KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	**2023/44/90424/W**
Site Address:	Southgate/Leeds Road, Huddersfield, HD1 1TW
Description:	Discharge condition 11 (roof fixtures) on previous permission 2022/91456 for reserved matter application pursuant to outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness, and the discharge of conditions 5 (masterplan), 6 (design code), 8 (access), 9 (internal access) and 19 (BEMP)
Recommending Officer:	Nick Hirst

DECISION – Discharge of Conditions -Granted

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: 09-Mar-2023

Application: 2023/44/90424/W

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

Proposal: Discharge condition 11 (roof fixtures) on previous permission 2022/91456 for reserved matter application pursuant to outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness, and the discharge of conditions 5 (masterplan), 6 (design code), 8 (access), 9 (internal access) and 19 (BEMP)

Assessment

Condition 11 (roof fixtures)

> *11. Other than where indicated on the drawings hereby approved, no railings, edge protection installations, flues, vents, wind turbines, plant, plant enclosures, lift overruns, aerials, dishes and/or CCTV cameras or related equipment and installations shall be located on or fixed to any roof of the development hereby approved. Should any such equipment or installations be considered necessary, details of these shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the details so approved.*
> ***Reason**: In the interests of visual amenity, to accord with Policy LP24 of the Kirklees Local Plan.*

The applicant seeks to add railing to the 5th, 7th, and 8th floor roof areas, citing safety requirements.

The intended railing is 'Keeguard Foldshield'. The applicant has provided information documents that details the product. In brief, it may be folded down when not in use, minimising its visual prominence. This is welcomed and not opposed.

The applicant has provided an elevational plan showing the railing up across the building (although given the railing only needs to be erected where roof access is required, all railings being up at once is unlikely) that shows the design to be minimalistic and acceptable.

Officers therefore support the discharge of condition 11.

It should be noted that the plan shows elevational changes that are sought via an ongoing non-material amendment application (ref. 2023/90533). A note stating these changes do not form part of the DOC application is recommended.

Recommendation: Approve Discharge of Condition

Report Dated: 06.03.2023

Proposed Letter Text

Condition 11 (roof fixtures)

You have submitted the following details to discharge condition 11:

- Document "KeeGuard Foldshield: Fee Standing Folding Edge Protection"
- Document "Kee Safety: Fall Protection Solutions"
- Document "External Balustrade and guarding system – Balustrade Systems to 5th, 7th, and 8th floor roof area (Kee Systems – KeeGuard Balustrade or acceptable equivalent)"
- Plan ref. "HWA-AHR-P1-XX-DR-A-08401 rev. P3"

Protective railing is proposed around the 5th, 7th, and 8th floor roof area. It is proposed to use KeeGuard Foldshield, a railing system which is folded down flat when not in use thus limiting its visibility from outside of the roofs. This is considered acceptable, on the provision that the fencing is kept in the down position when not in use. Subject to this criterion, the submitted details are acceptable for the initial purpose of condition 11.

Be aware that condition 11 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *Thereafter the development shall be completed in accordance with the details so approved.*

Note: Notwithstanding the above, plan ref. "HWA-AHR-P1-XX-DR-A-08401 rev. P3" includes elevational changes to the building that go beyond the scope of condition 11. For the avoidance of doubt, the hereby approved discharge of condition 11 does not authorise any elevational changes beyond that related to the roof (specifically the use of KeenGuard Foldshield in this case). Officers note that a Non-Material Amendment is pending at the time of writing, ref. 2023/90533, relating to these additional elevational changes.