
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 26-Aug-2021

Subject: Planning Application 2021/91544 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 Southgate/Leeds Road, Huddersfield, HD1 1TW

APPLICANT

Tim Hosker, University of
Huddersfield

DATE VALID

24-Jun-2021

TARGET DATE

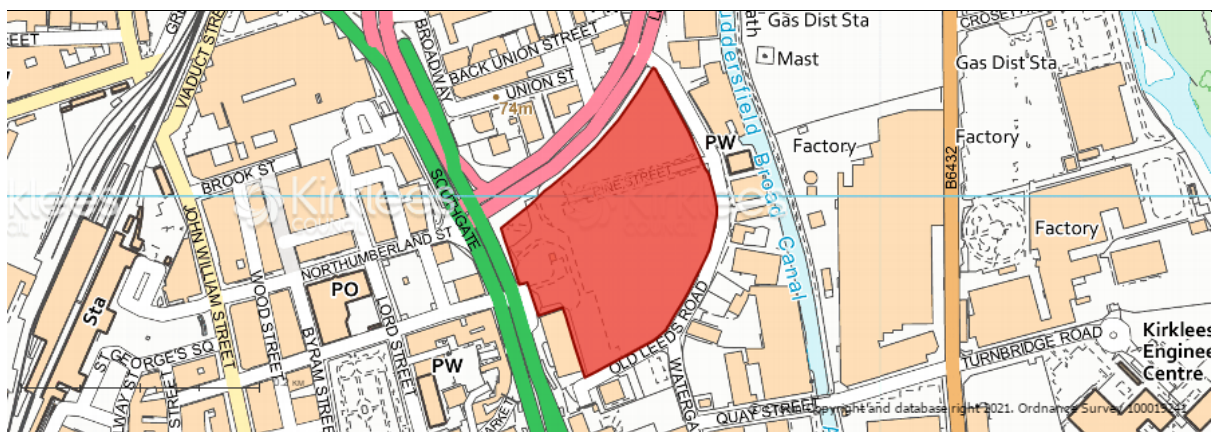
23-Sep-2021

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: Dalton

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:

- (1) Contribution of £10K to fund the removal of Traffic Regulation Orders within the site;
- (2) Contribution of £23K to provide a shelter and real-time information to the bus stop on Leeds Road.
- (3) Bio-diversity – Contribution (amount to be confirmed) towards off-site measures to achieve bio-diversity net gain in the event that it cannot be delivered on site.

1.0 INTRODUCTION:

- 1.1 In accordance with the Council's Scheme of Delegation, this application is brought to Committee on the grounds that it is a non-residential planning application where the site boundary exceeds 0.5 hectares.
- 1.2 This application is submitted on behalf of Huddersfield University. It seeks outline planning permission with all matters reserved for the development of a Health Innovation Campus. This would allow the University to deliver Higher Education degrees in the field of health and well-being.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site 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. Formerly occupied by two 11 storey high-rise housing developments, a large sports centre, multi-storey car park and various other buildings, the site 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 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, an 11-storey residential block.

- 2.3 Huddersfield Town Centre lies to the west, with Huddersfield Railway Station situated at a distance of approximately 450m from the site at the closest point. 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.
- 2.4 Within the Kirklees Local Plan (KLP) (2019) the site is designated within a Principal Town Centre Boundary (Huddersfield). It is a Mixed Use Allocation (MXS2- Land east of, Southgate, Huddersfield) within the KLP Allocations and Designations document (February 2019) for housing, employment and retail uses.

3.0 PROPOSAL:

- 3.1 This is an outline planning application for the redevelopment of the site to deliver a Health Innovation Campus for the University of Huddersfield. It is submitted with *all* matters reserved. It therefore seeks permission only for the principle of the site's development for this purpose.
- 3.2 The 'Reserved Matters' of (i) the appearance of the development, (ii) the means of access to and within the site, (iii) the scale of the development (including the length and height of each building), (iv) its layout, in terms of the position of buildings, routes and open spaces and the way they are laid out in relation to buildings and spaces outside the development and (v) the landscaping of the site would all be considered at a later date as part of a future Reserved Matters submission(s).
- 3.3 To support the consideration of the application, the applicant has set out a series of outline design principles within a Design and Access Statement that would guide the future Reserved Matters, including the following:
- (i) Use: The proposed development would provide a flagship Health Innovation Campus for the University of Huddersfield, allowing them to deliver new Higher Education degrees in the field of health and well-being;
 - (ii) Amount: It is intended that the development would deliver a total of 75,000m² of floor space, across several blocks of varying footprints and heights, the precise details of which would be determined at Reserved Matters stage;
 - (iii) Scale: Whilst acknowledging the context of the 11-storey Crown House and the previous 11-storey blocks that existed on the site, the Design and Access Statement indicates that buildings of around 8 storeys would likely be the highest on the site;
 - (iv) Layout: The site would be sub-divided into 7 key development plots. The first phase would comprise a landmark building of approximately 5000m² to be positioned adjacent to Crown House at the gateway to the site. It is envisaged that a multi-storey car park would be positioned to the rear of Crown House with the 5 remaining plots arranged around the north-eastern section of the site and separated by landscaping/public realm and accessible routes through;

- (v) Appearance: Phase 1 is currently the subject of an architectural design competition. The Design and Access Statement indicates that the materials and overall appearance of the development would seek to respond to the context of the surrounding area, as well as responding to the public realm and landscaped spaces they front onto within the site. The landmark building to the front might be approached using a slightly different palette of materials to reinforce its gateway location.
- (vi) Access: It is indicated that access to the MSCP would be taken from Old Leeds Road. There would be multiple pedestrian access points into the site.

These issues would all be assessed through the Reserved Matters process.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 There is an extensive planning history to the site, the most relevant of which is detailed below:

2020/91629: Temporary use of site as a car park for a period of 3 years.
Approved: 28 September 2020

2015/93322: Prior notification for demolition of buildings
Approved: 10 November 2015

2009/93675: Erection of replacement retail store (Class A1) with petrol filling station, car parking, landscaping and associated works.
Allowed on appeal: 7 February 2012 (expired)

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

- 5.1 There have been no amendments sought in the course of the planning application. However, the applicant was asked to provide some indicative parameter/massing plans to indicate what 75,000m² of floorspace (and the 2000m² MSCP) on this site might look like. This was subsequently submitted for information only.

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) (KLP).

Kirklees Local Plan (2019):

- 6.2 The following policies are most relevant to the consideration of this application:

Policy LP9 Supporting skilled and flexible communities and workforce
Policy LP17 Huddersfield Town Centre
Policy LP24 Design
Policy LP21 Highways and Access
Policy LP28 Drainage
Policy LP30 Biodiversity and Geodiversity
Policy LP32 Landscape

Supplementary Planning Guidance / Documents / Guidance:

6.3 The most relevant SPG/SPD document and guidance are the following:

Huddersfield Blueprint SPD (May 2020)
Highway Design Guide (November 2019)
Biodiversity Net Gain Technical Advice Note (June 2021)

National Planning Guidance:

6.4 The following sections of the National Planning Policy Framework (NPPF) (July 2021) are most relevant to the consideration of this application:

Chapter 8: Promoting healthy and safe communities
Chapter 9: Promoting sustainable transport
Chapter 12: Achieving well designed places
Chapter 14: Meeting the challenge of climate change

Climate change

6.5 On 12/11/2019 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

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by means of site notices and a press notice in the Huddersfield Examiner (9 July 2021) as a major application. It was also advertised by means of direct neighbour notification letters.

7.2 Two representations have been received. One anonymous representation is written in support of the application stating that ‘to have this type of University and campus is one of the best that could happen to all of us in Huddersfield. Huddersfield is thriving. Thank you for that’.

7.3 The second representation is submitted on behalf of the Kirklees Cycling Campaign. A summary of the observations made by KCC are set out below:

- a. This outline planning application needs to show more commitment to prioritising active travel. The existing take up of cycling by staff and students is remarkably low, in comparison to many other universities, and this application does not fill KCC with enthusiasm about this changing sufficiently.

- b. KCC welcome the proposal to increase the availability of (secure) cycle parking, which they see as a definite advantage. However, there is insufficient recognition of how the completed health campus would affect the patterns of movement to and from the town centre and campus.
- c. With larger numbers of people on campus, particularly in peak months, this development would generate more demand to cross the traffic flow on the Ring Road. KCC propose that improved crossing facilities, which safely meet the needs of both cyclists and pedestrians, are accepted as a condition of this development, with priority given to pedestrians and cyclists rather than motor vehicles. KCC believe this needs to be in place before the completion of the development.

Ward Members

- 7.4 Ward Members were consulted on the proposal by email dated 29th June 2021. No comments have been received.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways: No objection in principle. Further details will be necessary at Reserved Matters stage.

Lead Local Flood Authority: Support the application subject to appropriately worded planning conditions.

Canal and River Trust: No comment.

The Coal Authority: The Coal Authority is satisfied with the conclusions of the Phase 2 Ground Investigation Report May 2021, informed by the site investigation works; that coal mining legacy issues are not significant within the application site and do not pose a risk to the proposed development. Accordingly, The Coal Authority does not object to the proposed development and no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues.

8.2 Non-statutory:

KC Conservation and Design: In summary, the proposed Outline development at present lacks any real detail and is consequently is considered to be premature. The site layout plan reads as an island of potentially disconnected, large-scale uses, loosely defined only by indicative floor numbers and with an ambiguous landscape structure. This leads to concern that the resultant development could repeat the mistakes of the previous site coverage and creates uncertainty in terms of how the proposed complex will positively meet the fundamental development requirements of the Local Plan. Therefore, the current application submission is not sufficiently detailed to provide the necessary confidence that a high-quality scheme will be delivered and consequently does not meet the requirements of national or local planning policy. While the regeneration of this key site is welcomed, the application is considered to present too many key questions which cannot be answered by the current submission. Therefore, the applicants should be advised to progress

the site's baseline analysis in order to inform, shape and support the preferred development options, and express the submission in the context of a detailed, deliverable, phased Masterplan to establish the structure for the realisation of the proposed campus.

KC Trees: No objections to the outline proposal. The Reserved Matters would need to be supported by a detailed landscaping scheme to include a comprehensive tree planting scheme.

KC Environmental Health: No objections on the grounds of air quality, noise impact or ground conditions subject to the imposition of conditions.

KC Ecology: Awaited – this response will be included within the Committee update.

West Yorkshire Crime Prevention: No objections in principle. Further discussions to be held as the Reserved Matters progress.

9.0 MAIN ISSUES

- Principle of development;
- Reserved Matters – access, scale, appearance, layout and landscaping;
- Highways;
- Air Quality;
- Flood risk issues;
- Ground conditions;
- Bio-diversity;
- Impact on the living conditions of the adjoining occupiers;
- Heritage considerations;
- Climate Change;
- Other Matters;
- Response to representations.

10.0 APPRAISAL

Principle of development

- 10.1 This application is submitted by the University of Huddersfield and seeks outline planning permission with all matters reserved for the re-development of the site to deliver a Health Innovation Campus. It would comprise buildings within the following Use Classes:

Class F1 (a) - Education;

Class E (a) - Display/retail of goods

Class E (b) - Sale of food/drink

Class E (e) - Medical/health services;

Class E (g) (i) - Offices;

Class E (g) (ii) - Research/development of products/processes;

Class E (d) - Indoor sport/recreation/fitness

Sui-Generis - Multi storey car park

- 10.2 Within the KLP Allocations and Designations document (February 2019), the site is part of a Mixed Use Allocation - MXS2 - Land east of Southgate, Huddersfield. It is identified in principle for mixed use development comprising housing, employment and retail. It sets an indicative capacity of 46 dwellings, 4655m² of employment space and retail subject to other policies in the plan. The Local Plan allocation MXS2 identifies the following constraints:
- Air quality issues;
 - Site is within an Air Quality Management Area;
 - Site is close to listed buildings
 - Site is close to a Conservation Area
 - Site includes area of archaeological interest
 - Part/all of the site is within a High Risk Coal Referral Area
 - Sites connection to the wider town centre currently restricted by the ring road.
- 10.3 Policy LP65 of the Local Plan advises that planning permission will be expected to be granted if proposals accord with the development principles set out in the relevant site boxes, relevant development plan policies and as shown on the Policies Map.
- 10.4 The site also lies within the boundary of Huddersfield Town Centre. Policy LP17 of the Local Plan confirms that Huddersfield Town Centre will be the principal focus for high quality comparison retail goods within the district, supported by a range of leisure, tourism, office (including high quality grade A office space), and other main town centres uses. It will also provide high quality educational facilities as well as opportunities for town centre living.
- 10.5 Furthermore, within the Huddersfield Blueprint SPD, which is capable of being a material consideration in the determination of a planning application, the wider Southgate site is identified as providing an opportunity for major mixed use (potential residential/educational/ commercial use development with car parking). The SPD states that it is well located with good access to the town centre and links to wider road networks via the Huddersfield ring road, and is a key priority for redevelopment in the short to medium term (3-5 years). The Blueprint also recognises that the development of the Southgate site would have a considerable impact on the footfall of the Station Gateway.
- 10.6 In this case, the development of the site as part of the University's campus would result in the introduction of a range of uses. The definition of employment uses in the Local Plan is summarised in the table below, along with an assessment against the proposal. (Note: those listed within the Local Plan are based on the previous Use Classes Order (UCO) 1987 (as amended) which was updated on 1 September 2020 with the updated classes also listed below).

| Employment Generating Uses as defined in the Kirklees Local Plan | | |
|---|---|---|
| UCO 1987 (as amended) | UCO 2020 | Proposed within this application |
| B1 (a) Offices (other than A2 professional and financial) | Class E(g)(i) Offices to carry out any operational or administrative functions | ✓ |
| B1 (b) Research and Development | Class E (g) (ii) - Research/development of products/processes; | ✓ |
| B1 (c) Light Industry | Class E(g)(iii) Industrial processes which can be carried out in a residential area without detriment to its amenity | ✓ |
| B2 General Industry | Use Class B2 | ✗ |
| B8 Storage and Distribution | Use Class B8 | ✗ |
| Enterprises which provide jobs, for example, retail, hotel, assembly and leisure and certain non-residential Sui Generis uses | Could include: Class F1(a) - Education; Class E (a) - Display/retail of goods Class E (b) - Sale of food/drink Class E (d) - Indoor sport/recreation/fitness Sui-Generic - Multi storey car park | ✓ |

- 10.7 With the exception of the provision of medical health services, the uses proposed within the University campus would constitute employment generating functions. They would therefore be consistent with the employment and retail element of the mixed use allocation. Whilst no residential units are proposed, the provision of high quality educational facilities would be wholly compliant with the objectives for Huddersfield Town Centre set out within Policy LP17 and also with opportunities identified within the Blueprint. The provision of medical/health services is considered to be a broadly ancillary function to form part of the overall health campus and would not conflict with the wider objectives of either the Local Plan or the Blueprint.
- 10.8 For these reasons, the principle of developing the site as a University Campus is therefore considered to be consistent with the objectives of Policies LP17 and LP65 of the Kirklees Local Plan. It is therefore considered to be acceptable in principle.
- 10.9 It is recognised that the development of this site would result in the loss of the existing temporary car park, which was provided to compensate for the loss of town centre parking spaces at the Market Hall. The temporary car park secured planning permission for a period of three years, starting in September 2020. Whilst the future provision of car parking within the Town Centre would be a

matter for the Council, the applicant has nonetheless advised that it is likely that this car park would remain operational until May 2022. If it is required beyond that date, the applicant suggests that a further 12 months until May 2023 could be agreed subject to certain conditions. However, that will be a civil (legal) matter within the applicant and the Council.

Reserved Matters – access, scale, appearance, layout and landscaping

10.10 Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of within an outline planning application (i.e. they are 'reserved' for later determination). In this case, all matters are reserved, so access, scale, appearance, layout and landscaping do not form part of the consideration of this application. Nonetheless, the following information is provided to assist Members in their understanding of the proposal and to highlight issues that will require further consideration at Reserved Matters stage.

Access

10.11 '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.

10.12 Under Article 5(3) of the Development Management Procedure Order 2015, an application for outline planning permission must indicate the area or areas where access points to the development will be situated, even if access has been reserved.

10.13 In this case, one vehicular means of access is shown from Old Leeds Road, which would serve the proposed MSCP, the location of which is indicated to the rear of Crown House. In principle, there is no objection to a means of access in this location but it will have to be subject to detailed assessment as part of a future Reserved Matters submission.

10.14 The Council's Highways Development Management (HDM) Officer notes that servicing details of the development will also need to be determined at a later date. Whilst this might give some cause for concern, as access/servicing and delivery details are fundamental to the proper planning of the building(s) /alignment proposed and access to the adjacent public highway, this can be managed through the appropriate imposition of planning conditions. In particular, it is intended that the applicant be required to prepare a Masterplan for the site as part of a subsequent Reserved Matters submission. This would include a consideration to the positioning and treatment of access and circulation routes and how these would fit into the surrounding access network.

10.15 Turning to pedestrian and cycle access, the recently revised NPPF is clear that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use. It should also address the needs of people with disabilities and reduced mobility in relation to all modes of transport. All developments that will generate significant amounts of movement should be required to provide a travel plan. This is consistent with Policy LP17 of the Local Plan, which clarifies that

proposals in Huddersfield Town Centre shall make them more attractive to pedestrian, cyclists and public transport users, and shall provide appropriate connections and enhancements to convenient pedestrian and cycling routes. Furthermore, the Huddersfield Town Centre Blueprint confirms that the development of the Southgate site must be cognisant of aspirations to reinforce a strong physical relationship to the Town Centre, and respond well to the intersection of Southgate and the A62. It is also expected that pedestrian routes through the site will improve the area's permeability to other destinations such as the stadium.

- 10.16 Whilst the indicative site layout does show pedestrian connections into the site from Leeds Road and Old Leeds Road, this issue would need to be properly addressed through the preparation of a Masterplan to support any future Reserved Matters stage. The Masterplan would need to demonstrate that an assessment of the impact of the scale of this proposal on patterns of movement to and from the town centre has been undertaken, including to the Railway and Bus Stations. At that time, consideration would also be given to whether any improvements would be required to crossing facilities that would meet the need of both pedestrians and cyclists. A condition pursuant to the provision of cycle parking and storage and shower facilities is also proposed to encourage travel by means other than the private car.
- 10.17 The HDM Officer also notes that there are multiple historic access points/footway crossovers adjacent to the site boundary on the development side of both Leeds Road and Old Leeds road. There are eight to nine along the development side/extent of Old Leeds Road alone as well as two fronting the site on Southgate. These will all require stopping up/the footway reinstating to an acceptable standard, which would also be secured via a planning condition. Additionally, within the site there are a number of streets that would be lost to the development, some of which still have traffic regulation orders on them. If none of this street pattern is to be utilised within the new development, these would need to be revoked as a matter of course at the applicant's cost.

Layout, Scale, Appearance and Landscaping

- 10.18 Policy LP24 of the Kirklees Local Plan advises that good design should be at the core of all proposals in the district. This reflects guidance within the National Planning Policy Framework, at Paragraph 126, which confirms that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy LP32 requires development proposals to take into account and seek to enhance the landscape character of the area.
- 10.19 Turning to the definition of the Reserved Matters, these are as follows:
- (i) 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.
 - (ii) Scale is the height, width and length of each building proposed within the development in relation to its surroundings;

- (iii) Appearance means 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.
- (iv) Landscaping 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.

10.20 As set out in the report above, being an outline planning application with all matters reserved, these elements of the scheme are not for consideration as part of this application. They are details that are set aside for future consideration as part of a Reserved Matters application, over which the Local Planning Authority would have full decision making control. Nonetheless, the Design and Access Statement establishes the following key parameters to guide any future RM submission:

| | |
|--------|---|
| Layout | <p>The site is sub-divided into 7 key development plots, The new Health & Wellbeing faculty would stand as the landmark building on Plot 01, with gateway visibility for those arriving both by train and by car. This is currently the subject of an architectural design competition.</p> <p>Routes of circulation are created between each of the plots, with a large area of public realm at the heart of the development and site-wide landscaping used to knit each of the buildings together into a cohesive site masterplan.</p> <p>The former Pine Street access into the site from the east sits over the majority of the utilities crossing the site. Thus this services route would be maintained and this section of the site utilised as a shared-surface landscaped circulation zone.</p> <p>To maximise the development potential of the site, the built mass of the site would follow the site boundaries with Leeds Road and Old Leeds Road. This would create a prominent street frontage for the site, and a strong built boundary to act as a buffer to sound and environmental pollution around it. Soft landscaping would be used along sections of the site boundary to form a transition zone between the busy roads and the development.</p> <p>The Phase 1 Health & Wellbeing building would sit back off the junction of Southgate and Leeds Road to both ensure visibility at the junction and acknowledge the Council's planned highway and landscaping improvement works in this location. This building would also create a focal point to the site to enhance wider site orientation and wayfinding.</p> <p>The masterplan would be designed to offer clear access points for those arriving at the site, utilising the design of the buildings and associated landscaping to provide easily recognisable points of entry into the site, and subsequently into the buildings themselves.</p> |
|--------|---|

| | |
|-------------------|---|
| <p>Scale</p> | <p>With the site formerly home to the Ibbotson and Lonsbrough flats, two 11-storey residential blocks, there is precedent on the site for buildings of significant height. Crown House to the south-western corner of the site stands at 11-storeys in height, as does Harold Wilson Court at the opposite side of Leeds Road to the north of the site.</p> <p>Whilst delivery of the proposed 75,000m² of development on the site would require buildings of considerable scale and mass, the new buildings would be designed to relate to the surrounding context of the Southgate area to create strong integration of these new built forms with the character of the area and to ensure delivery of a successful overall masterplan scheme.</p> <p>Building heights would be varied across the site, generally lower towards the boundaries of Leeds Road and Old Leeds Road, and building up within the site. Buildings of around 8 storeys would likely be the highest. Stepped elevations could be used within the site to reduce the potential 'canyon' effect in the public realm areas as a result of having several tall buildings in close proximity.</p> |
| <p>Appearance</p> | <p>The materials and overall appearance of the development would seek to respond to the context of the surrounding area, as well as responding to the public realm and landscaped spaces they front onto the site.</p> <p>The Health & Wellbeing building on the focal corner of the site may be approached with a slightly different palette of materials to give it more visual prominence.</p> <p>Hard and robust materials would be used on the perimeter of the site to form a buffer with the roads and reflect the light industrial nature of the area, though more dynamic materials may be used within the site to create a greater sense of fluidity and activity in the public realm areas.</p> |
| <p>Landscape</p> | <p>The development would seek to introduce multiple areas of public realm, including a large area of public realm at the heart of the site to act as a unifying focal point for the site and to generate a sense of connectivity and community within the campus. Additional pockets of public realm would be woven through the development as part of the overall landscaping strategy.</p> <p>The indicative landscaping strategy is for the creation of distinct public realm spaces of differing characters, woven together with shared-surface hard landscaping, raised planting, trees and planted margins to the site perimeter to act as a green 'buffer' between the site and roads, and introduce some much needed green space to the area. The landscaping zones and their purpose will be influenced by future detailed building designs and be subject of subsequent reserved matters applications.</p> |

- 10.21 It is acknowledged that the Council's Conservation and Design Officer has raised a number of concerns in relation to the outline proposal. As submitted, the application indicates a collection of seven large scale blocks of development totalling some 75,000m² of floor-space and including a 'landmark' on the west side of the site flanking the ring road, adjacent to the extant 10-storey Crown House, which lies outside of the development site. Further indicative massing drawings requested in the course of the application suggest that the buildings would range from 5 floors to the MSCP to up to 8 floors to other blocks.
- 10.22 Historically, this was a densely packed, mixed-use area directly connected to the station and canal and populated by the end of the C19th with back-to-back dwellings integrated with industrial yards and small-scale commercial premises. It was subject to comprehensive redevelopment in the post-WWII period, resulting in its complete clearance by the early-1950s and the subsequent redevelopment as a relatively insular site containing large-plate offices, a sports centre and commercial industrial sheds. It was then cleared again in 2015 and currently used as a car park. The Conservation and Design Officer recognises that this proposal would provide an opportunity to reintegrate the site with the diversity and vitality of the town centre by the development of a diverse academic and commercial campus. The prominence of the site and its proposed purpose as a University research campus would mean that the realisation of the development be character-defining for the town centre and would again have a significant influence on the appreciation of the townscape and character of the town centre and canal-side areas.
- 10.23 The Council's Conservation and Design Officer also notes that the scale and proportions of the indicative blocks and building heights all indicate large-plate building blocks fanned out eastwards across the site. The 'Masterplan' provides negligible detail, other than a collection of routes and vistas and the enclosure of the adjacent, 10-storey Crown House Tower-block. There is no apparent justification for the directional access onto Old Leeds Road, with the routes leading towards the private commercial yards, rather than having any apparent connection to the hinterland or peripheral connecting routes. Whilst the proposed scale of development and uses are welcomed, the importance of this site should demand the expression of a clear vision for the scheme as a whole, informed by a detailed Masterplan illustrating how the new island site would be integrated into the town centre. The Masterplan would need to address the requirements of Local Plan Policy LP5 and NPPF 127 to reveal how the development will establish a strong sense of place, sympathetic to local character and optimise the potential of the site as a new town centre quarter.
- 10.24 The design parameters for the site would also need to be clearly expressed in order to accommodate the massing of the development, the influence of the ring road and the relationship with Crown House. It would appear to be able to accommodate a 'landmark' scale block assuming that it was of an appropriate design quality in terms of its appearance. However, a clear purpose for the landmark would need to be established and the development of the site would need to demonstrably connect and complement its town centre context.
- 10.25 In determining the appropriate scale at Reserved Matters stage, due consideration would also have to be given to the relationship to adjoining properties with regard to overlooking and over-bearing issues, as well as any impacts upon daylight and sunlight. In particular, it is noted that Crown House has recently been granted prior approval under Class O of the General Permitted Development Order (GPDO) (England) 2015 (as amended) for

change of use from office (Class B1a) to 85 residential units (2021/92282), which would influence the appropriate scale for any building adjoining Crown House (including the MSCP).

10.26 Overall, the very nature of this application, being submitted in outline with all matters reserved, means that no details are provided of the layout, scale, appearance and landscaping of the proposed development. However, and whilst acknowledging the concerns expressed by the Council's Design and Conservation Officer, in addition to the standard condition for the submission of Reserved Matters, it is proposed to impose a detailed planning condition requesting the preparation of a Masterplan to be submitted as part of any subsequent reserved matters application and to be updated as necessary for each future phase of development. In respect of these Reserved Matters, the masterplan would need to address at least the following:

- 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;
- 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.
- Illustrate the physical and visual connections to the site based on pedestrian desire routes into the site and across the town centre. The character of the routes should be evident from the landscape structure, emphasising the permeability of the complex and the managed public realm (to avoid being read as simply a managed, apparently inaccessible campus). 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 ;
- 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;
- Consider key views/focal points from the surrounding area, including from the canal (a key pedestrian/cycle route) looking towards the Railway Station;
- Indicate how the proposed campus development would architecturally address the integration of Crown Buildings as a static component of the 'island' site;
- Illustrate how vistas of key site gateways and internal nodes will be addressed to demonstrate active frontages and over-looked/passively controlled pedestrian/access areas;
- Express the fundamental parameters for a coherent, contemporary architectural language defining the complex, necessary to establish its character as a distinctive component of Huddersfield town centre, establishing elevation rhythms, materiality, scale and the relationships to the setting of flanking local vernacular forms (i.e. the designated and non-designated heritage assets);
- 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.

- Establish how the structural landscaping will define the public realm, while compensating for the loss of tree groups
- 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.

10.27 In addition, a condition is recommended to require the submission of a Design Code as part of the first phase of Reserved Matters. This would 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.

10.28 Subject to the imposition of these conditions, Officers are satisfied that there is sufficient scope within the site to ensure that a scheme can be delivered that meets the Council's design aspirations established within Policies LP24 and LP32 and to also reflect guidance within the NPPF, including the need to provide maximum clarity about design expectations at an early stage. This will be managed through the assessment of future Reserved Matters submissions.

Highways

10.29 Policy LP21 of the Kirklees Local Plan advises that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. It states that new development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe. This reflects guidance within the National Planning Policy Framework (the Framework), which states at Paragraph 108 that in assessing application for development, it should be ensured that there are appropriate opportunities to promote sustainable transport modes, safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network can be viably and appropriately mitigated. Paragraph 109 confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Traffic Generation

10.30 Whilst access is a Reserved Matter, the applicant is indicating that the site would deliver up to 75,000m² of floor space to facilitate the health and well-being campus. Consequently, a Transport Statement has been submitted to support the application. On the basis that it is an outline planning permission with all matters reserved and the exact quantum of development has yet to be fixed, the Transport Statement is currently based upon the proposed parking level as the determination of the likely trip generation. This is currently established to be a 240 space multi storey car park to be provided somewhere on site.

- 10.31 Adopting a trip rate that was also utilised for the assessed of the current Council car park, the proposed traffic generation associated with 240 car parking spaces would comprise the following:

| TIME PERIOD | TOTAL VEHICULAR TRIPS – 240 SPACES | | |
|------------------------|------------------------------------|------------|---------|
| | Arrivals | Departures | Two-way |
| AM Peak 0800-0900 | 99 | 0 | 99 |
| PM Peak 1700 - 1800 | 0 | 99 | 99 |

- 10.32 Assessed against the trip rate for the current temporary car park, which were calculated at 69 two way trips in the AM and PM peak, this proposal would result in an additional 30 two-way trips at each peak. The Council’s Highways Development Management Officer has concluded that in a town centre location such as this, it is not considered that 30 (2-way) vehicular movements (i.e. a vehicle arriving or departing every two minutes) would present a ‘severe’ impact on the local highway network/nearby junctions, being mindful of the existing high flows of traffic during those peak periods.

Travel by means other than the private car

- 10.33 The Transport Statement confirms that the location of the site provides future staff, students and visitors with opportunities to travel via alternative modes of transport and minimise trips by the private car.
- 10.34 In terms of public transport, it acknowledges that Huddersfield Town Centre has an excellent overall public transport provision with a wide range of bus and rail services available. There is a dense bus network throughout the town and surrounding areas with bus stops and frequent services operating on all the principle road corridors. The nearest bus stop is located on Leeds Road with several stops on Lord Street. The former stop on Leeds Road does not have a shelter and it is therefore proposed to secure funds for a bus shelter and real-time information screen to be secured through a Section 106 agreement. The bus station is also within walking distance at approximately 800m whilst Huddersfield railway station is located some 400m from the site. These transport hubs would be accessible by foot and, as set out above, the Masterplan would need to consider further the physical and visual connections to the site based on pedestrian desire routes into the site and across the town centre. This would be addressed at Reserved Matters stage.
- 10.35 Equally, the Transport Statement acknowledges that the site is accessible by bicycle and there are a number of existing cycle facilities/routes within close proximity of the site, including the Huddersfield Broad Canal to Aspley Marina (5 miles), Huddersfield Urban Canal Cruiser (9 miles), North Huddersfield Explorer (14.3 miles), The Mast and Castle Ride (31.5miles). There are also signed cycle routes on Old Leeds Road and a cycle lane along Leeds Road and advanced cycle stop line. The TS therefore recognises that cycling can be considered to be an attractive travel choice for staff and students at the site and this would be enhanced with extensive cycle parking that would be provided at the development. This would be secured by means of a planning condition.

10.36 The submission is also supported by a Travel Plan to identify a package of measures to greener, cleaner travel choices and reducing the reliance on the car. The Travel Plan identifies 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.

Overarching targets would be set once baseline travel surveys have been carried out and accordingly, a further Travel Plan would be secured by condition.

10.37 Taking all the above matters into account, it is concluded that the proposal can be accessed effectively and safely by all users. Subject to securing an appropriate Masterplan at Reserved Matters stage, conditions to secure access details and the appropriate provision of cycle facilities, as well as the contribution to a bus shelter, the development would provide appropriate opportunities to promote sustainable transport modes by being located within walking distance of the town centre and connected to the bus and railway station. It can also deliver a safe and suitable access and the traffic generated by it can be appropriately accommodated on the transport network. It is therefore in accordance with KLP Policy LP21 and guidance within the Framework.

Air Quality

10.38 Policy LP51 of the KLP relates specifically to Air Quality and advises, amongst other matters, that development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in "air pollution that would have an unacceptable harm on the natural and built environment or to people. Where development introduces new receptors into Air Quality Management Areas, it must incorporate sustainable mitigation measures. This is reflected in other policies in the plan, which seek to ensure that current air quality is monitored and maintained, including LP22 (Parking), LP47 (Healthy, active and safe lifestyles) and LP20 (Sustainable travel) which encourages the use of low emission vehicles to improve areas with low levels of air quality.

10.39 This approach is also evident in guidance within the Framework, which states at Paragraph 174 that 'planning policies and decisions should contribute to and enhance the natural and local environment by: e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality'. It is further supported by guidance within the West Yorkshire Low Emissions Strategy (WYLES) (2019), which sets out the regions policies and principles on achieving and maintaining low emission rates.

- 10.40 In this case, the site is partially within a designated Air Quality Management Area (AQMA) (No.9). Consequently, an Air Quality Impact Assessment was submitted with the application to consider both the construction and operational phase. It focuses on the impact upon the Huddersfield Town Centre AQMA, which is closest to the site boundary. There are 11 monitoring stations within 1km of the site boundary, of which 6 are within the Huddersfield Town Centre AQMA.
- 10.41 During the construction phase, the AQIA considers that there is a medium to low risk of dust soiling impacts and a low to negligible risk of increases in particulate matter concentrations due to unmitigated construction activities. However, through good site practice and the implementation of suitable mitigation measures, the effect of dust and PM₁₀ (particulate matter) releases would be significantly reduced. The residual effects of dust and PM₁₀ generated by construction activities on air quality are therefore considered to be not significant. The residual effects of emissions to air from construction vehicles and plant on local air quality is also considered to be not significant.
- 10.42 During the operational phase, the AQIA concludes that changes in pollutant concentrations due to predicted traffic emissions associated with the development would be negligible. However, there were predicted exceedances of the annual mean objective for Nitrogen Dioxide (NO₂) at ground and first floor locations on the site boundary adjacent to Southgate/Leeds Road. The report recommends that highly sensitive uses be located on second floor level or above. In addition, it recommends that mechanical ventilation is installed in the rooms on the ground and first floors whose facades face onto Southgate/Leeds Road. To mitigate against the poor air quality, it advises that all windows and doors on the affected façade have a high level of air tightness, with cleaner air supplied to the affected rooms from inlets at the top of the proposed buildings located on the facades that face away from these busy roads.
- 10.43 In accordance with the WYLES – Technical Planning Guidance, a damage cost calculation has also been undertaken. This is to determine the amount (value) of mitigation required to offset the detrimental impact that the development will have on air quality. The calculation was undertaken in accordance with DEFRA guidance and provides a five-year exposure value to the sum of £16,683.13 for the proposed development. Measures to this value would need to be incorporated within the scheme and several mitigation measures are put forward within the AQIA such as the provision of subsidised or free ticketing or improved convenient and segregated cycle paths to link to the local cycle network. This would be secured by condition. Overall, the AQIA concludes that based on the assessment significance criteria, the residual effects of the proposed development are considered to be ‘not significant’ for all pollutants assessed.
- 10.44 The Council’s Air Quality Officer has considered the AQIA. The conclusions of the Assessment are accepted. For the construction phase, best practice mitigation measures as detailed in the AQIA would be expected, to be secured by condition, For the operational phase, the Air Quality Officer agrees with the conclusions of the assessment that the ground and first floor rooms of buildings, whose facades face onto Southgate /Leeds Road, would be subjected to high levels of NO₂ concentrations above the national air quality objective. They therefore concur with the recommendations that airtight doors and windows should be installed within these rooms and cleaner air supplied to them by means of mechanical ventilation. However, to safeguard the health of any future

users of the proposed development, it is also necessary for a condition regarding mechanical ventilation where windows have to be kept closed due to the poor air quality. Whilst the cost damage calculation is also accepted, it is highlighted that it must be spent on something that is to be provided in addition to what is normally provided at a development and also is not otherwise required, i.e. it cannot be used to fund EVCPs or footpaths as these would be expected as part of the development already and form a condition of this approval. Details of the cost damage measures will therefore be subject to a condition to be developed as the scheme evolves.

- 10.45 Overall, it is concluded that the proposal would therefore not have any significant effect on Air Quality. Subject to the imposition of any relevant conditions, it would therefore be compliant with KLP Policies LP20, LP22, LP47 and LP51 as well as guidance within the Framework.

Flood Risk

- 10.46 Policy LP27 of the Kirklees Local Plan relates to flood risk and principally where proposals require a Sequential Test. In this case, the application site lies within Flood Zone 1 with regard to flood risk and it is therefore at a low risk of flooding. There are no flooding issues in within the site and because it lies within Flood Zone 1, a Sequential Test is also not required.
- 10.47 To support the application, however, the applicant has submitted a Flood Risk Assessment & Drainage Strategy. It confirms that the previous development had a positively drained impermeable area of 19,800m³ with the majority of the drainage network remaining and the network still receives a contribution from this development. The proposed development would provide betterment on the existing site by providing a 50% reduction on the existing brownfield runoff rate. 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 will 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. The foul water network would be managed in a separate gravity system prior to connection into the Yorkshire Water combined sewer.
- 10.48 Kirklees Flood Management & Drainage as Lead Local Flood Authority (Statutory Consultee) have confirmed that they can support this application subject to appropriate conditions. These would include a detailed drainage scheme, details of overland flow routing, construction phase surface water management and details for the maintenance and management of surface water systems for the lifetime of the site. Given that the site would come under a single ownership, all these details (including management) can be secured by condition.
- 10.49 It is recognised that Yorkshire Water have highlighted the proximity of sewers of varying sizes that cross the site and the need for appropriate stand-off distances, which would be secured by condition. This would need to be considered in the development of the Masterplan and through the Reserved Matters submissions. Further consultation with Yorkshire Water would be undertaken at that stage.

10.50 On the basis of the above, it is considered that the proposal is acceptable with regard to drainage and flood risk. It is therefore in accordance with Policy LP27 of the KLP.

Ground Conditions

10.51 The site falls within a defined Development High Risk Area. There are therefore coal mining features and hazards that have been assessed in the course of the application. The Coal Authority records indicate that the site lies within an area of probable shallow mine workings that could be attributed to the coal seams inferred to outcrops within the site and surrounding area. For this reason, the application includes the submission of a Phase 1 and Phase 2 Ground Investigation Report and a Coal Mining Risk Assessment.

10.52 The Coal Authority conclude that based on the results of the intrusive site investigations to determine the presence of coal and or coal workings beneath the site, the report identifies no evidence of coal seams and / or workings within 30m below ground level of the site. The potential risk from shallow coal mining is therefore considered to be low and no remedial and / or mitigation measures have been identified. The Coal Authority confirm that no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues.

10.53 The Council's Environmental Health Officer has considered the submitted contaminated land reports. The Phase 1 report is accepted and is considered to provide a suitable appraisal of the historical land uses and environmental setting. It concludes that there is a moderate risk to future users from potentially contaminated land, mine gases and spontaneous combustion associated with the coal mining legacy are also acceptable. With regard to the Phase 2 report, which details the findings from intrusive investigations undertaken in 2017, further information is required. This is principally with regard to gas monitoring, the risk from Carbon monoxide and Hydrogen Sulphide, which was detected during the gas monitoring at the northern portion of the site, as well as additional clarification about the wide range of groundwaters reported on-site and the effect of water ingress on the ground gas parameters studied. These details can be secured by condition(s) prior to works commencing to require a further Phase 2 Intrusive Site Investigation Report and a Remediation Strategy. Further conditions would require the implementation of the remediation strategy and a validation report to confirm that the remediation measures have been completed in accordance with the approved strategy. Subject to the imposition of these conditions, the proposal is considered acceptable with regard to ground conditions.

Bio-diversity

10.54 Policy LP30 of the KLP states that the Council will seek to enhance the biodiversity of Kirklees and development proposals will therefore be required to result in no significant loss or harm to biodiversity in Kirklees and to provide net biodiversity gains where opportunities exist. The Council have recently published a Biodiversity Net Gain Technical Advice Note to provide guidance on how Biodiversity Net Gain should be achieved by development within Kirklees in accordance with LP30.

- 10.55 In this case, the existing site is a vacant plot of land. A Preliminary Ecological Appraisal Report has been prepared to support the application. This identifies that in addition to the hard-surfaced car park, the majority of the site is covered by neutral grassland with scattered scrub growing over unmanaged areas that have been cleared for development. A section of the site has also been left with a hard-core covering, reducing the amount of vegetation cover. The northern boundary is marked by a line of trees, with a variety of species and ages present.
- 10.56 In consideration of Biodiversity Net Gain, the site is assessed as having a score of 5.68 Habitat Units. There would, however, be opportunities for ecological enhancements as part of the future development of the site. The Ecological Appraisal identifies the following:
- Creating diverse greenspace with native planting;
 - Improving the condition of the line of trees along the northern boundary by reducing the gaps between the canopies. This could be achieved by planting more native species;
 - Installing roosting, nesting or hibernation features for fauna;
 - Ensuring walls and fences are permeable so that fauna can pass through the site.
- 10.57 The Ecological Appraisal concludes that whilst the Net Gain calculation is not final at this stage, the site would need to achieve 6.248 units for a 10% net gain. This would need to be reviewed at Reserved Matters stage and subject to a planning condition. The intention would be to achieve on-site net gain and only if that is demonstrated to be unfeasible, a contribution for off-site net gain would then need to be secured through a Section 106 Legal Agreement. A Biodiversity Management Plan would also be required by condition. A response from the Council's Ecologist is awaited, which will be provided within the Committee Update. In principle, however, on this basis, the proposal is considered to comply with Policy LP30.

Impact on the living conditions of the adjoining occupiers

- 10.58 Policy LP24 of the Kirklees Local Plan advises at (b) that proposals should provide a high standard of amenity for future and neighbouring occupiers. This reflects guidance at Paragraph 130 of the Framework which advises that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 10.59 On the grounds that this application is submitted in outline with all matters reserved, the impact on the living conditions of residents living around the site, including the potential residential occupation of Crown House as well as those opposite the site on Leeds Road, would principally be fully assessed at Reserved Matters stage.
- 10.60 The application was, however, supported by a Noise Impact Assessment, which focused upon the key noise sources that might have the potential to impact upon the proposed development. The Assessment concludes that the level of noise at worst-case boundaries can be mitigated to not cause an adverse impact. However, it recommends that a detailed Noise Impact Assessment should be undertaken at a later stage when information on the proposed internal layout is available to ensure all mitigation methods are appropriately specified. This would be secured by condition.

10.61 The Council's Environmental Health Officer has considered the Noise Impact Assessment and states that the methodology and findings of the report are accepted. However, a Noise Impact Assessment should still be undertaken at a later stage, as recommended, when information on the proposed internal layout and mechanical plant is available to ensure all mitigation methods are appropriately specified. A condition is also advised to seek details of any external lighting, details of how odours from cooking or food preparation would be dealt with and also, a condition relating to a Construction Environmental Management Plan (CEMP) in order to protect the amenity of those living or working nearby. Subject to the imposition of these conditions, it is considered that the proposal could satisfy the requirements of Policy LP24 (b) and guidance within the NPPF.

Heritage

10.62 Policy LP24 of the KLP advises that proposals should promote good design by ensuring, amongst other matters that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape. Policy LP35 of the KLP relates more specifically to the historic environment where development proposals affect a designated heritage asset.

10.63 In this case, the application site does not lie within a designated Conservation Area nor does it include any Listed Buildings or other statutory heritage designations. There are, however, a number of Grade II Listed Buildings on the western side of Southgate, which is also the boundary of the Town Centre Conservation Area. In accordance with the statutory duties set out in Section 66(1) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively, the Council has a duty to consider the impact of a proposal on the special architectural and historic interest of any listed buildings affected, and their settings and to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Given the outline nature of this application, this will be a consideration at Reserved Matters stage.

Sustainability and Climate Change

10.64 The Framework confirms at Paragraph 152 that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. At Paragraph 154, the NPPF confirms that new development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change and help to reduce greenhouse gas emissions.

10.65 An assessment of the proposal's impact on climate change is limited at this stage, given that it is an outline application with all matters reserved. Energy efficiency would therefore be considered as part of the Reserved Matters. At Masterplan stage, it is envisaged that the environmental performance of place and buildings should be established, ensuring that they are read as exemplars and contribute to net zero targets. This would be secured by condition.

Response to Representations

10.66 A response to the representation submitted on behalf of the Kirklees Cycling Campaign is considered in the report and their concerns will be addressed through conditions and the Reserved Matters submissions, which would also be subject to further public consultation.

11.0 PLANNING OBLIGATIONS

11.1 Paragraph 56 of the NPPF confirms that planning obligations must only be sought where they meet all of the following: (i) Necessary to make the development acceptable in planning terms, (ii) Directly related to the development and (iii) Fairly and reasonably related in scale and kind to the development. In relation to this application, should planning permission be granted, Officers recommend that it should be subject to a Section 106 agreement to cover the following:

- Contribution of £10K to fund the removal of Traffic Regulation Orders within the site;
- Contribution of £23K to provide a shelter and real-time information to the bus stop on Leeds Road.
- Bio-diversity – Contribution (amount to be confirmed) towards off-site measures to achieve bio-diversity net gain in the event that it cannot be delivered on site

11.2 The contribution towards the removal of TROs within the site is necessary to make the development acceptable in highway terms. The sustainable travel contribution towards the bus stop would meet the objective of encouraging sustainable modes of travel required by Policy LP20.

11.3 The heads of terms in relation to biodiversity will ensure that the site meet its net gain requirements and to accord with the objectives of Policy LP30.

11.4 For these reasons, these contributions are necessary to make the development acceptable in planning terms, directly related to, and fairly and reasonably related in scale and kind to the development. The contributions therefore conform to guidance within the Framework.

12.0 CONCLUSION

12.1 This application seeks outline planning permission with all matters reserved for the development of a Health Innovation Campus. This would allow the University to deliver Higher Education degrees in the field of health and well-being.

12.2 As set out in the report above, the proposal is consistent with the objectives of Site Allocation MXS2. A full assessment of technical matters pursuant to the development of this site has also been carried out, including highways, air quality, drainage and biodiversity. These have all been satisfactorily addressed at this outline stage and can be appropriately conditioned. It has also been determined that the future submission of the Reserved Matters of access, layout, scale, appearance and landscaping are capable of delivering a high quality development that meets the Council's place making aspirations.

12.3 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. As detailed in this report, the application has been assessed against relevant policies in the development plan and other material considerations. For the reasons set out, it is considered to accord with the development plan when considered as a whole, having regard to material planning considerations. The proposal would therefore constitute sustainable development and accordingly, it is recommended for approval.

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

1. Application for approval of the reserved matters for each phase – access, appearance, layout, landscaping and scale.
2. Development to begin not later than, whichever is the later of the following dates - the expiration of 2 years from the date of approval of the last reserved matters application for the first phase or before the expiration of 3 years from the date of this permission.
3. Details of the reserved matters for each phase before that phase commences.
4. Submission of a Phasing Plan.
5. Submission of a Masterplan to be submitted as part of any Reserved Matters for each phase. This will include a requirement to consider the pattern of movement and make provision within the development for travel by means other than the private car (e.g. to include for cycle provision).
6. Submission of a Design Code based upon the principles of the Masterplan.
7. Submission of a Construction Environment Management Plan for each phase.
8. Details of the highway access.
9. Details of the site layout (highways).
10. Details of all new retaining walls/building retaining walls adjacent to the highway.
11. Construction details for all new surface water attenuation pipes/manholes located within the proposed highway.
12. Details of a detailed design scheme for foul, surface water and land drainage.
13. Details of overland flow routing.
14. Details of temporary surface water drainage for the construction phase.
15. No building or other obstruction within the protected strips of the sewers that run across the site (unless diverted).
16. Site to be developed with separate systems for of drainage for foul and surface water.
17. Bio-diversity Management Plan (BEMP).
18. Landscape and Ecological Management Plan (LEMP).
19. Bio-diversity Net Gain Condition.
20. Details of Air Quality Mitigation Measures based on the cost damage calculation.
21. Details of mechanical ventilation.
22. EVCP for each phase.
23. Submission of a Phase 2 Intrusive Site Investigation Report.
24. Submission of a Remediation Strategy.
25. Implementation of a Remediation Strategy.

26. Submission of a Validation Report.
27. Details of Noise Mitigation Measures.
28. Restriction on noise from plant and equipment.
29. External lighting details.
30. Kitchen Extract system.
31. Cycle parking for each phase.
32. Travel Plan.
33. Submission of a Climate Change Statement for each phase to demonstrate how the development would incorporate measures to promote carbon reduction and enhance resilience to climate change.

Background Papers:

Application and history files:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f91544>

Certificate of Ownership – Certificate B (Asset Management) signed on 12 April 2021.