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:	**2023/44/91528/W**
Site Address:	Huddersfield Royal Infirmary, Acre Street, Lindley, Huddersfield, HD3 3EA
Description:	Discharge of conditions 11 (cycle parking), 12 (landscape strategy), 14 (car park management plan), 15 (barrier details) and 20 (electric charging points) of previous permission 2021/92488 for erection of clinical building to accommodate new accident and emergency department, associated vehicular access, car and cycle parking spaces, plant and landscaping
Recommending Officer:	Nick Hirst

DECISION – Discharge of Conditions – Split Decision

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

Victor Grayson

AUTHORISED OFFICER

Date: 31-Oct-2023

Application: 2023/44/91528/W

Site: Huddersfield Royal Infirmary, Acre Street, Lindley, Huddersfield, HD3 3EA

Proposal: Discharge of conditions 11 (cycle parking), 12 (landscape strategy), 14 (car park management plan), 15 (barrier details) and 20 (electric charging points) of previous permission 2021/92488 for erection of clinical building to accommodate new accident and emergency department, associated vehicular access, car and cycle parking spaces, plant and landscaping

Assessment

Condition 11 (cycle parking)

> *11. Before any above ground works commence, details of secure short- and long-term cycle parking, in accordance with the details given in section 5.11 of the Transport Assessment, shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall then be implemented in accordance with the approved details before the development is brought into use and shall thereafter be retained.*
> ***Reason**: To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.*

The proposed location of the long-stay cycle parking is acceptable, as is the design.

For the short-stay cycle parking, the proposed design (type of parking and proposed shelter) are acceptable. The location is proposed under, and within the root protection area of, a tree protected by a TPO. However, the application is supported by an Arboricultural Impact Assessment / Arboricultural Methodology which demonstrates that the proposed cycle shelter and parking can be accommodated within this sensitive location. This has been informally reviewed by K.C. Trees, who have confirmed the methodology is acceptable.

Accordingly, officers recommend that the details (including the Arboricultural Impact Assessment / Arboricultural Methodology) may be approved. A note regarding the condition's ongoing compliance requirement will be included in the decision notice.

Condition 12 (landscape strategy)

> *12. Notwithstanding the submitted plans, prior to works associated with the provision of hard and/or soft landscaping commencing, a landscaping strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping strategy shall include an assessment of the feasibility of re-locating the trees identified to be lost via the development. If identified as unfeasible, the strategy shall include details of re-planting of tree proportional to the number of trees to be lost. The approved landscaping plan shall be implemented prior to the*

hereby approved development being brought into use. All planted materials shall thereafter be maintained for five years, and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.
***Reason**: In the interests of preserving the local ecological value, the visual amenity and character of the surrounding area and to accord with Policies LP24, LP30 and LP63 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.*

The submitted technical details have been reviewed and accepted by K.C. Landscape. However, the condition required the following in addition to typical landscaping specifications:

The landscaping strategy shall include an assessment of the feasibility of re-locating the trees identified to be lost via the development. If identified as unfeasible, the strategy shall include details of re-planting of tree proportional to the number of trees to be lost.

No such assessment has been undertaken, nor re-planting mitigation proposed. Therefore, officers are unable to recommend the approval of the submitted details.

Discussions on the outstanding details have been held and an agreeable solution agreed in principle. However, no further submission has been received. Officers propose a period of four weeks following the issue of the initial decision letter for further details to be provided, after which a new Discharge of Conditions application would be required.

<u>Condition 14 (car park management plan)</u>

14. Prior to the hereby approved development being brought into use, a car park management plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include details of signing and markings to ensure customers are aware of the proposed parking provision for the site as a whole and the reconfiguration of staff parking. The plan so approved shall be implemented before the development is brought into use and retained thereafter.
***Reason**: To maximise the efficiency of parking for staff and visitors to the site, in the interests of highway safety and to achieve a satisfactory layout, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.*

The submitted details have been reviewed by K.C. Highways who have confirmed that they are acceptable. Officers support this assessment and recommend that the details be approved.

A note regarding the condition's ongoing compliance requirement will be included in the decision notice.

Condition 15 (barrier details)

> *15. Notwithstanding the submitted plans, prior to the hereby approved development being brought into use, a scheme for the erection of a minimum barrier between the Pick Up and Drop Off point and Ambulance drop off area, shall be submitted to, and approved in writing by, the Local Planning Authority. The barrier shall have a minimum height of 1.2m when measured from the highest part of the surface of the ground adjacent to it. The approved barrier shall thereafter be implemented, prior to the occupation of the building and shall be so retained.*
> ***Reason**: To ensure those visiting the site do not cross dangerous areas, in the interest of the safe and effective operation of the highway network, to comply with Policy LP21 of the Kirklees Local Plan.*

The barrier is to be a 1.2m (throughout) high steel railing. This is visually appropriate while ensuring appropriate safety by preventing pedestrians walking into an ambulance zone without creating a trip hazard.

Officers recommend that the submitted details be approved although full discharge cannot be achieved at this time given the ongoing requirement.

Condition 20 (electric charging points)

> *20. Notwithstanding the approved plans, prior to the hereby approved development being brought into use, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles 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:*
>
> - *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*
>
> *Buildings 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, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.*

The submitted details have been reviewed by K.C. Environmental Health who confirm that they are acceptable. Officers concur with this assessment and recommend that the details be approved.

A note regarding the condition's ongoing compliance requirement will be included in the decision notice.

Summary

The details provided pursuant to the following conditions may be approved: 11, 14, 15 and 20.

The details submitted pursuant to condition 12 are inadequate.

Recommendation: Issue split decision, with additional time for details to be provided pursuant to condition 12.

Report Dated: 30/10/2023

Proposed Letter Text

<u>Condition 11 (cycle parking)</u>

You have submitted the following details pursuant to condition 11:

- Plan ref. HG0052-IBI-ED-XX-PL-L-700001 rev. C09
- Arboricultural Report ref. 16285k/ME by JCA
- Manufacturer's details: FalcoPod
- Manufacturer's details: FalcoSail

I can confirm that the submitted details are acceptable for the initial purpose of condition 11. However, be aware that condition 11 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *The cycle parking shall then be implemented in accordance with the approved details before the development is brought into use and shall thereafter be retained.*

<u>Condition 12 (landscape strategy)</u>

You have submitted the following details pursuant to condition 12:

- Document ref. HG0052-IBI-ED-XX-DC-L-700001 P01
- Plan ref. HG0052-IBI-ED-XX-PL-L-700001 Rev. C09
- Plan ref. HG0052-IBI-ED-XX-PL-L-700003 Rev. C03
- Plan ref. HG0052-IBI-ED-XX-DT-L-700003 Rev. C01
- Plan ref. HG0052-IBI-ED-XX-DT-L-700004 Rev. C01
- Plan ref. HG0052-IBI-ED-XX-DT-L-700006 Rev. C01

While the details are largely acceptable for the purposes of condition 12, they fail to address the following specific requirement:

> *The landscaping strategy shall include an assessment of the feasibility of re-locating the trees identified to be lost via the development. If*

identified as unfeasible, the strategy shall include details of re-planting of tree proportional to the number of trees to be lost

Due to insufficient details, condition 12 is not hereby discharged.

Further details are required pursuant to condition 12. While the missing details have been discussed, they have yet to be provided. If the requested details are provided within four weeks of the date of this letter, they will be accepted under this application. Please quote 2023/91528 and send the details directly to nick.hirst@kirklees.gov.uk. After four weeks, a further Discharge of Condition application would be required.

Condition 14 (car park management plan)

You have submitted the Car Park Management Plan referenced '100108619 / 02 rev. B' by Mott MacDonald pursuant to condition 14.

I can confirm that the submitted details are acceptable for the initial purpose of condition 14. However, be aware that condition 14 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance:

The plan so approved shall be implemented before the development is brought into use and retained thereafter

Condition 15 (barrier details)

You have submitted the following information pursuant to condition 15:

- Document 'HG0052-IBI-ED-XX-SP-A-200001 C01 (page 161 L37:150 /160.)'
- Plan ref. HG0052-IBI-ED-XX-PL-L-700001 rev. C09
- Plan ref. HG0052-IBI-ED-XX-DT-L-700009 rev. C02

I can confirm that the submitted details are acceptable for the initial purpose of condition 15. However, be aware that condition 15 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance:

The approved barrier shall thereafter be implemented, prior to the occupation of the building and shall be so retained.

Condition 20 (electric charging points)

You have submitted the following information pursuant to condition 20:

- Document 'MER – Commercial EV Charging supply + Commissioning Guide for Contractors'
- Document 'Installation + User Manual – Eve Double Pro-line'
- Document 'Survey Report – Back Area 2 x 22Kw Duals and 1 x 22Kw Single'

- Plan ref. ‘HG0052-IBI-ED-XX-PL-L-700001 rev. C09 ‘
- Plan ref. ‘HG0052-IBI-ED-XX-PL-L-700002 rev. C07 ‘

I can confirm that the submitted details are acceptable for the initial purpose of condition 20. However, be aware that condition 20 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *Buildings 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.*