

**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**

<b>Reference No:</b>	2025/44/90321/W
<b>Site Address:</b>	Former Kirklees College, New North Road, Huddersfield, HD1 5NN
<b>Description:</b>	Discharge of details (retail food store only) reserved by Full Planning Permission conditions 14 (electric vehicle charging), 15 (external lighting) and 30 (crime prevention) of previous Section 73 approval 2024/92395 for variation of condition 2 (plans and specifications) and 3 (phasing) of previous Section 73 approval 2023/93058 for variation of conditions 2 (plans) and 3 (phasing plan) of previous hybrid permission 2018/92647 for mixed use development - retail/office and 229 residential units (Use Classes C3/E(a) /B1a)
<b>Recommending Officer:</b>	Victor Grayson

**DECISION – Discharge of Condition – Approve**

**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: 24-Sep-2025**

# Officer Report

**Discharge of details (retail food store only) reserved by Full Planning Permission conditions 14 (electric vehicle charging), 15 (external lighting) and 30 (crime prevention) of previous Section 73 approval 2024/92395 for variation of condition 2 (plans and specifications) and 3 (phasing) of previous Section 73 approval 2023/93058 for variation of conditions 2 (plans) and 3 (phasing plan) of previous hybrid permission 2018/92647 for mixed use development - retail/office and 229 residential units (Use Classes C3/ E(a) /B1a)**

## Site Description

The site is located adjacent (to the west) of Huddersfield Town Centre and its ring road (Castlegate, the A62). The site extends to approximately 2.46 hectares and is bounded by Fitzwilliam Street, Portland Street, New North Road, Castlegate and Trinity Street. The site comprises the former Kirklees College Campus and included a group of 1970s blocks that have since been demolished. Within the centre of the site is the Grade II\* listed former Huddersfield Infirmary building, the Grade II listed King Edward VII statue and associated car parking spaces. The site is a mixed-use allocation within the Kirklees Local Plan (ref: MXS4) for housing, employment and retail.

Work on the southern part of the site (where the erection of a retail food store (Lidl) has been granted full planning permission) is well progressed.

## Consultation

The comments of KC Environmental Health and the West Yorkshire Police Designing Out Crime Officer are referred to below, where relevant.

## Relevant Planning History

2024/92395 – Section 73 approval 07/04/2025 for variation of condition 2 (plans and specifications) and 3 (phasing) of previous Section 73 approval 2023/93058

2023/93058 – Section 73 approval 22/02/2024 for variation of conditions 2 (plans) and 3 (phasing plan) of previous hybrid permission 2018/92647.

2018/92647 – Hybrid planning application approved 03/08/2022 for mixed use development – retail/office and 229 residential units (Use Classes C3/ E(a) /B1a). Full Planning permission for the partial demolition of the former Kirklees College, erection of a food retail store and alterations in connection with conversion of grade ii\* listed building to offices/apartments and creation of vehicular access from Portland Street, New North Road and Trinity Street. Outline permission for erection of (two) buildings (residential apartments – C3 Use).

## Full Planning Permission condition 14 (electric vehicle charging)

Condition 14 reads as follows:

*14. Before the electrical system is installed at each phase of development (excluding Phase 1A) as detailed in the phasing plan approved under condition 3, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles at that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:*

- A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space*
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of residential parking spaces that are not allocated to specific dwellings*
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces*

*Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.*

***Reason:*** *In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.*

The applicant has submitted the following pursuant to condition 14:

- Proposed Site Plan (drawing 7355-SMR-00-ZZ-DR-A-2003-S4 rev C5);
- Rapid Electric Charging Point Details (drawing LD(15)-SP-09 rev 01);
- and
- EVC Specification sheet

The Proposed Site Plan shows a total of 10 parking spaces (eight shaded blue on the drawing, two shown as wider spaces with surface signage) that would be provided with electric vehicle charging points. Given that 93 parking spaces are proposed for the retail food store (including two annotated as “maintenance parking spaces”), condition 14’s requirement for 10% provision would be met.

The submitted EVC Specification sheet details a 7kW AC Twin Fast Charger and an Amtron TC PnC 22 Charger. Both these models would meet the power output requirements of condition 14.

Given that the submission requirements of condition 14 have been met, and given that the earlier comments of KC Environmental Health have been addressed (in comments dated 20/02/2025, KC Environmental Health noted that the applicant’s initial submission did not provide sufficient detail), it is recommended that the submitted details be approved, subject to the applicant

being reminded that this approval relates only to the retail food store, and being reminded of the further requirements of condition 14, which state:

*Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.*

### **Full Planning Permission condition 15 (external lighting)**

Condition 15 reads as follows:

*15. Before the installation of external artificial lighting commences a lighting scheme of each phase of development (excluding Phase 1A) as detailed in the phasing plan approved under condition 3 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following information:*

- The proposed hours of operation of the lighting;*
- The location and specification of all of the luminaires;*
- The proposed design level of maintained average horizontal illuminance for each of the specific areas that needs to be illuminated;*
- The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity;*
- 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; and*
- 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.*

*The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme for that phase of development.*

**Reason:** *To protect highway safety, to prevent ecological harm, to safeguard the amenities of the occupiers of nearby properties and to promote sustainable development in accordance with parts 2 and 15 of the National Planning Policy Framework and Policies LP21 and LP30 of the Kirklees Local Plan.*

The applicant has submitted the following pursuant to condition 15:

- LiAS Design Notes and Luminaire Schedule (drawing DWG 00 rev 3);
- Proposed Lighting Layout (drawing DWG 01 rev 3);
- Philips Pacific LED Gen5 product sheet;
- Philips UniStreet gen2 product sheet; and
- Philips GreenSpace product sheet

In comments dated 20/02/2025, KC Environmental health noted that the submission illustrated the proposed lighting installation and plotted the light spill, and stated that the submitted information was acceptable.

On 24/09/2025 the applicant's agent provided information regarding the proposed hours of operation of the lighting, and the methods of switching and controlling the lighting (so that it would only be operated at the permitted times and at times when it is required), stating:

*The lighting will be on one hour before opening and one hour after closing as standard.*

*The lighting is controlled by a lux sensor and so only turns on when required.*

Condition 15 was imposed for four reasons: to protect highway safety, to prevent ecological harm, to safeguard the amenities of the occupiers of nearby properties and to promote sustainable development.

Given the locations and lux levels of the proposed lighting, and given the street lighting already provided along the streets surrounding the site, it is considered that highway safety would not be undermined by the proposals.

Given the locations, hours of use and lux levels of the proposed lighting, given existing street lighting, and given the site's limited ecological value (as ascertained in assessments carried out in 2017 and 2020 to inform application 2018/92647), it is considered that ecological harm would not be caused by the proposals.

Given the locations, hours of use and lux levels of the proposed lighting, and given their distance away from residential properties (including the future anticipated use of the Huddersfield Infirmary building), it is considered that the amenities of neighbouring residential properties would not be adversely affected by the proposals.

In relation to sustainability, energy consumption would be limited through the applicant's proposal to use LED lighting and to limit its hours of use.

Given the above assessment, it is considered that the requirements of condition 15 have been met, and the submitted details are considered acceptable. It is therefore recommended that the submitted details be approved, subject to the applicant being reminded that this approval relates only to the retail food store, and being reminded of the further requirement of condition 15, which states:

*The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme for [this] phase of development.*

### **Full Planning Permission condition 30 (crime prevention)**

Condition 30 reads as follows:

*30. Prior to any works above ground floor slab of each phase of development (excluding Phase 1A) as detailed in the phasing plan*

*approved under condition 3 (excluding soft strip-out and demolition works), details of measures to prevent and deter crime and antisocial behaviour shall be submitted to and approved in writing by the Local Planning Authority for that phase. No part of the development phase shall be brought into use until the development phase has been implemented in accordance with the details so approved.*

**Reason:** *In the interests of minimising the risk of crime and anti-social behaviour and creating a safer, more secure, and sustainable neighbourhood, and to accord with Policies LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.*

The applicant included a Crime Impact Statement on page 5 of the submitted application form pursuant to condition 30. This provided brief information regarding layout, natural surveillance, landscape maintenance, lighting and boundary treatments.

In comments dated 07/08/2025, the West Yorkshire Police Designing Out Crime Officer (WYP DOCO) expressed support for the proposals and information regarding sight lines, visibility, natural surveillance, and the management and maintenance of soft landscaping. The WYP DOCO also supported the external lighting proposals, subject to care being taken to ensure that the lighting and landscaping schemes worked together (including when plants reach maturity).

The WYP DOCO queried:

- Whether the proposed cycle parking would be security-rated (they should be certified to Sold Secure Silver as a minimum). In response, on 21/08/2025 the applicant confirmed that the cycle parking bays will indeed be certified to Sold Secure Silver.
- What design and security measures are proposed for the plant enclosure. In response, on 21/08/2025 the applicant stated that the plant enclosure would have a 2m high acoustic tanalised close boarded timber fence, with a no-groove, part buried bottom board as a gravel board. Of note, the details of this part of the development are to be considered separately pursuant to condition 29 (boundary treatments).
- Whether the store would have CCTV. In response, on 21/08/2025, the applicant confirmed that CCTV would be installed, covering the entire store. On 24/09/2025, the applicant added that Lidl do not install CCTV to cover their car parks and do not have issues with other stores in the region.
- Whether the car park would be secured outside of business hours to prevent its misuse and vehicular antisocial behaviour. In response, on 21/08/2025, the applicant stated that Lidl do not secure their car parks outside of trading hours. The applicant added that the store is to be occupied from circa 06:00 until 23:00, and that – should measures be required following the store opening – options will be considered (however Lidl do not have issues with other stores in the region). The applicant later clarified (on 24/09/2025) that these hours of occupation do not apply on Sundays and Bank Holidays – on those days, there

would be staff in the store approximately two hours before and one hour after opening.

Given the above assessment and the responses from the applicant, it is considered that the submitted details are considered acceptable. It is therefore recommended that the submitted details be approved, subject to the applicant being reminded that this approval relates only to the retail food store, and being reminded of the further requirement of condition 30, which states:

*No part of the development phase shall be brought into use until [this] phase has been implemented in accordance with the details so approved.*

## **Recommendation**

Approve details submitted pursuant to conditions 14, 15 and 30 (subject to advice).

**Report dated:** 24/09/2025

## **Decision Notice text**

### Full Planning Permission condition 14 (electric vehicle charging)

You have submitted the following pursuant to condition 14:

- Proposed Site Plan (drawing 7355-SMR-00-ZZ-DR-A-2003-S4 rev C5);
- Rapid Electric Charging Point Details (drawing LD(15)-SP-09 rev 01); and
- EVC Specification sheet

Details set out within the above-listed documents are considered acceptable for the purpose of condition 14 (insofar as they relate to the retail food store), and are hereby approved. However, please be reminded of the further requirements of condition 14, which state:

*Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.*

### Full Planning Permission condition 15 (external lighting)

You have submitted the following pursuant to condition 15:

- LiAS Design Notes and Luminaire Schedule (drawing DWG 00 rev 3);
- Proposed Lighting Layout (drawing DWG 01 rev 3);
- Philips Pacific LED Gen5 product sheet;
- Philips UniStreet gen2 product sheet; and
- Philips GreenSpace product sheet

Details set out within the above-listed documents are considered acceptable for the purpose of condition 15 (insofar as they relate to the retail food store), and are hereby approved. However, please be reminded of the further requirement of condition 15, which states:

*The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme for [this] phase of development.*

Full Planning Permission condition 30 (crime prevention)

You have submitted a Crime Impact Statement on page 5 of the submitted application form pursuant to condition 30. Details set out within that statement, and in your clarifications provided by email on 21/08/2025 and 24/09/2025, are considered acceptable for the purpose of condition 30 (insofar as they relate to the retail food store), and are hereby approved. However, please be reminded of the further requirement of condition 30, which states:

*No part of the development phase shall be brought into use until [this] phase has been implemented in accordance with the details so approved.*

Please also note that details of the plant enclosure are not hereby approved. Details of this part of the development are to be considered separately pursuant to condition 29 (boundary treatments).