KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	**2022/62/92097/W**
Site Address:	The Veterinary Hospital, 131, Somerset Road, Almondbury, Huddersfield, HD5 8HN
Description:	Erection of two storey extension and alterations
Recommending Officer:	John Holmes

DECISION – S106- Full Conditions- Approved

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

David Wordsworth

AUTHORISED OFFICER

Date: 26/02/24

Decision Authorisation: Committee Decision

Committee: Strategic Committee

Date of Committee: 8th June 2023

Application Number: 2022/92097

Officer Recommendation: Approve subject to S106 agreement

Committee Decision: Section 106 Full Permission

Conditions and Reasons

Summary of Committee Decision (if applicable)

At the committee meeting of 8th June members resolved to approve the application subject to the following conditions:

1. Standard three year commencement deadline
2. Development in accordance with Approved Document Schedule
3. Requirement that the materials of construction accord with the details submitted
4. Submission of a Construction Environmental Management Plan, and engagement with residents prior to submission
5. Submission of a Travel Plan
6. Submission of a lighting design strategy for biodiversity
7. Submission of land quality assessment should unexpected contamination be encountered

During the meeting concerns were raised in relation to the provision of staff parking within the car park, with the resolution at the meeting being that this would be controlled by submission of a suitable travel plan. Since the meeting a further travel plan has been submitted which sets out objectives which are targeted predominantly at employees righter than clients, which the Council's Highways Team consider is acceptable.

Furthermore, with regard to condition 4 which was recommended for inclusion, further information has been submitted, specifically a document titled 'Construction Environmental Management Plan' ref: Rev B received 24th January 2024. The Council's Highways Team have reviewed this submitted document and confirm they consider it to be acceptable. As such it is recommended condition 4 is worded to relate to the submitted document rather than require a scheme to be submitted to the LPA for written approval prior to development commencing.

A S106 agreement has been entered into which will secure a financial contribution in accordance with that as considered by members of the committee. It is therefore recommended that the decision for this application is issued subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
   Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
   Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP1, LP2, LP7, LP21, LP22, LP24, LP27, LP28, LP30, LP33, LP51, LP52, LP53 & LP61 of the Kirklees Local Plan, the Council's Highways Design Guide and policies within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework

3. The development hereby approved shall be constructed from the materials of construction and colour finishes detailed within submitted drawings 202Rev2 & 201Rev2. The development shall not be brought into use until the development has been completed in accordance with the materials of construction detailed upon submitted drawings 202Rev2 & 201Rev2. The materials of construction and colour finishes shall be thereafter retained for the lifetime of the development.
   Reason: In the interests of visual amenity to accord with Policies LP11 & LP24 of the Kirklees Local Plan, Principle 13 of the Councils adopted Housebuilders Design Guide SPD and policies contained within Chapter 12 of the National Planning Policy Framework.

4. The development shall be undertaken in full accordance with the submitted document titled 'Construction Environmental Management Plan' ref: Rev B received 24th January 2024. All demolition, engineering and construction works must be undertaken in accordance with the submitted document titled 'Construction Environmental Management Plan' ref: Rev B received 24th January 2024 which must be fully implemented and adhered to throughout the construction phase of the development.
   Reason: In the interests of amenity and highway safety, and to accord with policies LP21, LP22 and LP24 of the Kirklees Local Plan and policies within chapter 12 of the National Planning Policy Framework.

5. Within three months of the development hereby approved being brought into use the measures set out in the submitted travel plan dated 11th July 2023 (ref: 23030 issue no: 4) shall be implemented. The travel plan hereby approved shall thereafter be subject to monitoring and review as set out in section 10 of the travel plan.
   Reason: In the interests of access and highway safety, to support the promotion of the use of sustainable modes of transport to accord with policies LP21 and LP22 of the Kirklees Local Plan and the Council's adopted Highway Design Guide.

6. The development shall not be brought into use until a lighting design strategy for biodiversity in relation to the site has been submitted to, and approved in writing by, the local planning authority. The strategy shall:
a) identify those areas/features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent species using their territory or having access to their breeding sites and resting places.
All external lighting shall be installed in accordance with the approved strategy and retained thereafter
Reason: To prevent ecological harm in respect of direct impacts to bats and to accord with policy LP30 and the requirements of chapter 15 of the National Planning Policy Framework.

7. In the event that contamination not previously identified by the developer is encountered during the development, 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. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with LP53 of the Kirklees Local Plan and policies contained within Chapter 15 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan / Document Type	Reference	Version	Date Received
Application Form			22nd June 2022
Proposed Elevations	201Rev2		13th March 2023
Proposed Elevations	202Rev2		13th March 2023
Proposed First Floor Plan	111Rev1		23rd June 2022
Proposed Ground Floor Plan	110Rev1		23rd June 2022
Proposed Lower Ground Floor Plan	109Rev1		23rd June 2022
Existing Elevations	022Rev1		23rd June 2022
Existing Elevations	021Rev1		23rd June 2022
Existing first floor plan	011Rev1		23rd June 2022
Existing ground floor plan	010Rev1		23rd June 2022
Existing lower ground floor plan	009Rev1		23rd June 2022
Proposed site plan	101		22nd June 2022
Existing site plan	001		22nd June 2022
Travel Plan	23030 issue no: 4		18th July 2023
Design and Access Statement			13th March 2023
Highways Technical Note	21045		14th October 2022
Highways Technical Note			22nd June 2022
Flood Risk Assessment			22nd June 2022
Construction Environmental Management Plan	RevB		24th January 2024

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. Amendments were sought in relation to the design of the proposed development, with amendments submitted to address the concerns raised. Further information was submitted to address a recommended pre commencement condition with the further information considered to satisfy the requirements of the condition.

Report Dated: 19th February 2024