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- 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: 13-Nov-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

Overview

An interim decision letter was issued on the 31.10.2023 with the following position:

Discharged: 11, 14, 15, 20

Not Discharged: 12

A period of 4 weeks was given for further details to be provided pursuant to condition 12. These details have been provided, with the following assessment relating to condition 12 only.

Assessment

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

> *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 following is the previous assessment:

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.

Since the previous assessment the applicant has provided further details to address the above. In brief, it is stated to be infeasible to retain the 21 identified existing trees. This was due to their size and already being well established. It would be cost prohibitive and their taking to new ground highly unlikely to be successful. Officers concur based on the details provided.

In mitigation 450 whip trees, consisting of rowan, birch, dogwood, hazel and hawthorn (circa 90 of each) have been planted near to the application site (within the greater Huddersfield Royal Infirmary grounds), due to inadequate room within the applicant site. A management and maintenance strategy for the new trees, extended for a minimum of five years, has been provided. While whips are much smaller, and more likely to fail, the number proposed is considered reasonably proportionate to the number of mature trees to be lost.

The submitted details are considered to overcome the previous concerns. These, plus the previously accepted general landscaping arrangements, are considered acceptable. However, the condition has an ongoing requirement which prevents full discharge at this time; a note to this effect may be placed on the decision notice.

Recommendation: Approve details.

Report Dated: 10.11.2023

Proposed Letter Text

Please refer to the letter dated 31.10.2023 in relation to conditions 11 (cycle parking), 14 (car park management plan), 15 (barrier details) and 20 (electric charging points)

Condition 12 (landscape strategy)

You have submitted the following documents 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
- Document titled 'Condition 12 - Supplementary Information'

I can confirm that the submitted details are acceptable for the initial purpose of condition 12. However, be aware that the condition has the following ongoing requirement(s):

> *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.*

You are required to comply with the above requirements to ensure ongoing compliance with condition 12.