KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS - REGULATION 3 TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992 (AS AMENDED)

Reference No:	**2024/48/92302/W**
Site Address:	Huddersfield Bus Station, Upperhead Row, Huddersfield, HD1 2JN
Description:	Refurbishment comprising (phase 1): facade improvements including Henry Street entrance; replacement shop fronts; alterations to external bus apron; extension and alterations to existing barrier within the bus alighting lane adjacent to Henry Street; (phase 2): new entrance canopy; public realm improvements; cycle hub; facade improvements including replacement shop fronts
Recommending Officer:	Liz Chippendale

DECISION – Grant full permission under General Regulations

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.

Nick Hirst

AUTHORISED OFFICER

Date: 17-Feb-2025

Officer Report

Application: 2024/92302

Site: Huddersfield Bus Station, Upperhead Row, Huddersfield, HD1 2JN

Proposal: Refurbishment comprising (phase 1): facade improvements including Henry Street entrance; replacement shop fronts; alterations to external bus apron; extension and alterations to existing barrier within the bus alighting lane adjacent to Henry Street; (phase 2): new entrance canopy; public realm improvements; cycle hub; facade improvements including replacement shop fronts

Site description

The proposal relates to Huddersfield Bus Station, which is to the western part of Huddersfield Town Centre, adjacent to and just inside of the ring road (A62). The railway line runs underneath the western part of the site.

The existing building was erected circa 1960 and is a typical 'brutalism' structure. It consists of the bus station on the ground floor with six levels of car parking above. It also has shop frontages at the ground floor on the eastern elevation (facing onto Upperhead Row), with the bus bays set to the western elevation. The car park is accessed via ramps to the north. The site benefits from public realm works, established street trees and a tunnel like pedestrian access set to the north.

The site is set adjacent to, but outside of, the Huddersfield Town Centre Conservation Area. There also a number of listed buildings to the east known as the Plumbers Arms with Flats 1-5 Macauley Street above and part of the Threadworks.

The site is unallocated within the Kirklees Local Plan. The site is within the Huddersfield Town Centre designated area.

Description of development

Planning permission is sought for the re-furnishment of Huddersfield bus station. The construction phase would be split into two phases which would comprise of the following works:

Phase 1

- façade improvements including Henry Street entrance
- replacement shop fronts
- alterations to external bus apron (bus bays reduced from 25 to 21)
- Extension and alterations to existing barrier within the bus alighting adjacent to Henry Street.

Phase 2

- new curved entrance canopy with sedum roof;
- public realm improvements
- erection of a cycle hub structure under the proposed canopy
- façade improvements including replacement shop fronts.

In respect of the material palette, this varies across the site design, but it is mostly proposed as follows:

- Bus station Canopy – PPC Eaves System in grey natural finish glulam roof structure and steel columns with Sedum roof with gravel margin
- Bus station carpark – stone cladding natural dimensioned stone
- Canopy/car park interface – Galvanised removal grillage walker gutter; decorative cladding panel and plank effect soffit.
- Cycle hub – Exposed natural finish concrete upstand with perforated metal panels

History of negotiations/amendments received

Throughout the application process, amendments have been received from the applicant following discussions and feedback from officers and consultees. The amended/additional information received is as follows:

- Transport note
- Site layout plan to include bus apron
- Additional waste storage/collection details
- Landscape details
- Amended FRA and Drainage Assessment

Planning History (including enforcement history)

2013/92029	Change of use from class B1 and A1 Conditional full permission
2013/92030	Advertisement consent for erection of illuminated and non-illuminated signs Advertisement consent granted
2013/92525	Installation of satellite dish Conditional full permission
2013/90381	Change of use from former crew room (sui generis) to retail unit (A1) and external alterations Conditional full permission
2013/90390	Installation of new air conditioning condenser to rear and louvered rear door Conditional full permission

2009/90376	Change of use from retail to betting office and alterations to shop front Conditional full permission
2009/90377	Erection of 2 illuminated fascia signs and 2 projecting signs Advertisement consent granted
2009/93117	Installation of 84cm painted grey satellite dish on galvanised steel brackets Conditional full permission
2006/93350	Change of use of travel agency to hot food take away Conditional full permission
2002/90953	Formation of new kitchen entrance Conditional full permission
99/92574	Erection of extensions and alterations to existing bus station concourse and alterations to access Conditional full permission
89/05901	Erection of disabled assembly area Granted conditionally

Representations

The application has been advertised by neighbour notification letter, site notice and press advert.

As a result of the above publicity, one representation was received. A summary of the comment received is as follows:

- Concerns raised over the impact of the construction period of the proposed development on the neighbouring businesses due an impact on the amount of footfall in the area and length of the construction period.

Local Ward Councillors

The site is within Newsome Ward. All ward Councillors have been notified of this application. No comments have been received.

Consultation responses

KC Highways – No objection, following submission of amended and additional plans and subject to the conditions relating to the submission of details of waste collection.

KC Environmental Health – No objection subject to conditions regarding noise, submission of contaminated land reports; artificial lighting scheme and the

development to be completed in accordance with the submitted construction environmental management plan (CEMP).

Network Rail – No objection, subject to a condition relating to the proximity of construction foundations in relation to the railway tunnels beneath the bus station including an awareness of the location of the tunnels and how the new foundations would interrelate with the tunnel. Network Rail also require details of the operation of the bus station during the construction period and how this may impact on the use of bus stops on the local highway network and the impact this may have on Huddersfield bus station, particularly when replacement train services are also required.

Yorkshire Water – No objection

KC Landscape – No objection following submission of landscape details.

KC Public Health – No objection following submission of additional details relating to the welfare of construction workers throughout the development.

The Coal Remediation Authority – No objection. The application site does fall within the defined Development High Risk Area; however, the nature of development is exempt from Version 7, January 2023 of the Coal Authority's Guidance for Local Planning Authorities. As such, there is no requirement for a Coal Mining Risk Assessment to be submitted.

The Lead local flooding authority – No objection, subject to a development constructed in accordance with the submitted Flood risk and drainage assessment by Weetwood dated June 2024.

KC Trees – No objection, subject to the submission of details of a replacement tree planting scheme.

KC Waste strategy – No objection. The details for phase one of the development are considered acceptable. However, further details are required for phase two and so a condition will be applied.

KC Highways structures – No objection. The proposed improvements are not considered to have any impact on the highway.

Land allocation and relevant planning policy

The site is set within the Huddersfield Town Centre. However, it is not set within the Primary Shopping Area nor on a primary or secondary shop frontage as allocated on the Local Plan.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated within the Kirklees Local Plan.

Kirklees Local Plan

- LP1 – Presumption In favour of sustainable development
- LP 2 – Place Shaping
- LP 3 – Location of new development
- LP 7 – Efficient and effective use of land and buildings
- LP 13 – Town centre uses
- LP 14 – Shop frontages
- LP 17 – Huddersfield Town Centre
- LP 19 – Strategic Infrastructure Network
- LP 20 – Sustainable travel
- LP 21 – Highway Safety and Access
- LP 22 – Parking
- LP 23 – Core Walking and cycling network
- LP 24 – Design
- LP 27 – Flood risk
- LP 28 – Drainage
- LP 30 – Biodiversity and Geodiversity
- LP 35 – Historic environment
- LP 47 – Healthy, active and safe lifestyles
- LP 48 – Community facilities and services
- LP 51 – Protection and improvement of local air quality
- LP 52 – Protection and improvement of environmental quality

Supplementary Planning Documents (SPD)

- Highways Design Guide SPD
- Planning Practice Guidance

Guidance documents

- Planning Applications Climate Change Guidance (2021)
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Waste Management Design Guide for New Developments (2020)
- Green Streets Principles for the West Yorkshire Transport Fund

National Planning Policy Framework (NPPF)

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th December 2023, the Planning Practice Guidance Suite (PPGS) first launched

6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development.
- Chapter 4 – Decision making
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 8 – Promoting healthy and safe communities.
- Chapter 9 – Promoting sustainable transport.
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed and beautiful places.
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment.
- Chapter 16 – Conserving and enhancing the historic environment

Climate change

The Council approved Climate Emergency measures at its meeting of full Council on the 16th of January 2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July 2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.

On the 12th of November 2019 the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the council would use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Assessment

1. Principle of development
2. Urban design and impact on the heritage assets
3. Impacts on residential amenity
4. Highway safety
5. Other matters
6. Representations
7. Conclusion

1. Principle of Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. The starting point in assessing any planning application is therefore to ascertain whether or not a proposal accords with the relevant policies within the development plan, in this case, the Kirklees Local Plan. If a planning application does not accord with the development plan, then regard should be had as to whether there are other material considerations, including the NPPF, which indicate the planning permission should be granted.

Local Plan Policy 1 states that the Council will take a positive approach that reflects the presumptions in favour of sustainable development contained within the National Planning Policy Framework to secure development that improves the economic, social and environmental conditions in the area. Proposals that accord with policies in the Kirklees Local Plan will be approved without delay, unless material considerations indicate otherwise.

The application site is unallocated within the Kirklees Local Plan. As such Policy LP24 is relevant in that it states that proposals should promote good design in accordance with a specific set of considerations. All the considerations are addressed within the assessment. Subject to these not being prejudiced, this aspect of the proposal would be considered acceptable in principle. The application site sits outside the Huddersfield town centre conservation areas and is within the setting of a number of Listed buildings within the town centre. As such it is considered that an assessment should be undertaken of the impact the proposed development would have on the heritage assets.

The application site is the existing Huddersfield bus station. No change of use is proposed. The proposed development would continue and enhance the existing use by redeveloping the appearance of the site and adding new facilities (i.e., the cycle hub). Therefore, the proposal would comply with the aims and objectives of policy LP13 in regard to development within Huddersfield Town Centre.

The proposed development would provide more attractive bus station facilities for users whilst meeting strategic objectives of promoting development which helps to reduce and mitigate climate change and improve transport links within and between Kirklees towns and with neighbouring towns and cities. The proposed enhancement of transport links within the City Centre is encouraged within Local Plan policies LP17, LP19 and LP20 and Chapters 9 and 14 of the National Planning Policy Framework. The proposed development would represent an enhancement to the transport links within Huddersfield Town Centre. As part of a linked network, this is anticipated to in turn support public transport within neighbouring towns and cities, giving priority to public transport which also supports the districts economy and climate change focuses.

Given the above, the principle of the proposed development is considered to be acceptable. Due regard must be given to the proposal's local impacts, considered further below.

2. Urban Design and impact on heritage assets

Policy LP24 states that good design should be at the core of all proposals. Proposals should incorporate good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape and landscape. This is supported by The National Planning Policy Framework (NPPF) which sets out that, amongst other things, '*decisions should ensure that developments are sympathetic to local character ….while not preventing or discouraging appropriate innovation or change* (para.130 of the NPPF)'.

The application site sits outside of the Huddersfield Town Centre Conservation Area, however, it is in reasonably close proximity to the boundary and is visible from within the CA. The existing bus station is of relatively low architectural quality and does not contribute to the setting of the CA. The building is dominated by the car parking enclosures from levels 1 to 4 which creates a cover along the frontage of the building and entrance to the bus station from Macauley Street.

Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 196 of the National Planning Policy Framework (NPPF) outlines the contributing factors local planning authorities should take into account when determining applications that effect the historic environment, including criteria point (C) 'the desirability of new development making a positive contribution to local character and distinctiveness'.

The application is accompanied by a heritage statement which meets the requirements of the NPPF in describing the significance of the heritage assets and further assessing the proposed development in the context of its location and heritage merit.

The Huddersfield bus station is a prominent feature within the Huddersfield Town Centre. The proposed design alterations would be considered to have some degree of impact on the setting of the heritage assets, however, it is not considered to be of significant level of impact on the setting of the listed building and there will be a minor to no impact on the setting of the Conservation Area. Although not yet formally adopted, some weight is given to The Huddersfield town centre management appraisal management plan (October 2024). The document states that 'the surviving architecture demonstrates the desire for

buildings of the highest design and quality and justifying Huddersfield's status as a major industrial town of the 19th century'.

The site is not set within the immediate setting of any Listed Buildings, however, several listed buildings are located on Macauley Street, Grade II The Plumber Arms and No.4 Macauley Street, and Dundas Street, Grade II Plantation House and Grade II 5-9 Dundas Street. As such, it is considered that the site falls within the wider setting of the stated Listed Buildings. The buildings' heritage value is considered to originate in their architectural form and detail dating from the late 18th century.

The proposals will see minor alterations to the existing building including updated shop fronts, minor alterations to openings and non-material alterations to existing fenestration detail to the Henry Street entrance. The most significant would be the addition of a large curved canopy which will extend from the eastern elevation, sited closest to the Listed Buildings. There will be some degree of impact on the Listed Buildings, however, officer's do not consider this to be of a significant level of impact on the setting of the Listed Buildings and there would be a minor to no impact on the setting of the Conservation Area.

In respect of the scale, the proposed development is a refurbishment of the existing bus station with the additional canopy, as such, changes to the massing of the building are limited. While the canopy would project beyond the existing built form, it would be low level and set in the context of the existing buildings multiple storeys.

In respect of the material palette, this varies across the site design, but it is mostly proposed as follows:

- Bus station Canopy – PPC Eaves System in grey natural finish glulam roof structure and steel columns with Sedum roof with gravel margin
- Bus station carpark – stone cladding natural dimensioned stone
- Canopy/car park interface – Galvanised removal grillage walker gutter; decroartive cladding panel and plank effect soffit.
- Cycle hub – Exposed natural finish concrete upstand with perforated metal panels

These materials will contribute to an attractive contemporary setting and are not opposed in principle. However, a condition is recommended to require material specifications and samples be agreed with the Local Planning Authority prior to the commencement of external works for each phase. This is to ensure suitably high quality end products are utilised.

Officers consider there to be a neutral impact, if not of betterment to the setting of the listed buildings and the neighbouring conservation area. Nevertheless, should one consider harm to be caused, officers are of the view that the development has a clear public benefit by providing improved public transport facilities that would clearly outweigh any low level of harm. This is giving due regard to the existing building's impact on the identified heritage assets.

From a design perspective, the development is found to be of significant benefit to the appearance of the town centre in a key gateway location. The development is therefore acceptable in line with the requirements of Policy LP24 and LP35 of the Kirklees Local Plan

3. Impacts on residential amenity

A core planning principle set out in the NPPF is that development should result in a good standard of amenity for all existing and future occupiers of land and buildings. Policy LP 24 of the Kirklees Local Plan states that proposals should promote good design by ensuring that they provide high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings.

The closest residential units to the application site are flats 1 to 18, 15 Upperhead Row to the East; Flats 1 to 13, Florence apartments Threadneedle Street; Flats 1 to 7 Thread works, Threadneedle Street; 4 Henry Street and flats 1 to 23, The Old Warehouse, Henry Street.

The proposed physical works to the building itself are not anticipated to directly impact on the amenity of the identified dwellings, with regards to overbearing, overshadowing or loss of privacy. The minimum separation distance between the new works and neighbouring dwellings on Upperhead Row is 7.9m. However, in this case the new works are the canopy, which is a low prominence structure that would not lead to overbearing. It would be on a similar if not lower level than the first floor flats, preventing overshadowing, and is not an accessible platform to cause overlooking. Furthermore, having a green roof would provide a pleasant outlook.

Regarding indirect harm, the application is supported by an Environmental Noise Survey (by Paceconsult dated 26.02.2024 ref: PC-23-00730-RP1 Rev A). The report states that the external noise levels measured around the bus station were mainly from traffic noise from the nearby road network, busses arriving and leaving the bus station, and people noise. Officers' principal concern is the impact of the proposed development (giving due regard to the site's existing use) on the residential occupiers of Dundas Street and Henry Street.

There are no reported changes to the number of bus movements or associated activity, but there is a likelihood that new fixed mechanical plant will be installed although final specifications are not known at this. As such, due to the uncertainty of this, the report specifies an upper noise limit. Officers accept the findings of the report. A condition is recommended to requiring the development to operate in accordance with the submitted noise survey. A condition is also recommended to be added for the control of the combined rating level of noise from any fixed mechanical services to be limited to 10dB.

To minimise any potential impacts on the amenity of neighbouring dwellings caused from light sources as part of the development, a condition is

recommended for details of a lighting scheme to be submitted and approved by the Local Planning Authority.

Regarding the impacts of the construction period, a Construction Environmental Management Plan (CEMP) has been submitted. This relates to phase one of the development and seeks to demonstrate how construction site noise, dust and lighting can be controlled and managed so as not to impact on the amenity of nearby sensitive receptors during the development period given that the bus station is to remain in partial use throughout the construction period. The submitted details are accepted, and a condition requiring adherence to the document during works associated with phase 1, is recommended.

An additional condition is recommended for a further Construction Environmental Management Plan for the construction of phase two.

Given that the development is a refurbishment and canopy extension of an existing transport use, it is considered that the risk of omniety loss to surrounding residential occupants would be negligible. As such, the proposal is in determined to be in compliance with Local Plan Policy LP24 and the aims of the National Planning Policy Framework.

4. Highway Safety

The application site is an existing bus station with multi-level car park above with a bus access from Henry Street and an exit onto Market Street, the access and exit points are not proposed to be changed. Most of the work is based on the appearance of the bus station and internal pedestrian areas of the building. Therefore, the proposal would not result in a change in traffic generation nor directly impact on the operation and efficiency of the surrounding highway network.

Indirectly, the refurbishment to improve the bus station's appearance and use, to make it more attractive to passengers, is expected to promote the use of both sustainable public-transport and active travel with the incorporation of a cycle hub, which has wider transport benefits. This is, however, difficult to quantify. The proposed cycle hub is a positive addition to the development as it will promote sustainable and active transport within Huddersfield.

The proposed development is split into two phases, both of which have highway safety implications. Of relevance to highways, the phases include:

Phase 1 would see the alteration to the bus apron in relation to the location of a waste storage point and safe access by a refuse wagon. A condition is recommended for details of the waste storage and collection arrangements to be done in accordance with the approved details.

Phase 2 would see the addition of a new canopy and cycle hub to the east elevation. The land to the frontage of the bus station is adopted highway, currently listed as Upperhead Row pedestrianised section and extends to Dundas Street to Market Street. The proposed canopy would overfly this

section, and the cycle hub would be constructed within the bounds of the adopted highway.

The proposal would not affect the road (carriageway network). As the proposal includes works within the adopted highway (pedestrian areas), part VIIA Section 115B of the Highways Act 1980 can be used to install the canopy and cycle hub as work and ownership will remain with the Council which would not require a stopping up order or canopy licence. An informative note detailing the requirements under the New Roads and Street Works Act should be added to a consent.

The car parking demands for the site would not be materially change by the proposal and are to be retained as existing.
A condition is recommended relating to construction traffic arrangements, given the site's town centre location, limited space, and requirement to continue functioning (partly) during construction works.

Subject to the imposition of compliance conditions, officers consider the proposal to be acceptable and in compliance with policies LP21, LP22 and LP24 of The Kirklees Local Plan, Chapter 12 of the NPPF as well as the Highways Design Guide SPD.

5. Other matters

Drainage and flood risk

The application is supported by a flood risk and drainage assessment (by Weetwood dated May 2024). The assessment concludes that the site is at low risk of flooding.

In terms of surface water drainage, given the nature of the proposal and that there would be no increase between the current road / hardstanding impermeable areas, the volume of runoff is not expected to increase following the development. Therefore, new and/or additional attenuation is not required. Nominal changes are proposed to the site's existing drainage system but will have no material impacts to the wider environment. The LLFA therefore have no objection to the submitted details. However, the applicant has requested a degree of flexibility for potential drainage amendments. A condition (per phase) for a final drainage strategy is therefore recommended. Subject to these conditions being imposed, the proposal is concluded to comply with LP27 and LP28 of the Kirklees Local Plan.

Ecology

Chapter 15 of the NPPF relates to conserving and enhancing the Natural Environment. Paragraph 185 of the NPPF outlines that decisions should promote the protection and recovery of priority species and identify and pursue opportunities for securing net gains for biodiversity. Paragraph 186 goes on to note that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last report, compensated for, then

planning permission should be refused. This is echoed in Policy LP30 of the Kirklees Local Plan.

Furthermore, Policy LP30 of the KLP outlines that development proposals should minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist.

The application is supported by a Bat Emergence Survey Report (by Ecus, dated July 2024 ref: 23636 V1.0); Bat survey (by Ecus, dated April 2024 ref: 21287 V1.0) and a Preliminary Ecological Appraisal by Ecus, dated April 2024 ref:21287 V1). The site is considered to be of minimal value, comprising of mostly building and hardstanding with small areas of grassland. The Preliminary roost assessment demonstrates that the site has low suitability of roosting bats due to the number and type of potential roosting features for bats across the buildings. However, given that the buildings are assessed as displaying 'low' suitability to support roosting bats, a further survey was recommended which should include a minimum of one dusk emergence survey undertaken within the peak bat activity season.

The results of the submitted Bat Survey show that no bat roosts were identified during the survey. The report concludes that roosting bats are likely to be absent from the existing buildings. Whilst the absence of bat roosts has been determined, the presence of roosts cannot be completely ruled out due to the mobile nature of bats and presence of suitable roosting features at the site which are considered to display 'low' suitability for roosting bats.

The Preliminary Ecological Appraisal concludes that the loss of modified grassland is considered to be of importance. As such a recommendation is made for the retained habitats to be appropriately protected during the works and native tree and shrub planting to be incorporated into soft landscaping proposals and for enhancement of existing grassland habitat at the site to take place where possible. The installation of a minimum of one bird box is also recommended.

The loss of potential roost features should be compensated for through installation of two bat boxes. It is recommended that the boxes are installed on the exterior of the brick stairwell section of building labelled B1. A minimum of one bird box should be installed.

The provision of a Biodiversity Net Gain (BNG) of 10% is a mandatory requirement for developments in England under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) (hereafter the Act). This is subject to limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has not put forward a case that the development is exempt from the 10% provision, nor do officers consider exemption applicable. In accordance with national guidance, the application is supported by an assessment confirming the pre-development biodiversity value of the on-site habitat, on the date of application.

The submitted Biodiversity Net Gain Assessment makes use of the Biodiversity Metric 4.0 which demonstrates that the proposals would achieve a biodiversity net gain for habitats of 0.65 units and would create 0.08 hedgerow units. Officers note that the proposed units are split between the development of phases 1 and 2. The proposed enhancement measures are considered sufficient and reasonable for the site, although the standard net gain information condition shall apply.

In accordance with The Act, due regard must be given to whether the proposed net gain (including enhanced areas of existing habitat) amounts to a significant enhancement. Significant enhancements are areas of habitat enhancement which contribute significantly to the proposed development's BNG, relative to the biodiversity value before development. The Act requires that the maintenance of these significant enhancements must be secured with a legal agreement, for a minimum of 30 years.

Due to the limited scope of the works, officers are satisfied that the habitats on site would not be considered 'significant' and therefore a dedicated condition or S106 regarding management (for a period of 30 years) is not deemed necessary.

Trees

The proposal is supported by an Arboricultural report, method statement and impact assessment which are broadly considered acceptable by officers. The proposed removal of three street trees (T11, T12 and T13) can be mitigated with replacement planting. Landscape details have been submitted which include the proposed tree planting. A compliance condition will be added for the construction to be completed in accordance with the approved landscape plans.

Air Quality

The application site is located within an Air Quality Management Area. The Transport statement submitted in support of the application informs that the number of bus bays will reduce from 25 to 21 and that the frequency of services will remain as existing.

In support of the application an Air Quality Assessment (by Storma, dated May 2024 reference PRO:092054) was submitted which details the impact that the development would have on existing air quality during construction and operational phases.

Operational Phase

The impact of traffic emissions on the proposed development has been modelled using ADMS- Roads model. The report concluded that predicted NO2 and PM10 concentrations at the modelled receptor locations are below the relevant air quality objectives.

Construction Phase

An assessment of construction phase impacts associated with fugitive dust emissions was undertaken in accordance with the Institute of Air Quality Management (IAQM) Guidance. The report concluded that the potential impacts of fugitive dust on local air quality was low risk.

In summary, officers consider that the submitted report offers appropriate mitigation during the construction phase of the development. A condition will be added for the development to be completed in accordance with the submitted mitigation measures throughout the duration of the construction period.

Contaminated land

A Desk Study and Coal Mining Risk Assessment by WSP (ref: 70079084-GEO-001 v2 dated November 2021) supports the application. The document details the site history, and environmental setting which identifies several potential pollutant linkages which includes risk from made ground and ground gases. The report recommends an intrusive investigation. As such, pre-commencement contaminated land conditions are recommended to secure a Phase 2 intrusive site investigation report and any necessary subsequent reports. This is to ensure compliance with Policy LP53.

Crime prevention

The Council's Designing Out Crime Officer has been formally consulted as part of this application. The officer has raised no objection to the proposed development, however, has requested that a condition requiring security measures for the site be attached to any approval. This is to ensure compliance with the objectives of policy LP24.

Coal mining risk

The application site is located within the defined development high risk area. However, in accordance with the Mining Remediation Authority's risk-based approach to development, they have confirmed that the nature of the proposed development if exempt from requiring a Coal Mining Risk Assessment, with the MRA offering no objection to the proposal.

Public Health

Local Plan Policy LP47 requires proposals for development which are likely to have a significant impact on the health and well-being of the local population or particular groups within it, a Health Impact Assessment may be required.

The Public Health improvement team has developed a rapid health impact assessment (HIA) framework and guidance for planning applications which is used to assess the broad health impacts of proposed developments.

The application site is located within the Newsome ward which is noted as one of the five most deprived wards in Kirklees, as ranked using data on indices of multiple deprivation. Local intelligence shows that the rates of adults over 65 feeling lonely or isolated is higher than the Kirklees average. Additional information was submitted by the applicant to address the welfare of construction workers throughout the construction periods which was acceptable by officers.

Network Rail

The location of external plant is shown as indicatively within the tunnel easement zone. A condition will be added to secure full details of the type, specification and location of any external plant and machinery to be installed externally. A similar condition will also require full details of construction foundations to understand how the new foundations will interrelate with the underground railway tunnel.

Network Rail have also commented on the operational impacts of temporary closure of the bus station during construction works and the potential impact of on-street bus arrivals and departures within the vicinity of the railway station, especially in periods when the station is closed and itself is the subject of rail replacement services. Given the potential highway impacts of displaced bus traffic, particularly during alighting periods, a condition is recommended to be added for the submission of a bus disruption plan which will detail any interruptions to the use of departure and arrival stands within the bus station throughout the construction phases and the plans which would be proposed to minimise potential disruptions.

The applicant has also confirmed via email dated 27.01.2025 that there are no plans for the bus services to use bus stops outside the railway station. A note will be added to the decision note advising of this matter.

Construction Phasing

The development is proposed to be constructed through two phases of development as follows:

Phase 1

- façade improvements including Henry Street entrance
- replacement shop fronts
- alterations to external bus apron (bus bays reduced from 25 to 21)
- Extension and alterations to existing barrier within the bus alighting adjacent to Henry Street.

Phase 2

- new curved entrance canopy with sedum roof;
- public realm improvements
- erection of a cycle hub under the proposed canopy
- façade improvements including replacement shop fronts

Various conditions have been recommended throughout this report. Given the pashing proposed, these conditions would be required to be split between the proposed construction periods. For clarity of reference between the construction phases, reference is made to plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing* within the relevant conditions.

The bus station would remain operational throughout both construction phases, although operations may be reduced. As such, conditions are worded appropriately to allow for the continued access and operation of the site.

6. Representations

As a result of the publicity, one representation was received. An officer response to the comment is as follows:

- Concerns raised over the impact of the construction period of the proposed development on the neighbouring businesses due an impact on the amount of footfall in the area and length of the construction period.

Response: A degree of disruption during construction works must be accepted. A condition for a CEMP is recommended to minimise these impacts upon local residents, although this would not necessarily address the representative's concerns. Nevertheless, the applicant has advised that the development will be completed over two phases. Throughout both stages of the development, the bus station will be required to remain open, thus having a limited impact on the number of users.

7. Conculsion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF, taken as a whole, constitute the Government's view of what sustainable development means in practice.

On the basis of the assessment outlined above, officers are satisfied that the proposed scheme is acceptable in planning terms and accords with relevant policies in the Kirklees Local Plan and National Planning Policy Framework. The development provide a significant improvement within Huddersfield Town Centre to improve transport links within Huddersfield and neighbouring towns and cities, giving priority to public transport which supports the district's economy and climate emergency focuses. The proposal will provide s significant upgrade in visual appearance, operation, sustainability and biodiversity than the existing bus station.

Recommendation: Approve

Report Dated: 14/02/2025.

Decision Authorisation: Delegated Powers
Application Number: 2024/92302
Officer Recommendation: Approve

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.

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 ensure the satisfactory appearance of the development on completion, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

3. Prior to the commencement of phase one, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall then be completed using the approved materials.
Reason: In the interest of visual amenity and to accord with the aims Policy LP24 and LP35 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the use of suitable materials prior to works starting on site.

4. Prior to the commencement of phase two, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall then be completed using the approved materials.
Reason: In the interest of visual amenity and to accord with the aims Policy LP24 and LP35 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the use of suitable materials prior to works starting on site.

5. The development detailed in phase one, as shown on plan HBS-BGH-Z0-XX-D-C-0024 *Combined Phasing,* shall be constructed in full accordance with the approved landscape details on plans HBS-ECS-Z0-SL-DR-L-0001-P01 *Landscape proposal*, HBS-ECS-Z0-SL-DR-L-0002-P02 *Landscape proposal* and HBS-ECS-Z0-SL-DR-L-0003-P01 *Landscape outline specification* and retained thereafter.
Reason: To enhance and conserve the visual amenity of the built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, and LP63 of the Kirklees Local Plan as well as Chapter 12 of the National Planning Policy Framework.

6. The development detailed in phase two as shown on plan HBS-BGH-Z0-XX-D-C-0024 *Combined Phasing* shall be constructed in full accordance with the approved landscape details on plans HBS-ECS-Z0-SL-DR-L-0001-P01 *Landscape proposal*, HBS-ECS-Z0-SL-DR-L-0002-P02 *Landscape proposal*

and HBS-ECS-Z0-SL-DR-L-0003-P01 *Landscape outline specification* and retained thereafter.
Reason: To enhance and conserve the visual amenity of the built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, and LP63 of the Kirklees Local Plan as well as Chapter 12 of the National Planning Policy Framework.

7. Phase 1 of the development herby approved, as set out on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing,* shall be constructed in full accordance with the Construction and Environmental Management Plan by Wilmott Dixon (Rev E Dated 19th November 2024).
Reason: In the interests of public amenity and highway safety, to ensure reasonable precautions are imposed during the construction period, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan.

8. Prior to the commencement of phase two, as identified on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include:

- the point of access for construction traffic;
- details of times of use of the access;
- the numbers and size of vehicles expected to access the site;
- the routing of construction traffic to and from the site;
- construction workers and delivery parking facilities;
- the location of materials storage and site facilities;
- the use of traffic management/banksman for large deliveries and the provision and,
- use and retention of adequate wheel washing facilities within the site and the means of removal of mud and debris from the highway/footway.

The approved plan shall thereafter be adhered to throughout the construction of the phase of development.
Reason: In the interests of highway safety, to comply with the aims of Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure that adequate plans are in place to limit the impact of construction works on the local highway network and highway safety.

9. Prior to development commencing on phase two, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- Dust arising from all construction related activities, which should include measures to monitor and record the emissions of dust during construction
- Artificial lighting used in connection with all construction related activities and security of the construction site.
- A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Authority.

The approved plan shall thereafter be adhered to throughout the construction of the phase of development.
Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policy LP52 of the Kirklees Local Plan.

10. Phase one of the approved development as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing* shall be completed in full accordance with plan HBS-ECS-Z0-SL-DR-L-00004-P02 - Bin Store. The approved details shall be retained thereafter.
Reason: In the interests of amenity and highway safety and to meet the requirements set out in the Local Plan Policy LP24 part d(vi).

11. Prior to development commencing on phase two, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* details of suitable storage, bin presentation points and access for collection of wastes, including swept path analysis for a suitably sized refuse wagon, from the premises herby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a timeframe for implementation. Thereafter the approved details shall be implemented in accordance with the approved details and shall be so retained thereafter.
Reason: In the interests of amenity and highway safety and to meet the requirements set out in the Local Plan Policy LP24 part d(vi). This pre-commencement condition is necessary to ensure adequate plans are in place for the safe collection of waste from the site.

12. Prior to the commencement of phase one of the development, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* and notwithstanding the recommendations in the FRA and Drainage Assessment by Weetwood dated June 2024, details of the proposed surface water mitigation measures specific to this phase shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include a timeframe for the implementation of the approved mitigation measures and the proposed management and maintenance arrangements. Thereafter the development shall be undertaken in accordance with the approved details.
Reason*:* To ensure the provision of adequate and sustainable systems of drainage in the interest of amenity, environmental well-being and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning

Policy Framework. This is a pre-commencement condition so as to ensure that the drainage scheme is implemented at the appropriate stage of the development.

13. Prior to the commencement of phase two of the development, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* and notwithstanding the recommendations in the FRA and Drainage Assessment by Weetwood dated June 2024, details of the proposed surface water mitigation measures specific to this phase shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include a timeframe for the implementation of the approved mitigation measures and the proposed management and maintenance arrangements. Thereafter the development shall be undertaken in accordance with the approved details.
Reason: To ensure the provision of adequate and sustainable systems of drainage in the interest of amenity, environmental well-being and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework. This is a pre-commencement condition so as to ensure that the drainage scheme is implemented at the appropriate stage of the development.

14. Prior to development commencing on phase one, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how a minimum of 0.25 habitat units and 0.08 hedgerow units are to be achieved post-development, along with the enhancement measures for bats, birds and hedgehogs that are to be incorporated into the proposals, and include details of the following:

a. Description and evaluation of features to be managed and enhanced;
b. Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
c. Ecological trends and constraints on site that might influence management;
d. Aims and Objectives of management; 2
e. Appropriate management Actions for achieving Aims and Objectives;
f. An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
g. Details of the management body or organisation responsible for implementation of the BEMP;
h. Ongoing monitoring programme and remedial measures; and
i. The BEMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer with the management body responsible for its delivery.

The BEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the

originally approved BEMP. The approved BEMP will be implemented in accordance with the approved details.
Reason: In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

15. Prior to development commencing on phase two, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how a minimum of 0.25 habitat units and 0.08 hedgerow units are to be achieved post-development, along with the enhancement measures for bats, birds and hedgehogs that are to be incorporated into the proposals, and include details of the following:

a. Description and evaluation of features to be managed and enhanced;
b. details of the provision of a minimum of two bat boxes and one bird box, including the types proposed and their intended location (including height).
c. Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
d. Ecological trends and constraints on site that might influence management;
e. Aims and Objectives of management; 2
f. Appropriate management Actions for achieving Aims and Objectives;
g. An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
h. Details of the management body or organisation responsible for implementation of the BEMP;
i. Ongoing monitoring programme and remedial measures; and
j. The BEMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer with the management body responsible for its delivery.

The BEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved BEMP. The approved BEMP will be implemented in accordance with the approved details.
Reason: In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

16. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment is 10dB below the quietest background noise level recorded, at any time. “Rating level” and “background sound level” are as defined in BS 4142:2014+A1:2019.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

17. Prior to the installation of any external fixed plant or machinery, full details of the proposed external fixed plant or machinery, including the proposed location and appearance, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all external fixed plan or machinery shall be installed in accordance with the approved details.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

18. Groundworks as approved for phase one as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing* (other than those required for a site investigation report) shall not commence until a supplementary Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that a site investigation report identifying any potential risks to the development of future users is completed prior to work commencing on site.

19. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report for phase one of the development as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing*, approved pursuant to condition 17 further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that a site investigation report identifying any potential risks to the development of future users is completed prior to work commencing on site.

20. Remediation of the site of phase one as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing* shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 18.

In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

21. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy for phase one of the development, a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

22. Groundworks as approved for phase two as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing* (other than those required for a site investigation report) shall not commence until a supplementary Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that a site investigation report identifying any potential risks to the development of future users is completed prior to work commencing on site.

23. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report for phase two of the development as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing*, approved pursuant to condition 21, further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that a site investigation report identifying any potential risks to the development of future users is completed prior to work commencing on site.

24. Remediation of the site of phase two as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing* shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 22. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, 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. Works shall not recommence until
proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

25. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy for phase two of the development, a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority and approved in writing. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

26. Prior to the installation of external artificial lighting commences on phase one of the development as shown on *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing*, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

a. The proposed hours of operation of the lighting
b. The location of all the luminaires
c. The proposed design level of maintained average horizontal illuminance for the
areas that needs to be illuminated.
d. The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
e. The methods of switching and controlling the lighting so that it is only operated
at the permitted times and at times when it is required.

No external artificial lighting shall be used unless the lighting has been installed and operated in accordance with the approved scheme.

Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and LP52 of the Local Plan.

27. Prior to the installation of external artificial lighting commences on phase two of the development as shown on *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing*, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

a. The proposed hours of operation of the lighting
b. The location of all the luminaires
c. The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
d. The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
e. The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

No external artificial lighting shall be used unless the lighting has been installed and operated in accordance with the approved scheme.
Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance Policy LP52 of the Local Plan.

28. Prior to the completion of works as approved within phase one of the development as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing*, details of crime mitigation measures shall be submitted and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the completion of phase one the development and thereafter retained as such.
Reason: In the interests of crime prevention and safety and to accord with guidance within LP24 of the Kirklees Local Plan.

29. Prior to the completion of works as approved within phase two of the development as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing*, details of crime mitigation measures shall be submitted and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the completion of phase one of the development and thereafter retained as such.
Reason: In the interests of crime prevention and safety and to accord with guidance within LP24 of the Kirklees Local Plan.

30. Prior to the commencement of phase two of the development as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined phasing*, details of the sedum canopy roof including materials and planting and a management and maintenance plan for 5 years following the date of completion shall be submitted in writing to the Local Planning Authority and approved in writing. Thereafter the development shall be implemented in accordance with the

approved details and shall be operated in accordance with the approved management and maintenance plan.
Reason: In the interest of visual amenity and to accord with the aims Policy LP24 and LP35 of the Kirklees Local Plan as well as aims of Chapter 12 of the National Planning Policy Framework and key principles of the Housebuilders Design Guide Supplementary Planning Document. This is a pre-commencement plan to ensure that suitable materials are agreed which allow for sufficient management and maintenance prior to the start of works on site.

31. Prior to development commencing on phase one, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* a bus disruption plan for that phase of the development shall be submitted to and approved by The Local Planning Authority. The plan shall detail to temporary arrangements for buses displaced from the application site during the construction phase. Thereafter the construction phase shall operate in accordance with the approved details.
Reason: For the continued effective operational use of the bus station throughout the construction period and to minimise the impact on the local highway network in accordance with Local Plan Policy LP24 and LP21. This is a pre-commencement condition for an agreed plan to be in place prior to the commencement of works.

32. Prior to development commencing on phase one, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* full details of the construction foundations including the proximity to the underground railway tunnels shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be constructed in full accordance with the approved construction details and retained as such.
Reason: To understand the relationship of the new foundations of the proposed development on the existing railway tunnel within close proximity of the site and how the new foundations would interrelate with the tunnel. This is a pre-commencement condition to ensure that the development does not impact on the underground tunnel prior to the commencement of any works.

33. Prior to development commencing on phase two, as shown on plan *HBS-BGH-Z0-XX-D-C-0024 P01 Combined Phasing,* full details of the construction foundations including the proximity to the underground railway tunnels shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be constructed in full accordance with the approved construction details and retained as such.
Reason: To understand the relationship of the new foundations of the proposed development on the existing railway tunnel within close proximity of the site and how the new foundations would interrelate with the tunnel. This is a pre-commencement condition to ensure that the development does not impact on the underground tunnel prior to the commencement of any works.

NOTE – Huddersfield Train Station may be undergoing construction works at the same time as the development hereby approved. It is advised that no replacement bus stops will be located within St George's square throughout the construction period in order to minimise disruption to the highway network.

NOTE - The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE - All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action invalidating the permission if the planning condition is a pre-commencement condition

NOTE - The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with *the "Guidance Note 01/21 for the Reduction of Obtrusive Light"* by the Institution of Lighting Professionals: 2021 www.theilp.org.uk. The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for the corresponding Environmental Zone (i.e. E0 to E4).

NOTE - No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or
Bank/Public Holidays.

NOTE - For further information regarding dust control, guidance can be found in the Institute of Air Quality Management (IAQM) document *"Guidance on the assessment of dust from demolition and construction"* Version 2.2 2024.

NOTE - Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plan Type	Reference	Version	Date received
Site Clearance – drainage -pavements	HBS-BGH-Z0-XX-DR-H0002	P02	23.08.2024
Proposed site clearance plan	202335-SGP-ZZ-ZZ-DR-A-131006	P01	23.08.2024
GA Plan	202335-SGP-ZZ-ZZ-DR-A-131101	P08	23.08.2024
GA Roof Plan	202335-SGP-ZZ-ZZ-DR-A 131102	P06	23.08.2024
GA Reflected soffit plan	202335-SGP-ZZ-ZZ-DR-A-131104	P03	23.08.2024
GA Sections	202335-SGP-ZZ-ZZ-DR-A 131201	P04	23.08.2024
Cycle hub design	202335-SGP-ZZ-ZZ-DR-A-131302	P03	23.08.2024
Kirklees Unit frontage	202335-SGP-ZZ-ZZ-DR-A 131303	P04	23.08.2024
Totum design	202335-SGP-ZZ-ZZ-DR-A 131304	P04	23.08.2024
Mesh artwork	202335-SGP-ZZ-ZZ-Dr-A 131305	P04	23.08.2024
Landscape masterplan	221655-PEV-XX-00-DR-L-0301	P03	23.08.2024
3D Visuals	202335-SGP-ZZ-ZZ-DR-A 131901	P03	23.08.2024
Electrical services proposed external services layout	HBS-KZN-Z0-XX-D-U-1001	P02	23.08.2024
View 3-1.1-CGI Render	-	-	23.08.2024
View 4-1.1-CGI Render	-	-	23.08.2024
View 5-1. 1-CGI Render	-	-	23.08.2024
View 6-1 1-CGI Render	-	-	23.08.2024
View 1-1 1-CGI Render	-	-	23.08.2024
View 2-1 1-CGI Render	-	-	23.08.2024
View 7-1 1-CGI Render	-	-	23.08.2024
External view 1	-	-	23.08.2024
External view 2	-	-	23.08.2024
Internal view 1	-	-	23.08.2024
Internal view 2	-	-	23.08.2024
Existing site plan	202335-SGP-ZZ-ZZ-DR-A-130000	P03	23.08.2024
Proposed phase 1 plan	HBS-BGH-Z0-XX-D-C-0021	P01	23.08.2024
Proposed phase 2 plan	HBS-BGH-Z0-XX-D-C-0022	P01	23.08.2024

Combined phasing plan	HBS-BGH-Z0-XX-D-C-0024	P01	23.08.2024
Proposed site plan	202335-SGP-ZZ-ZZ-DR-A-131000	P07	23.08.2024
Proposed site plan	HBS-BGH-Z0-XX-D-C-0023	P01	23.08.2024
Transport Statement by Bryan G Hall dated August 2024	HBS-BGH-Z0-XX-T-H-0004	P03	23.08.2024
Existing elevations – North	HBS-AHR-XX-ZZ-D-A-00-103	P01	23.08.2024
Existing elevations - south	HBS-AHR-XX-ZZ-D-A-00-104	P01	23.08.2024
Existing elevations – West, east and south	HBS-AHR-XX-ZZ-D-A-00-105	P01	23.08.2024
Existing elevations - East	HBS-AHR-XX-ZZ-D-A-00-101	P01	23.08.2024
Existing elevations - West	HBS-AHR-XX-ZZ-D-A-00-102	P01	23.08.2024
Huddersfield Bus Station Design and Access Statement	HBS-AHR-XX-XX-T-A-00001	P07	23.08.2024
Existing floor plan	HBS-AHR-XX-00-D-A-00-001	P02	23.08.2024
GA proposed floor plan (overall)	HBS-AHR-XX-00-D-A-20-001	P04	30.10.2024
GA proposed floor plan (bus concourse)	HBS-AHR-XX-00-D-A-20-010	P02	23.08.2024
GA proposed floor plan (Henry Street)	HBS-AHR-XX-00-D-A-20-011	P03	23.08.2024
Proposed east elevation	HBS-AHR-XX-ZZ-D-A-20-101	P03	23.08.2024
Proposed west elevation	HBS-AHR-XX-ZZ-D-A-20-102	P02	23.08.2024
Proposed north elevation	HBS-AHR-XX-ZZ-D-A-20-103	P03	23.08.2024
Proposed south elevation	HBS-AHR-XX-ZZ-D-A-20-104	P02	23.08.2024
Proposed elevations	HBS-AHR-XX-ZZ-D-A-20-105	P02	23.08.2024
GA Proposed elevations	202335-SGP-ZZ-ZZ-DR-A-131301	P04	23.08.2024
Landscape proposals – outline soft specification and maintenance schedule	HBS-ECS-Z0-SL-DR-L-00003	-	23.08.2024
30 year maintenance schedule (phase 1)	-	-	23.08.2024

Site location plan	202335-SGP-ZZ-ZZ-DR-A-13001	P02	23.08.204
Environmental Noise Survey by Paceconsult dated 26.02.2024	PC-23-0073-RP1	1	23.08.2024
Flood risk and drainage assessment by Weetwood dated June 2024	-	2	24.01.2024
Bat Emergence Survey by Ecus dates July 2024	23636	1	23.08.2024
Preliminary roost assessment by Ecus dated April 2024	21287	1	23.08.2024
BS-5837:2012 Arboricultural report, impact assessment and method statement by Ecus dated May 2024	21287	1	23.08.2024
Air Quality Assessment by Ostroma dated May 2024	PRO-092054	1	23.08.2024
Landscape schedule of hard and soft landscape components by Pick Everard dated June 2024	221655-PEV-XX-XX-SH-L-1601	2	23.08.2024
Huddersfield bus station- planning materials	202335-SGP-ZZ-ZZ-SH-A-131700	-	23.08.2024
Planning Statement dated August 2024	N2155P	-	23.08.2024
Phase one Biodiversity net gain assessment by Ecus dated June 2024	21287	-	23.08.2024
Phase two Biodiversity net gain assessment by Ecus dated July 2024	21287	-	23.08.2024
Site Clearance – Drainage - pavements	HBS-BGH-Z0-XX-DR-H0002	P022	23.08.2024
Huddersfield bus station desk study and coal mining risk assessment by WSP dated November 2021	70079084	-	23.08.2024
Rapid Health Impact Assessment dated November 2022	-	-	23.08.2024

Heritage Statement by SGP dated February 2024	202335-SGP-ZZ-ZZ-RP-131802	P04	23.08.2024
Proposed green roof details	202335-SGP-ZZ-ZZ-SK-A-210604	P02	23.08.2024
Proposed bin store	HBS-ECS-Z0-SL-DR-L-00004	P02	30.10.2024
Landscape proposals general arrangement	HBS-ECS-Z0-SL-DR-L-00001	P03	30.10.2024
Landscape proposals – detailed planting plan and planting schedule	HBS-ECS-Z0-SL-DR-L-00002	P02	30.10.2024
Apron layout general arrangement	HBS-BGH-Z0-XX-0-C-0001	P07	30.10.2024
Transport note by Bryan G Hall dated 16.10.2024	23-184-009.01	-	30.10.2024
Construction and Environmental management plan by willmott Dixon November 2024	-	-	25.11.2024
Email dated 27.01.2024 from Erin Shaw, Project Officer, West Yorkshire Combined Authority regarding closure of bus bays during construction period	-	-	27.01.2025