

**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:	2023/44/91600/W
Site Address:	land adjacent, Manchester Road, Huddersfield
Description:	Discharge of conditions 6 (sheltered cycle parking), 16 (electric vehicle charging) of previous permission 2014/90411 for erection of 2 blocks of student accommodation
Recommending Officer:	Ellie Worth

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: 07-Jun-2023

Application: 2023/91600

Site: land adjacent, Manchester Road, Huddersfield

Proposal: Discharge of conditions 6 (sheltered cycle parking) and 16 (electric vehicle charging) of previous permission 2014/90411 for erection of 2 blocks of student accommodation

Site Description

This application relates to two blocks of student accommodation on Manchester Road, to the west of Kirklees College. The three blocks along this part of Manchester Road, from west to east, are:

- Block A (Cormorant House) – the westernmost block (adjacent to a motorcycle shop), granted planning permission separately – ref: 2016/91026.
- Block B (Crane Court) – the central block, built following the approval of planning permission ref: 2014/90411.
- Block C (Kingfisher Court) – the easternmost block nearest to Kirklees College, also built following the approval of planning permission ref: 2014/90411.

This application relates to conditions of permission ref: 2014/90411, and therefore blocks B and C.

Condition 6: Sheltered cycle parking

6. The development shall not be brought in to use until 50 secure and sheltered cycle parking spaces have been provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority, the approved facilities shall thereafter be retained free of obstructions and available for cycle parking throughout the lifetime of the development.

Reason: *To comply with the Council's sustainability objectives set out in the National Planning Policy Framework and Policy T2 of the Unitary Development Plan.*

Assessment

A plan labelled Block B Ground Floor Proposed (drawing HUD-KKA-BB-00-DR-A-03-011) has been submitted in support of this condition.

The plan demonstrates adequate space for the storage of 50 bikes, in line with the aforementioned condition.

The information submitted is acceptable, subject to the facilities being retained free of obstruction and available for use, throughout the lifetime of the development.

Condition 16: Electric vehicle charging

16. Before development commences the applicant shall submit a plan detailing facilities to be provided for charging plug-in and other ultra low emission vehicles. This plan shall be agreed in writing by the Local Planning Authority before development commences and the approved facilities implemented before first occupation of the accommodation and thereafter retained.

Reason: *In the interest of promoting Sustainable Development and in accordance with the National Planning Policy Framework.*

Assessment

A letter dated the 17/05/2023, by Semper has been submitted in support of this condition. This erroneously refers to "Block A & B".

The letter refers to fire safety issues which – the author believes – could be associated with their implementation.

In this case, it appears that the information submitted is to remove or vary the condition rather than adhere to it. Therefore, Officers cannot comment on the merits of this information, as it would need to be assessed under a Section 73 application (variation / removal of condition).

Of note, an application to remove condition 16 has already been considered by the council. That application (2018/90092) was refused on 11/04/2018.

Condition 16 cannot be discharged on the basis of the submitted information.

Decision notice text

Condition 6: Sheltered cycle parking

In support of condition 6, you have submitted:

- A plan labelled Block B Ground Floor Proposed (drawing HUD-KKA-BB-00-DR-A-03-011)

The information submitted is acceptable for the purpose of condition 6. It is noted however, that the facilities should be retained free of obstruction and available for use, throughout the lifetime of the development.

Condition 16: Electric vehicle charging

In support of condition 16, you have submitted:

- A letter dated 17/05/2023, by Semper.

In this case, it appears that the information submitted is intended to support the removal or variation of the condition rather than to adhere to it. Therefore, Officers are unable to comment on the merits of this information, as it would

need to be assessed in detail with additional justification under a Section 73 (variation / removal of condition) application. Condition 16 cannot be discharged on the basis of the submitted information.

For this reason, condition 16 must remain.

Report dated: 07/06/2023.