



Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England)
Order 2015**

OUTLINE PLANNING PERMISSION

**NOTE: This approval should be read in conjunction with an Agreement made under
Section 106 of the Town and Country Planning Act 1990**

Application Number: 2021/60/91544/W

To: Iain Bath,
IB Planning Ltd
8, Wells Promenade
Ilkley
LS29 9LF

For: Tim Hosker, University of Huddersfield

**In pursuance of its powers under the above-mentioned Act and Order the
KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority
hereby permits:-**

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

At: Southgate/Leeds Road, Huddersfield, HD1 1TW

**In accordance with the plan(s) and applications submitted to the Council on 24-
Jun-2021, subject to the condition(s) specified hereunder:-**

1. Application for approval of the Reserved Matters for the first phase of the development shall be made to the Local Planning Authority not later than 3 years from the date of this permission. Application for the approval of Reserved Matters for each subsequent phase of development shall be made within 3 years of the date of approval of the final Reserved Matters of the previous phase. For the purposes of this permission, all references to a 'phase' or 'phase of development' shall be interpreted as being a reference to a phase as defined on a phasing plan to be submitted pursuant to Condition 4.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. The first phase of the development hereby permitted shall be implemented either before the expiration of 5 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be agreed for that phase whichever is the later. Subsequent phases of development shall be implemented before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be agreed for that phase whichever is the later.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

3. Before any development in each phase to be agreed by Condition 4 is begun, plans showing the:

- i. Access
- ii. Appearance;
- iii. Scale;
- iv. Layout and
- v. Landscaping;

for that phase (the Reserved Matters) must be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be implemented in accordance with the approved plans.

Reason: To accord with Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4. A plan showing the phases of development shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of any application for the approval of Reserved Matters. The phases of the development thereafter shall be carried out in accordance with the submitted phasing plan and any reference to phase or phases in the following conditions shall refer to the phases detailed in the plan thereby approved.

Reason: To define the scope of this permission and to provide clarity in relation to the progression of development across the site.

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

- i. Define a clear structural layout of the new development, establishing the permeability of the public realm and establishing a clear pattern of gateways and streets/pedestrian route lined with trees;
- ii. Positively address the ring-road network, detailing the strategy for boundary treatments along and the enclosure of the site, particularly to address the level-change across the site, vehicular access points and the hierarchy of site roads and gateways.
- iii. Illustrate the physical and visual connections to the site based on pedestrian desire routes into the site and across the town centre and to the existing University campus;
- iv. This would also need to include a consideration of pedestrian routes through the site to improve the area's permeability to other destinations such as the stadium;
- v. Focus external views from the town centre along Northumberland Street, ensuring that the specifications for the 'landmark building' (at indicative site 01) addresses the need to express the connections with the historic core;
- vi. Consider key views/focal points from the surrounding area, including from the canal (a key pedestrian/cycle route) looking towards the Railway Station;
- vii. Indicate how the proposed campus development would architecturally address the integration of Crown Buildings;
- viii. Illustrate how vistas of key site gateways and internal nodes will be addressed to demonstrate active frontages and over-looked/passively controlled pedestrian/access areas;
- ix. Outline the service/operational requirements for the building blocks to be considered when determining whether façades of buildings are of sufficiently high-quality and function well, defining the public and private/service areas to maximise the permeability and vitality of the public realm.
- x. Establish how the structural landscaping will define the public realm, while compensating for the loss of tree groups
- xi. Consider the opportunity to create tree-lined boundaries to Southgate, Leeds Road, and Old Leeds Road to define the edges of the campus site, with similarly expressed key gateways and access points.

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

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

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

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

7. No development of any phase shall commence until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties. It shall include full details of

- a) The methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) Measures to control the emissions of dust and dirt during construction;
- c) Measures to control noise and vibration arising from all construction related activities. This should include suitable restrictions on the hours of working on the site including times of deliveries, the details of which should be provided;
- d) Details of routing and signage for construction traffic;
- e) Details of any artificial lighting to be used in connection with all construction related activities and security of the construction site;
- f) The location of any site compound and plant equipment/storage (including materials);
- g) The location for contractor parking;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- i) A Site Waste Management Plan, detailing recycling/disposing of waste resulting from demolition and construction works;
- j) Details of a site manager and point of contact in the event of any issues arising through the construction process;
- k) Details of how this CEMP will be made publicly available by the developer.

The approved details for each phase shall be implemented at the commencement of work on site for that phase and shall thereafter be retained and employed until completion of works on site for that phase. The CEMP shall be made publicly available for the lifetime of the construction phases of the development in accordance with the approved method of publicity.

Reason: To safeguard the living conditions of the occupiers of nearby properties during the construction period. This is a pre-commencement condition as the measures need to be agreed before any works start on site.

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

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

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

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

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

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

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

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

10. Before development commences on an individual phase, a scheme detailing the location and cross sectional information together with the proposed design and construction details for all new retaining walls/ building retaining walls adjacent to the existing highway for that phase shall be submitted to and approved by the Highway Authority in writing. The approved scheme shall be implemented prior to the commencement of the proposed development for that phase and thereafter retained during the life of the development.

Reason: To ensure that suitable and safe means of access is available for the development.

11. Before development commences on an individual phase, a scheme detailing the location and cross sectional information together with the proposed design and construction details for all new surface water attenuation pipes/manholes located within the proposed highway footprint for that phase shall be submitted to and approved by the Highway Authority in writing. The approved scheme shall be implemented prior to the commencement of the proposed development for that phase and thereafter retained during the life of the development

Reason: To ensure that suitable and safe means of access is available for the development.

12. Development of any phase shall not commence until a detailed design scheme detailing foul, surface water and land drainage, (including agreed discharge rates with the LLFA indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision) has been submitted to and approved in writing by the Local Planning Authority for that phase. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and an itinerary of maintenance tasks with schedules. No phase of the development shall be occupied until such approved drainage scheme for that phase has been provided on the site to serve the development and retained thereafter.

Reason: To ensure sustainable drainage and flood prevention.

13. The development of any phase shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off

pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No phase of the development shall be brought into use (i.e. development plots shall not be occupied) until the works comprising the approved scheme for that phase have been completed and such approved scheme shall be retained thereafter.

Reason: To ensure sustainable drainage and flood prevention.

14. Development of any phase shall not commence until a scheme detailing temporary surface water drainage for the construction period of that phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- a) Phasing of the development and phasing of temporary drainage provision;
- b) Methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
- c) A plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 5-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable offsite discharge rate shall not exceed 2.5 litres per second, unless otherwise agreed with the LLFA.

The temporary works for that phase shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: To ensure sustainable drainage and flood prevention during the construction phase.

15. No building or other obstruction including landscape features shall be located over or within:

- a) 3 metres either side of the centre line of the public 300 mm diameter sewers i.e. a protected strip width of 6 metres;
- b) 3 metres either side of the centre line of the public 375 mm diameter sewer i.e. a protected strip width of 6 metres;
- c) 3.5 metres either side of the centre line of the public 450 mm diameter sewer i.e. a protected strip width of 7 metres;
- d) 3.5 metres either side of the centre line of the public 600 x 450 mm diameter sewer i.e. a protected strip width of 7 metres;
- e) 5 metres either side of the centre line of the public 750 mm diameter sewer i.e. a protected strip width of 10 metres; and
- f) 5 metres either side of the centre line of the public 825 x 600 mm diameter sewer i.e. a protected strip width of 10 metres.
- g) No new trees shall be planted within 5 metres of any public sewer unless details of the proposed tree planting, including species, size and a scheme for a support cell system has first been submitted to and approved in writing by the Local Planning Authority to demonstrate how a tree could be planting without impacting upon any public sewer.

If the required stand-off distances are to be achieved via diversion or closure of the sewer(s), details of the relevant diversion or closure that has been agreed with the statutory undertaker shall be submitted to and approved in writing by the Local Planning Authority prior to any construction in the affected area(s). The development shall then be implemented in accordance with the approved details. ,

Reason: In the interests of access for maintenance and repair work of drainage infrastructure to ensure sustainable drainage and flood prevention.

16. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed. Surface water from the site shall be restricted to a maximum rate of 138 (one hundred and thirty eight) litres per second, to the public sewer network.

Reason: In the interest of satisfactory and sustainable drainage.

17. For each phase of development, a full travel plan shall be submitted to and approved in writing by the Local Planning Authority 3 months prior to any part of the development within that phase being brought into use. The travel plan shall include measures to improve and encourage the use of sustainable transport. The Travel Plan shall continue to be developed and implemented as long as any part of the development is occupied.

Reason: To comply with the Council's sustainability objectives.

18. Prior to the first phase of development commencing, an Ecological Impact Assessment (EclA) (undertaken in line with CIEEM guidance) shall be submitted to and approved in writing by the Local Planning Authority. Each phase of development shall then be implemented in accordance with the recommendations of the EclA and the measures thereafter retained.

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

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

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

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

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

20. Before construction work on any phase commences, a scheme detailing fully costed air quality mitigation measures for that phase, based on the cost damage calculation as detailed in the Air Quality Assessment by Delta Simons (Ref: 21-0934.02 dated: June 2021 - Section 6.2 Operational Phase – Mitigation) shall be submitted to and approved in writing by the Local Planning Authority. This shall include a timescale for the implementation of the stated measures. Following completion of the agreed air quality mitigation measures for that phase, a verification report detailing a breakdown of costs shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail the expenditure of each of the mitigation measures agreed, and this should reflect the total sum of cost damages that have been calculated for the development. The measures shall be implemented in accordance with the approved timescale for that phase.

Reason: For promoting sustainable development and transport and conserving the natural environment.

21. Before construction work commences on any phase, a mechanical ventilation scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consider the recommendations made within the Air Quality Assessment by Delta Simons (Ref: 21-0934.02 dated: June 2021) and identify the following:

- a) Which rooms of the development will require an alternative mechanical ventilation scheme where windows cannot be opened due to poor air quality as identified in the report
- b) Proposals for NO_x filters at the air intakes;
- c) Details of how rooms shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows and compromise internal air quality;
- d) Details of the air intake location and any summer bypass for any heat recovery system, including a calculation for air changes/hour. This could include a Standard Assessment Procedure (SAP) to demonstrate that a risk of overheating is minimised.

Each relevant phase of the development shall then be implemented in accordance with the approved mechanical ventilation scheme for that phase and the measures shall thereafter be retained.

Reason: In the interests of the health of future users of the site in order to ensure an appropriate air quality within the buildings.

22. For each phase of development, before the electrical system is installed, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of residential parking spaces that are not allocated to specific dwellings
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces

The buildings within the relevant phase and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement.

23. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework

24. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework

25. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan.

26. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report by a suitably

competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan.

27. For each phase of development, before any works commence, a further noise assessment report for that phase shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide the following:

Clearly show which rooms of the development will not achieve satisfactory indoor sound levels with windows open and for these rooms, provide a detailed specification of the noise mitigation measures that are necessary to achieve satisfactory indoor sound levels, including an alternative ventilation scheme.

The acoustic specification of the ventilation scheme demonstrating that when operated, it will not cause indoor noise target levels to be exceeded. The ventilation scheme must demonstrate how rooms shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows. This should include details of the air intake location and any summer bypass for any heat recovery system including a calculation for air changes/hour. A Standard Assessment Procedure (SAP) would be acceptable to demonstrate that a risk of overheating is minimised.

All works that form part of the approved scheme shall be completed prior to first occupation of any buildings within that phase and retained thereafter.

Reason: In order to provide a satisfactory noise environment for future occupiers and to ensure that future occupiers are not adversely affected by unacceptable levels of noise pollution.

28. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014 + A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan.

29. For each phase of development, before the installation of external artificial lighting commences a lighting scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

- a) The proposed hours of operation of the lighting;
- b) The location and specification of all of the luminaires;
- c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated;
- d) The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity;
- e) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site;
- f) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

The external artificial lighting for each phase shall then be installed and operated thereafter in accordance with the approved scheme.

Reason: To safeguard the amenities of the occupiers of nearby properties, to minimise light pollution and to conserve energy use.

30. Before food cooking commences in any of the buildings within any phase, details of a kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide the following information:

- a) A risk assessment for odour which considers amount and type of food that will be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours;
- b) Based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours;
- c) Details showing the proposed location of all the major components of the extract system;
- d) The noise mitigation measures that will be incorporated in the extract system and details of the likely resulting noise levels that will be caused by operation of the extract system, including how loud it will be at nearby noise sensitive locations;
- e) The proposed ongoing maintenance schedule that will be carried out to ensure that the extract system continues to effectively control odours and not cause excessive noise.

Before any food cooking commences, the approved extract system shall be installed and thereafter retained and maintained in accordance with the approved details.

Reason: To ensure the proposed development does not cause harmful odour pollution within any public area or at neighbouring premises in the interest of amenity and to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan.

31. For each phase of development, full details of suitable and sufficient secure cycle parking accommodation within the site, as well as measures to encourage cycle usage such as suitable changing and showering facilities, shall be submitted to and approved in writing by the Local Planning Authority. No building within each phase shall be occupied unless such cycle parking and facilities has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: To promote access to the development by means other than the private car.

32. For each phase of development, prior to the commencement of any development, details of measures to promote carbon reduction and enhance resilience to climate change for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development of that phase shall be constructed in accordance with the approved details and all approved measures thereafter retained.

Reason: To address the impacts of climate change and the Council's declaration of a Climate Change Emergency and to promote resilience to it.

Informatives

Pursuant to Condition 7 (CEMP), noisy construction related activities should not take place outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays;
- 08.00 to 13.00 hours, Saturdays;
- With no noisy activities on Sundays or Public Holidays.

The Institute of Air Quality Management document "Guidance on the assessment of dust from demolition and construction" Version 1.1 2016 provides detailed information regarding dust control. Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists, or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Pursuant to Condition 22, Electric Vehicle Charging Points:

- a) A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof
- a) Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable.
- b) At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point.
- c) For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable. • The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- d) The installation must comply with all applicable electrical requirements in force at the time of installation.

Pursuant to Conditions 23-26 (contaminated land) all contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance: Land Contamination Risk Management (LCRM). BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

Pursuant to Condition 27, a ventilation scheme that meets the performance specification given in Para 6 of Schedule 1 of the Noise Insulation Regulations 1975 is likely to be acceptable. Acoustic trickle ventilation alone is unlikely to provide sufficient ventilation to help control thermal comfort without the need to open windows and would therefore not be acceptable.

Pursuant to Condition 29, the proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the "Guidance Notes for the Reduction of Obtrusive Light" by the Institution of Lighting Professionals: 2011 www.theilp.org.uk. The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for an Environmental Zone E2/3.

Pursuant to Condition 30, detailed advice is available in “Control of Odour and Noise from Commercial Kitchen Exhaust Systems” by EMAQ Sep 2018 which is an update of “Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems” by DEFRA 2005.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Red Line Boundary	EX01		15 April 2021
Outline Site Masterplan	PR01		15 April 2021
Design and Access Statement	Dated April 2021		15 April 2021
Transport Statement	Prepared by Optima (April 2021) Report Reference: 210331 Southgate, University of Huddersfield TS.docx		15 April 2021
Travel Plan	Prepared by Optima (April 2021) Report Reference: 210331 Southgate, University of Huddersfield TP.docx		15 April 2021
Air Quality Assessment	Prepared by Delta Simons (June 2021) Project No: 21-0934.02		24 June 2021
Noise Impact Assessment	Prepared by Delta Simons (7th June 2021) Project No: 21-0934.02		8 June 2021
Flood Risk Assessment	Prepared by Delta Simons (June 2021) Project No: 21-0934.02		4 June 2021
Coal Mining Risk Assessment	Prepared by Delta Simons (May 2021) Project No: 21-0934.03		14 May 2021
Phase 1 Site Assessment	Prepared by Curtins (May 2021) Report Reference: 062769.000ML/R1	03	7 May 2021
Phase 2 Site Assessment	Prepared by Curtins (25 March 2021) Report Reference 062769-00-XX-RP-GE-002	V03	26 April 2021
Remediation Strategy	Prepared by Curtins (25 March 2021) Report Reference Ref: 077898-CUR-00-XX-RP-GE-0001	V01	23 April 2021
Drainage and Foul Sewerage Assessment	Prepared by Dudleys (01.04.2021) Report Reference CAL01	Rev A	22 April 2021
Preliminary Ecological Appraisal Report	Prepared by Brooks Ecological (03/05/2021) Report Reference ER-5235-01		15 April 2021

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Negotiations were carried out during the course of the application, which resulted in the conditions set out on this decision notice to ensure an acceptable quality of development.

Digital Infrastructure: Fibre To The Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- **Economic prosperity – workforces that are digitally-literate enables business to thrive.**
- **Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.**
- **New services – digital delivery can lower costs and provide innovative public and health services more conveniently.**

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speedier installation at a later date.

To discuss the benefits that FTTP may have for your development, please contact Carl Tinson in Kirklees Council's Digital Team at carl.tinson@kirklees.gov.uk.

Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.

Development within a Coal Mining Area

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them responsibly to avoid harm to the appearance of the local area.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions

normally contain the wording “*submitted to and approved in writing by the Local Planning Authority*”.

- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority’s decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 08-Oct-2021

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2021/60/91544/W .

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Planning Services
Investment and Regeneration
PO Box B93
Civic Centre III
Off Market Street
Huddersfield
HD1 2JR
