in the loss of a small area of grassland. Therefore, there would be no additional loss of the existing school playing fields as part of this application.
- 10.5 Furthermore, Policy LP49 of the Kirklees Local plan also states that proposals for new or enhanced education facilities will be permitted where they (a) meet an identified deficiency in provision and (b) the scale, range, quality and accessibility of education facilities are improved. This policy coincides with paragraph 95 criteria (a) of the NPPF states that Local Planning Authorities should attach great weight to the need to create, expand or alter schools through the decisions on applications. Therefore, as outlined above, it has been considered that there is a need for a new modular classroom, whereby officers are satisfied that this outweighs the impact upon Urban Green Space. Thus, this material consideration justifies a departure from the Local Plan.
- 10.6 Having taken into account the above, it has been considered that the proposal in principle would be acceptable, subject to there being no detrimental impact on the other material planning considerations in which will be assessed within more detail below.

Loss of playing space

- 10.7 It has been acknowledged that the proposal would result in the loss of a small area of green space/grass land to the east of the main school building. As such, Sport England have been formally consulted whereby initial objections were raised.
- 10.8 However, further information has been provided by the applicant to Sport England to detail the nature of the school and to show the location of the classroom building in relation to the sites playing pitch. The schools playing pitch has been in a fixed location since becoming a SEN school in 2017.
- 10.9 As such, having assessed the additional information Sport England are satisfied that the development would meeting exemption 3 of their playing fields policy in that:
- 'The proposed development affects only land incapable of forming part of a playing pitch does not:
- reduce the size of any playing pitch
 - result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
 - reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
 - result in the loss of other sporting provision or ancillary facilities on the site; or
 - prejudice the use of any remaining areas of playing field on the site.'
- 10.10 Therefore the development can be supported by Sport England as there would be no loss of existing school playing fields, only a small area of existing grassland. As a result, officers consider the proposal to accord with Policies LP47 and LP60 of the Kirklees Local Plan and the aims of Chapter 8 of the NPPF, in promoting healthy, active and safe lifestyles.

Urban Design issues

- 10.11 The applicant is seeking permission for an educational building in which will be ancillary to the main school. The building would be located to the East of the existing built form and would be somewhat visible from public vantage points.
- 10.12 The building, as demonstrated on the proposed plans, would be relatively small in size and scale when compared against the backdrop of the main school buildings. The new classroom would have a footprint of 10m x 10m (when taking into account the external decked area), with an overall height of 3.8m. The introduction of a flat roof will also help reduce some of the bulk and massing at the site and would allow the building to keep in with the existing built form.
- 10.13 The new classroom will have a contemporary appearance, as it will be constructed from timber cladding, in which is considered to complement the stated use for the building. It has also been noted that this material will weather and soften overtime, allowing it to blend in with the open fields in which surround the site to the East.

- 10.14 With regards to fenestration, large openings are proposed, with bi-folding doors to the principal elevation. This will aid natural light penetration. Therefore, given the buildings proposed use, no concern has been raised from a visual perspective, as the building would also be set comfortably within the site and is likely to be screened, to some degree by existing planting.
- 10.15 It is therefore considered that the proposal would accord with Policy LP24 of the Local Plan, the National Design Guide and Chapter 12 of the NPPF.

Residential Amenity

- 10.16 The nearest residential dwellings to the application site, are those situated to the North along Southfield Road and those to the South, along Thorpe Lane. In this instance, sufficient separation distances of at least 80m, would be retained and therefore, officers do not consider the single storey building to result in any undue overbearing, overshadowing or overlooking.
- 10.17 The development is also unlikely to give rise to any noise disturbance, over and above the existing situation and therefore, the modular classing will have an acceptable impact on residential amenity, complying with the aims of Policies LP24 and LP52 of the Kirklees Local Plan, the National Design Guide and Chapter 12 of the NPPF.

Highway issues

- 10.18 The proposed building will be ancillary to the main school and therefore is intended to improve and provide additional facilities for children with Special Educational Needs. Furthermore, the details provided within the application form also state that the new building would not affect staffing or pupil numbers and therefore the proposal is not anticipated to increase the vehicular movements to and from the site.
- 10.19 As a result, KC Highways DM are in support of the application, as it is not considered to materially impact upon highway safety and therefore will comply with the aims of Policies LP21 and LP22 of the Kirklees Local Plan and the Highways Design Guide SPD.

Other Matters

Climate change

- 10.20 On the 12th 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 will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

10.21 In this case, it has been considered that the proposed development would not have a negative impact in the context of the climate change emergency as the new modular classroom would be constructed from natural materials that are light weight and easily reversible. Furthermore, the use of large rectangular windows will reduce the need for artificial light and improve passive solar gain. Whilst there would be no additional landscaping or planting as part of this application, it has been noted that the existing trees/planting would be retained to the South, in which will continue to positively contribute towards better air quality. As such, it has been considered that the scheme provides opportunity to meet the dimensions of sustainable development.

Representations

10.22 As a result of the above publicity, one objection has been received. A summary of the concerns raised along with officer comments can be seen below:

- I am not against the children having as much at their disposal as possible to learn new life skills but as a local resident to the school area, I believe that there are more pressing matters that require attention before this.
- The school needs to sort out the parking issues, which involve both parents and teachers on and around Southfield Road.
- The parking area needs extending so it is able to cope with the growing number of parents/careers that arrive at the school during drop off and pick up.
- Parents are showing complete disregard when it comes to parking on Southfield Road and are even covering driveways.
- If the issue continues to remain unresolved then a petition will be written up by local residents for double yellow lines to be painted on the road by Kirklees Council and white 'do not block' lines to be painted for those who have driveways.

Comment: The above concerns have been noted by officers, however, given that the development would not intensify the use at the site (including both student and staffing numbers) no additional on-site parking would be required. As such, the current concerns would need to be reported to the Council's Highways department, separate to this planning application.

11.0 CONCLUSION

11.1 The application site is designated as an Urban Green Space in Local Plan and therefore development would be contrary to Policy LP61. However, it is considered that there are material considerations, which would outweigh the harm and justify a departure from the Local Plan. These material considerations consist of a recognised need for a modular classroom and improved educational facilities at the site, which accord with Policy LP49 of the KLP and Paragraph 95 of the NPPF.

11.2 Furthermore, 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. In such circumstances it is considered that there are no adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole, or that specific NPPF policies indicate development should be restricted. In such circumstances the application is recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Three years to commence development
2. To be built in accordance with the approved plans and documents

Background Papers:

Application and history files.

[Link to application details](#)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/91453>

Certificate of Ownership – Certificate A has been signed.

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

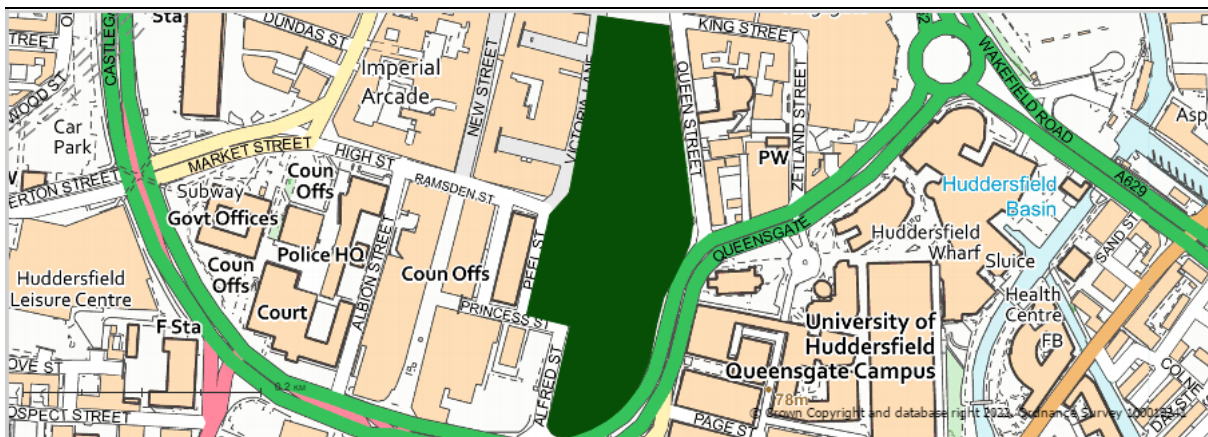
12-Apr-2022

TARGET DATE

09-May-2022

EXTENSION EXPIRY DATE

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 20th 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.