
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 29-Mar-2018

Subject: Planning Application 2018/90099 Erection of four storey building and landscaping details Joseph Priestley Building, University Of Huddersfield, Queensgate, Huddersfield, HD1 3DH

APPLICANT

P Turner, The University
Of Huddersfield

DATE VALID

11-Jan-2018

TARGET DATE

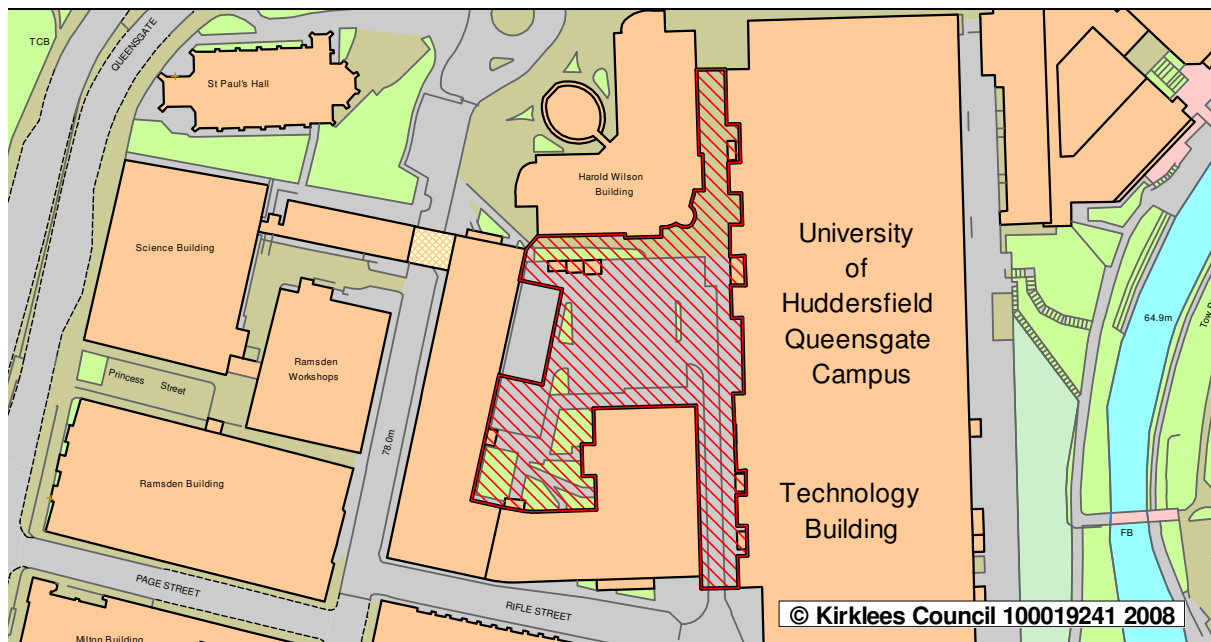
12-Apr-2018

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.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Newsome

Y

Ward Members consulted

RECOMMENDATION

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to:

1. Finalise negotiations on outstanding technical matters with the Lead Local Flood Authority and Yorkshire Water relating to the surface water drainage, specifically their recommended conditions.
2. Complete the list of conditions including those contained within this report (and any added by the Committee).

In the circumstances where outstanding Lead Local Flood Authority or Yorkshire Water comments have not been addressed within 3 months of the date of the Committee's resolution then the Head of Strategic Investment shall consider whether planning permission should be refused on the grounds that the proposals are unacceptable on the grounds of flood risk; if so, the Head of Strategic Investment is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

1.0 INTRODUCTION

- 1.1 This application is brought to Sub-Committee for determination at the request of officers with the agreement of the Committee Chair. This is in accordance with the delegation agreement.
- 1.2 The reason officers have requested a Sub-Committee determination is in light of previous interest in the development of the campus by Local Ward Members, in particular the impact this could have on the local Highway Network. Furthermore the most recent previous major developments on site, the Oastler and Barbara Hepworth buildings, were both determined by Strategic Planning Committee, (under the Council's delegation agreement); bringing the application to sub-committee for determination allows members to consider in detail the plans to expand the Queensgate campus.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site covers an area of 0.33ha. It includes a disused car park and the pedestrian route between Rifle Street and University Square. The car park is currently being used by workmen as a storage yard associated with other development within the wider campus. A new link building adjoining the Joseph Priestley building has been built adjacent to the site.
- 2.2 The site is within the centre of the University's Queensgate Campus, with other university buildings surrounding the site in each direction. The architectural style and appearance of the buildings within the Queensgate campus vary greatly, demonstrating their period of construction and original purpose. Notable adjacent buildings, other than the Joseph Priestley building, include the Harold Wilson Building, the Bronte Lecture Theatre and the Technology Building. There are various designated heritage assets within the area, including the Huddersfield Town Centre Conservation Area being 40.0m to the west. Nearby Listed Buildings are the Grade 2 Listed Drill Hall and Ramsden Building.
- 2.3 Queen Street South connects to Huddersfield Town Centre's ring road, with the site being approximately 4 minute walk from the town centre.

3.0 PROPOSAL

- 3.1 The proposal seeks the erection of a four storey education centre. The building is to be used for Applied Sciences and is currently unnamed. The building is to be located within the Queensgate Campus and will be connected to the Joseph Priestley building via the new link entrance building recently completed on site.
- 3.2 The overall floor space created is to be 3,200sqm, on a footprint of 800sqm. The building is to provide sciences teaching laboratories for the School of Applied Science and will include two 'superlab' facilities (currently intended for Biology and Chemistry). It will also include a laboratory for 'outreach', to be used by science students of local colleges, and student Optometry, for the ground floor, which will include a public aspect.
- 3.3 The building has a roughly rectangular footprint with a curved eastern corner. The north elevation is to be faced in a mixture of stone cladding, aluminium panels and glazing. The south and east are to include these materials, but will also feature a large area of terracotta cladding (red). The building is to be built on a plinth of stone and brick. Plant and equipment are to be located on the roof, to be screened by the curtain walling and a louvre screen.
- 3.4 External works include landscaping of the pedestrian route from Rifle Street, comprising the land around the proposed building, to the main University square. The building is to be built over a disused car park; the parking originally provided by the car park has already been replaced elsewhere. No new parking is proposed within this application. The proposal would create 10 fulltime jobs.

4.0 RELEVANT PLANNING HISTORY (including enforcement history)

4.1 Application Site

2016/93981: Erection of four storey extension and refurbishment and remodelling of existing building (within a Conservation Area) – Conditional Full Permission (Implemented)

2017/92754: Variation of condition 2. (plans and specifications) on previous permission 2016/93981 for erection of four storey extension and refurbishment and remodelling of existing building (within a Conservation Area) – Modification of Condition Granted (Implemented)

4.2 Surrounding Area

Oastler Building

2015/90262: Erection of 6 storey education centre – Conditional Full Permission (Implemented)

Barbara Hepworth Building

2017/92235: Erection of new education building with the associated landscaping – Conditional Full Permission (Implemented)

5.0 HISTORY OF NEGOTIATIONS

5.1 Officers sought clarification on the proposed use of terracotta cladding and requested that samples be provided prior to determination. This were submitted, and upon review of the samples officers consider them to be acceptable in principle.

5.2 The application was not supported by a Site Specific Flood Risk Assessment / Drainage Statement. Officers requested this and it has now been provided, with it currently being reviewed by Yorkshire Water and the Lead Local Flood Authority.

5.3 The proposal is supported by a Highway Impact Assessment. While broadly supportive of the mythology and findings of the assessment, officers sought further details on specific aspects. Following discussions these details have been provided.

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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular,

where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

6.2 On the UDP Huddersfield Town Centre Insert Map the site is unallocated.

6.3 The site is Unallocated on the PDLP Proposals Map.

6.4 Within both the UDP and PDLP the site is adjacent to the Huddersfield Town Centre Conservation Area.

6.5 Kirklees Unitary Development Plan (UDP) Saved Policies 2007

- **G6** – Land contamination
- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE11** – Building materials
- **BE23** – Crime prevention
- **EP4** – Noise sensitive locations
- **EP11** – Ecological landscaping
- **T1** – Transport: Strategy
- **T10** – Highway Safety
- **T16** – Pedestrian access
- **T19** – Parking standards
- **TC1** – Huddersfield Town Centre

6.6 Kirklees Publication Draft Local Plan: Submitted for examination April 2017

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP3** – Location of new development
- **PLP7** – Efficient and effective use of land and buildings
- **PLP20** – Sustainable travel
- **PLP21** – Highway safety and access
- **PLP24** – Design
- **PLP28** – Drainage
- **PLP30** – Biodiversity & Geodiversity
- **PLP32** – Landscape
- **PLP33** – Trees
- **PLP35** – Historic environment
- **PLP53** – Contaminated and unstable land

6.7 National Planning Guidance

- **Paragraph 7** – Sustainable Development
- **Paragraph 17** – Core Planning Principles
- **Chapter 4** – Promoting sustainable transport
- **Chapter 7** – Requiring good design

- **Chapter 8** – Promoting healthy communities
- **Chapter 10** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 11** – Conserving and enhancing the natural environment
- **Chapter 12** – Conserving and enhancing the historical environment

7.0 PUBLIC/LOCAL AND LOCAL MEMBER RESPONSE

7.1 The application has been advertised via site notice and press notice as there are no neighbouring properties bordering the site. This is in line with the Councils adopted Statement of Community Involvement. The end date for publicity was the 23rd of February, 2018.

7.2 No public representations were received.

Local Member Involvement

7.3 The application is within Newsome Ward. The Members for Newsome Ward are Cllr Karen Allison, Cllr Andrew Cooper and Cllr Julie Stewart-Turner. Following validation of the application local members were informed of the application.

7.4 Cllr Julie Stewart-Turner asked questions and provided comments on the parking and highways impact of the development. Cllr Julie Stewart-Turner was advised that officers were minded to approve the application.

8.0 CONSULTATION RESPONSES

8.1 Statutory

K.C. Highways: No objection subject to condition.

The Canal and River Trust: No objection.

The Coal Authority: No objection.

Yorkshire Water: Awaiting formal response following late submission of Drainage Assessment.

8.2 Non-statutory

K.C. Crime Prevention (Including Counter Terrorism): Crime Prevention has no objection subject to condition. The Counter Terrorism Advice Officer requested further details which have been provided and are under review.

K.C. Ecology: No objection subject to condition.

K.C. Landscape: No objection subject to condition.

K.C. Lead Local Flood Authority: Awaiting formal response following late submission of Drainage Assessment.

9.0 MAIN ISSUES

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

10.0 APPRAISAL

Principle of development

Sustainable Development

- 10.1 NPPF Paragraph 14 and PLP1 outline a presumption in favour of sustainable development. Paragraph 7 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation (Para.8). The dimensions of sustainable development will be considered throughout the proposal.
- 10.2 Conversely Paragraph 14 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored, where relevant.

Land allocation

- 10.3 The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states;

'Planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]'

All these considerations are addressed where relevant later in this assessment. Furthermore the site falls within the Huddersfield Town Centre Insert Map of the UDP. Policy TC1 of the Unitary Development Plan refers to how the role of Huddersfield town centre will be enhanced through improvements to existing facilities and enabling new development, and makes specific reference to supporting the expansion of the University.

- 10.4 Consideration must also be given to the emerging local plan. The site is without notation on the PDL Policies Map. PLP2 states that;

All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...

The site is within the Huddersfield sub-area. Policy PLP3, 'location of new development', requires development to reflect the characteristics of the surrounding area, while also supporting employment in a sustainable way. PLP7 relates to the efficient and effective use of land and buildings. The listed qualities and criteria of these policies will be considered where relevant later in this assessment.

- 10.5 Considering the above policies officers conclude that the principle of development is acceptable. An assessment of the proposal's local impact must be undertaken, outlined below.

Urban Design and Landscaping

- 10.6 The proposal would introduce an additional large scale building to the campus which would be seen both at close quarters and at a distance. This includes views from within the campus, Firth Street and Huddersfield Ring-road. The development would therefore have the potential to impact significantly on the visual amenity of the area. However, this needs to be considered in the context of other development in the area.
- 10.7 The University campus hosts buildings of various architectural designs. This includes re-purposed traditional buildings and purpose built education buildings. The mixture of historic and contemporary designs reflects the evolution of the campus over many decades. Notable buildings on campus include the historic Canalside East and West and the Central Services Building, with modern additions including the Oastler Building and the Barbara Hepworth building (currently under construction).
- 10.8 The scale and massing of the buildings vary through the campus. The proposed building is to have a smaller footprint than those surrounding it, while being comparable in height to the neighbouring four storey buildings. The building's scale is deemed to be in keeping with that of neighbouring buildings and others within the wider campus. Considering the design of the above named buildings, each is unique in appearance and architectural form, while harmonising with one another to form a character of variety and interest, with an overall high quality of architecture. Assessing the Applied Science Building's design, the contemporary style and strong architectural image are considered to harmonise well with the other buildings of the university.
- 10.9 The use of stone, aluminium cladding and feature glazing panels reflects common materials within the University campus; the listed materials and their proposed arrangement is considered appropriate. The east and south walls are to feature large areas of red terracotta cladding. The cladding's profile is to include flat and vertically aligned curved sections. Terracotta is not a common construction material, which raised initial concerns from officers who asked for a sample to be provided. Upon review officers consider the glazed terracotta in dark red to be of a high quality. The material will provide architectural interest to the Applied Science Building, giving the building its own character and identity, but with the proposed implementation of the terracotta not causing the building to appear incongruous within its setting. In terms of the colour, other examples of red cladding and red features can be seen throughout the campus, with the use of red terracotta being consistent in this regard. Notwithstanding this, if minded to approve, a condition will be sought requiring samples of all materials to be provided for review. This is to

ensure the palette of materials are suitable. This includes the terracotta cladding: while a sample has been provided at application stage, the sample's profile is not correct to that proposed.

- 10.10 The proposal features landscaping works to the pedestrian route between Rifle Street and University Square, along with the areas round the proposed building. This includes a seating area formed between the Applied Science Building, Bronte Lecture Theatre and the Joseph Priestley Building. The submitted design and access statement stipulates that the landscaping design is intended to extend the blue and green corridor of the Huddersfield Narrow Canal into the centre of the University. This is in keeping with the University's strategic objective of pedestrianising the Queensgate Campus. The landscape intends to 'thread blue and green' together, which features such as numerous planters, a 'controlled stream' (during rain) and 'rain gardens'. The end result is a verdant pedestrian area which is supported by officers and K.C. Landscaping. This is subject to a condition requiring a landscape and ecological management plan, to ensure the appropriate implementation and maintenance of the landscaped area, which is deemed appropriate.
- 10.11 In conclusion, subject to the above detailed conditions, officers are supportive of the proposed design and landscape. It is considered that the development complies with Policies D2, BE1, BE2 and BE11 of the UDP, PLP24 and PLP32 of the PDLP and Chapter 7 and 11 of the NPPF.

Impact on Local Heritage Assets

- 10.12 There are various listed buildings around the site. These include St Paul's Hall, Ramsden Building and the TA Reserve Centre. These buildings are each Grade 2 Listed. Additionally the site is adjacent to the Huddersfield Town Centre Conservation Area. While not within the Conservation Area, development in close proximity, particularly major development, may cause harm to heritage significance. Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduce a general duty in respect of Listed Buildings and Conservation Areas. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of identified heritage assets. Additionally, Policy BE5, PLP35 and NPPF Chapter 12 outline the principle of development and restrictions for development involving heritage assets. In accordance with Chapter 12 of the NPPF consideration must be given to the specific heritage value of the adjacent heritage assets.
- 10.13 St Paul's Hall is a converted church with retains its original architecture and open setting, on a prominent location by the ring road. The Ramsden Building hosts decorative architectural features such as turrets and statues, with the overall architectural merits of the building being significant. The Reserve Centre is likewise listed for its architectural merits and character as a purpose built drill hall. Turning to the Huddersfield Town Centre Conservation Area, while the Conservation Area does not have an area appraisal there is a character summary within the UDP. The appraisal gives weight to the area's fine Grade 2 Listed Building, with the use of ashlar stone and stone setts directly referenced, and the area's Victorian built public and commercial buildings.

- 10.14 As none of the referenced Listed Buildings are within the site, the proposal will not directly impact upon their historic fabric/architecture, an important aspect of their heritage significance. However consideration must be given to their and the Conservation Area's setting. The proposed building is separated from both the Listed Building and Conservation Area by existing buildings, most notably the Joseph Priestley Building. The Listed Buildings and Conservation Area are each surrounded by other large buildings of various ages and architecture, with the proposal, as most, having a negligible on this setting.
- 10.15 As has been assessed the design of the Applied Science Building is considered appropriate in its setting and will not cause harm to the setting, and therefore significance, of the neighbouring designated heritage assets. The public benefits of the proposal, which include an enhancement to the visual amenity of the area and the enchantment of the University's facilities, are considered to outweigh the negligible harm to neighbouring listed buildings and Conservation Area. It is therefore concluded that the proposed development complies with S66 and S72 of the Act, BE5 of the UDP, PLP35 of the PDLP and Chapter 12 of the NPPF.

Residential Amenity

- 10.16 Policy D2 of the UDP, PLP24 of the PDLP and Paragraph 17 require new development not to prejudice residential amenity. The proposed building is surrounded by education buildings of similar heights. The closest residential unit is in excess of 100.0m from the application site. This separation distance, and the intervening buildings, are considered to negate concerns relating to overbearing, overshadowing, overlooking or noise pollution. Officers are satisfied that the development would not prejudice the amenity of nearby residents, in accordance with the above mentioned policies.

Highway issues

- 10.17 The application was previously a staff car park for 63 vehicles, however the carpark use ended approximately a year ago. The application site is currently used as a storage yard associated with other development within the wider campus, with the lost car parking spaces being relocated elsewhere. The access route to the site has been changed into a pedestrian area and is no longer accessible to standard traffic. The pedestrianizing of the route aligns with the University's ongoing strategic objective to reduce vehicle movements within the campus to an operation minimum (including accessible parking spaces). As such the development does not represent a loss of parking spaces, despite being built on a disused car park.
- 10.18 The proposed building will, at full capacity, host 400 students. This includes 'outreach' colleges students, making use of the university grade facilities, who would presumably access the site via coach or public transport. This will be determined on a per-college basis; however, the University campus does have facilities for coach drop off. It is noted that the ground floor includes student Optometry services for the public. This will be a minor aspect of the development however, with limited consultation rooms. Public consultation from students takes place in other buildings on site from other established courses, with the proposal not being materially different. The building is to provide enhanced facilities for existing students, and while it will increase the potential capacity of students on the Chemistry and Biology courses the

majority of student users of the new building will be existing as opposed to new on site. The old facilities are to be repurposed for research and development, however they have the potential to be further repurposed at a later date to additional teaching space. Considering the above the proposal does represent an intensification in demand for parking.

10.19 The University has a Travel Plan which covers the period 2009 to 2017. The Travel Plan sets out a range of strategies, objectives and targets aimed to promoting sustainable modes of transport for staff and students. Initiatives promoted by the Travel Plan include, but are not limited to;

- Provision of cycle shelters throughout the campus
- Provision of on-site motorcycle parking.
- Staff being provided with discounted travel passes
- Subsidence travel from certain student accommodation
- Funding (£40k in match funding) to the Huddersfield Active Travel Project

10.20 The travel plan has been provided as a supporting document for all major development within the University during its period, along with site specific assessments. This includes for the Oastler and Barbara Hepworth buildings. The site-specific assessments for past applications have demonstrated that the objectives and aims of the travel plan have been largely successful. The following is extracted from the application's site-specific highway assessment;

'The current level of car parking provided for the University is 663 spaces, however due to the recent planning consents the level of parking is changing as each permission is built out and the Travel Plan provides a commitment to not exceed 690 spaces. As the off campus car parking is coming into use, the level of spaces within Queensgate campus is reducing in order to provide additional room for open space, cycle and pedestrian provision. This strategy will improve the Queensgate Campus environment by reducing vehicle movements internally.'

10.21 The transport assessment submitted with the planning application provides evidence that the objectives of the travel plan, to reduce single occupancy car journeys and increase sustainable methods of transport, have been broadly successful to date. The current Travel Plan is reaching the end of its period. An updated travel plan is currently being produced by the University of Huddersfield and will include a review of the past travel plan, alongside new plans and strategies to continue to enhance travel arrangements. The update to the travel plan covering the next six academic years (2017-2023) is currently being prepared and is anticipated to be finalised and approved by Spring 2018.

10.22 The application site is considered to be a highly sustainable location. The site is within 150.0m of Huddersfield Town Centre, which benefits from strong public transport links to the local and wider region. The University campus also contains several facilities and amenities within the site which minimises trips onto the local highway network. Furthermore the site is within close walking distance to numerous student residences with further residences being connected by a dedicated University bus. Taking this into account, in addition to the successes of the University's Travel Plan, the upcoming new Travel Plan and submitted Transport Assessment, it is concluded that the proposed

development is acceptable from a Highways perspective. The Council's Highways Development Management Team has reviewed the proposals and has indicated that it does not wish to object to this development.

- 10.23 Given the restrictive nature of the site, and distance from the public Highway, K.C. Highways have requested details on how construction traffic will access the site and be managed. This is deemed acceptable to ensure the efficient operation of the Highway.
- 10.24 In summary it is concluded that the proposed development would not result in harm to the safe and efficient operation of the highway. The proposal is therefore considered to accord with UDP policies T10, T16 and T19 and PDLP policy PLP21.

Other Matters

Supporting economic growth

- 10.25 The proposal seeks to enhance and expand the facilities of Huddersfield University. Therefore to support the proposal would assist the business needs of the University.
- 10.26 Chapter 1 of the NPPF establishes a general principle in favour of economic growth, with Economic Development forming one of the key roles of Sustainable Development. Paragraph 20 of the National Planning Policy Framework stipulates that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. Indirectly the development will benefit Huddersfield Town Centre and the surrounding area through the use of local materials, creation of permanent jobs, temporary jobs during construction and the growth and stability of the University.
- 10.27 In summary the proposal is considered to have a beneficially impact upon the local economy, in accordance with Chapter 1 of the National Planning Policy Framework.

Drainage issues

- 10.28 The site is within Flood Zone 1. Foul and surface drainage are proposed via the mains sewer.
- 10.29 The application was not submitted with a Drainage Assessment. This has now been submitted and consultations undertaken with Yorkshire Water and the Lead Local Flood Authority. However because of the late submission the consultation responses have not been received at the time of publishing.
- 10.30 As the site is within Flood Zone 1 and seeking for foul and surface drainage via the mains sewers there is considered no insurmountable issue relating to drainage with the site. However officers are currently awaiting formal confirmation, and any required conditions, from Yorkshire Water and the Lead Local Flood Authority

- 10.31 So as to work proactively with the applicant and in the interest of a prompt decision officer's request that members delegate authority to the Head of Strategic Investment to await the formal response from Yorkshire Water and the Lead Local Flood Authority so as to finalise negotiations on outstanding technical matters relating to the surface water drainage, specifically their recommended conditions and to impose any relevant and necessary conditions recommended by these consultees.

Impact on local ecology

- 10.32 The site is within the council's identified bat alert and swift nesting zones. However the site is considered to be of limited ecological value because of the lack of vegetation on site and as the proposal does not seek to alter or demolish an existing building, being built on a disused car park. Therefore K.C. Ecology does not object to the proposal.
- 10.33 Notwithstanding the above both Paragraph 118 of the NPPF and PLP30 of the PDLP seek for Planning Applications to produce a net gain in ecological value. The proposal represents the potential to enhance swift nesting within the area. The site has limited vegetated habitat therefore enhancement needs to be focused on the proposed built structure. Taking into account the natural habitat and previous records, a Swift based enhancement is considered the most appropriate and likely to success in this area. Therefore a condition is to be imposed requiring the provision of a swift colony nest site.
- 10.34 This condition is deemed to comply with the NPPFs six tests for conditions and is proportionate given the scale of the application. Subject to this condition officers are satisfied that the proposal complies with the aims and objectives of national ecological guidance, Chapter 11 of the NPPF and PLP30.

Crime prevention and counter terrorism

- 10.35 The proposal has been reviewed by the council's Police Architectural Liaison Officer. There is no objection to the proposal on public safety grounds, however a condition is requested for the submission of a lighting plan along the pedestrian areas. This is in the interest of crime prevention and mitigation, and creating an environment without the fear of crime. This condition is deemed reasonable, in accordance with BE23, PLP24 and Chapter 8 of the NPPF.
- 10.37 Given the scale of the building and its public nature the application's proposed counter terrorism mitigation and prevention measures have been reviewed by the local Counter Terrorism Officer. The Counter Terrorism Officer has provided a detailed response suggesting some amendments to the detailed design and certain aspects of the measures proposed and discussions are ongoing. If minded to approve then any measures considered necessary could be secured via condition. Alternatively the recommendations of the Counter Terrorism Officer can be forwarded to the applicants as advisory suggestions – if these do not meet the 6-tests for planning conditions. This is to accord with Paragraphs 58, 69 and 164 of the NPPF.

Contaminated land and coal mining legacy

- 10.38 UDP Policy G6 and PDLP Policy PLP53 state that development proposals will be considered having regard to available information on the contamination or instability of the land concerned. Given the site's location and varied historic uses there is the potential for ground based contaminants to be present.
- 10.39 Conversely the site has been developed since. In the interest of removing unacceptable risks to human health and the environment with regard to potential contaminants, it is considered necessary and reasonable to impose a condition requiring work to stop and investigation works to take place should unexpected contamination be found during development. This is so as to accord with guidance contained within Policy G6 of the Kirklees Unitary Development Plan, PLP53 of the Kirklees Publication Draft Local Plan and the guidance of the National Planning Policy Framework.
- 10.40 Part of the site falls within an area identified as being at high risk of containing unrecorded historic coal mining workings at shallow depth. A Coal Mining Risk Assessment (CMRA) has been provided with the application which has been reviewed by the Coal Authority. The Coal Authority has confirmed that they are satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately investigated.
- 10.41 The Coal Authority considers that the content and conclusions of the CMRA, and the professional opinions of the report authors, are sufficient for the purposes of the planning system and meets the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development. As such officers conclude that the development complies with the requirements of G6 of the UDP, PLP53 of the PDLP and Chapter 11 of the NPPF.

Representations

- 10.42 No public representations were received to the proposal.

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 Officers are supportive of the proposed development. The design of the building is innovative and of the highest architectural quality. The development will assist in raising the existing high standard of the surrounding built environment. Furthermore the development will provide a direct benefit to the local economy through investment within a close proximity to Huddersfield Town Centre. There will also be economic benefits through the purchase of locally sourced materials, where possible, from within Kirklees and the surrounding region and local labour. 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 It is noted that there are standing objections from the Lead Local Flood Authority and Yorkshire Water. Nonetheless the site is not within a Flood Zone and the outstanding matters relate to technical details on drainage, which are not to be insurmountable if concerns are expressed. Similarly it is considered that the issues raised by the Counter Terrorism Officer could be controlled by condition and/or advisory notes. As such officers are seeking delegation to the Head of Strategic Investment to resolve these outstanding matters in a timely manner.
- 11.4 Subject to technical confirmation from the Lead Local Flood Authority and Yorkshire Water is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS

1. Time limit
2. In accordance with plans
3. Material samples (Design)
4. Reporting of unexpected contamination (Environmental Health)
5. Details of construction traffic (Highways)
6. External lighting plan (Public Safety)
7. Counter Terrorism Measures (Public Safety)
8. Conditions as required by the Lead Local Flood Authority (Drainage)
9. Conditions as required by Yorkshire Water (Drainage)
10. Swift enhancements (Ecology)
11. Ecological design and landscape plan and maintenance (Landscape/Ecology)

Background Papers

Application website link: <http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92235>

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f90099>

Certificate of Ownership: Certificate A signed.