

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2025/62/90512/W
Site Address:	140A, Manchester Road, Longroyd Bridge, Huddersfield, HD1 3JA
Description:	Demolition of existing building and erection of student accommodation with ancillary spaces, associated garden area, store, landscaping, access and car parking
Recommending Officer:	Victor Grayson

DECISION – Full Planning Permission – 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: 09/10/2025

Officer Report

Application: 2025/62/90512/W

Site: 140A, Manchester Road, Longroyd Bridge, Huddersfield, HD1 3JA

Proposal: Demolition of existing building and erection of student accommodation with ancillary spaces, associated garden area, store, landscaping, access and car parking

Site Description

The submitted application form states that the application site is 0.1264 hectares in size. It is located to the southwest of Huddersfield town centre, on the north side of Manchester Road (the A62). The application site slopes downhill from north to south.

The application site currently accommodates a detached two-storey building. This has brick elevations and pitched roof.

Part of the site frontage is open to the footway of Manchester Road. This provides vehicular, pedestrian and cyclist access into the site, and to an area of hardstanding to the front of the existing building. A stone wall exists along the rest of the site frontage to Manchester Road. A low stone wall, timber fencing and metal railings exist along the site's eastern boundary.

A track runs along the eastern edge of the application site. This carries public footpath HUD/327/30.

Behind the existing building, the application site is vegetated, although the remains of an outbuilding / foundations survive in the northeast part of the site.

The front (southern) part of the application site is within the Manchester Road / Longroyd Lane Local Centre, as designated in the Kirklees Local Plan.

The surrounding area includes residential uses (immediately to the west at 142 to 156a Manchester Road) and retail (immediately to the east at 138 Manchester Road, occupied by Samra Motor Parts), and there are other commercial uses to the south.

Further to the south is the Huddersfield Narrow Canal, and the River Colne.

Heritage assets close to the application site include:

- 27 Woodthorpe Terrace (to the north) – Grade II listed (Historic England reference: 1066569). The official list entry refers to the building as “Spring Lodge”, although some historic Ordnance Survey maps suggest this was the name of the adjacent house. Some historic

Ordnance Survey maps also indicate that 27 Woodthorpe Terrace was formerly St Thomas's Vicarage.

- 14, 15 Woodthorpe Terrace – Grade II listed (Historic England reference: 1066568).
- Church of St Thomas – Grade II* listed (Historic England reference: 1134950).
- 160 Manchester Road – Grade II listed (Historic England reference: 1215805).
- 162 Manchester Road – Grade II listed (Historic England reference: 1134951).
- 164 Manchester Road – Grade II listed (Historic England reference: 1313528).
- 166-170 Manchester Road – Grade II listed (Historic England reference: 1215820).
- Huddersfield Narrow Canal Bridge – Grade II listed (Historic England reference: 1210229).
- Paddock Railway Viaduct – Grade II listed (Historic England reference: 1134435).
- Other non-designated heritage assets associated with the canal and the area's industrial history and role as a significant transport corridor.
- 138 Manchester Road – A building of more recent cultural interest, given its history as a club / music venue.

The nearest part of the Springwood Conservation Area is approximately 310m away, to the northeast.

The application site is unallocated in the Local Plan. Land to the south is within the Strategic Green Infrastructure Network (River Colne Corridor). The application site is within a wider minerals safeguarding area (surface coal resource, with sandstone and/or clay and shale). A Transport Scheme Route (TS3 – Huddersfield Southern Gateway) has been identified along this part of Manchester Road.

Part of the application site is within an Air Quality Management Area (AQMA 10 – Thornton Lodge).

Biodiversity Opportunity Zones (Built-up Areas and Valley Slopes) cover all of the application site. Bats are known to be present in the area. The site is within the Impact Risk Zones of the South Pennine Moors and Dark Peak Sites of Special Scientific Interest.

A record of a Tree Protection Order 26/91/t3 still applies to the site, however this is considered void as the tree has been removed.

The application site is within a Development Low Risk Area, as defined by the Mining Remediation Authority.

Description of Proposal

The applicant proposes the demolition of the existing two-storey detached building, and the erection of a part 3-storey, part 4-storey block of student accommodation (sui generis use).

31 bedrooms would be provided within 11 apartments. The proposed accommodation would be organised as follows:

- Ground floor:
 - Apartment 1 (3-bed unit)
 - Apartment 2 (studio)
 - Apartment 3 (studio)
 - Bin store
 - Communal entrance
- First floor:
 - Apartment 4 (studio)
 - Apartment 5 (5-bed unit)
 - Apartment 6 (4-bed unit)
- Second floor:
 - Apartment 7 (studio)
 - Apartment 8 (5-bed unit)
 - Apartment 9 (4-bed unit)
- Third floor:
 - Apartment 10 (5-bed unit)
 - Apartment 11 (studio)

The development would present a 3-storey front elevation to Manchester Road, however there would be accommodation (apartment 10) within the roof space in that part of the new building. Away from Manchester Road, the new building would rise to a full four storeys, before descending to three storeys (again, with accommodation within the roof space) at the rear.

The new building's communal entrance would be on its east side, close to the site's southeast corner.

The existing vehicular access off Manchester Road would be retained. This would lead (via a gated undercroft) to a rear yard where three drop-off parking spaces are proposed.

The new building would have ashlar and pitched face stone, with standing seam cladding (in "quartz zinc" colour) to parts of the top storey. A standing seam material and slate is proposed for the roofs.

Hipped roofs are proposed.

Elsewhere within the site, a detached bike store is proposed, as is an open patio and soft landscaping.

Relevant Planning History

2024/91199 – Application for full planning permission for demolition of existing building and erection of student accommodation with ancillary spaces, associated garden area, store and landscaping, access and car parking. Pending determination – design, scale and heritage concerns.

Planning Policy and Guidance

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 27/02/2019).

The application site is within the Newsome Neighbourhood Area designated on 12/08/2014 in accordance with the Town and Country Planning Act 1990, the Localism Act 2011 and the Neighbourhood Planning (General) Regulations (2012) as amended. However, the Newsome Ward Community Forum designation (for the purpose of producing a Neighbourhood Development Plan) expired on 12/08/2019 and has not been redesignated. The Forum is not progressing a Neighbourhood Development Plan.

In the Local Plan the site is unallocated.

Relevant Local Plan policies include:

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP3 – Location of new development
- LP4 – Providing infrastructure
- LP5 – Masterplanning sites
- LP7 – Efficient and effective use of land and buildings
- LP9 – Supporting skilled and flexible communities and workforce
- LP11 – Housing mix and affordable housing
- LP13 – Town centre uses
- LP20 – Sustainable travel
- LP21 – Highways and access
- LP22 – Parking
- LP23 – Core walking and cycling network
- LP24 – Design
- LP26 – Renewable and low carbon energy
- LP27 – Flood risk
- LP28 – Drainage
- LP30 – Biodiversity and geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP32 – Landscape
- LP33 – Trees
- LP35 – Historic environment
- LP38 – Minerals safeguarding
- LP43 – Waste management hierarchy

- LP47 – Healthy, active and safe lifestyles
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land

The National Planning Policy Framework (12/12/2024, updated 07/02/2025) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of the proposal. Relevant chapters include:

- Chapter 2 – Achieving sustainable development
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed 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

Since March 2014 Planning Practice Guidance for England has been published online.

Other relevant national guidance:

- National Design Guide (2019)
- National Model Design Code (2021)

Other relevant guidance and documents include:

- Social Value Policy (2022)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Green Streets Principles (2017)
- Kirklees Joint Health and Wellbeing Strategy and Kirklees Health and Wellbeing Plan (2018)
- Kirklees Biodiversity Strategy and Biodiversity Action Plan (2007)
- Negotiating Financial Contributions for Transport Improvements (2007)
- Highway Design Guide SPD (2019)
- Waste Management Design Guide for New Developments (2020, updated 2021)
- Planning Applications Climate Change Guidance (2021)
- Kirklees Climate Change Action Plan (2022)
- Biodiversity Net Gain Technical Advice Note (2021)
- Affordable Housing and Housing Mix SPD (2023)

- Highway Design Guide SPD (2019)

The council approved Climate Emergency measures at its meeting of full Council on 16/01/2019, 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 12/11/2019 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 will use the relevant Local Plan policies and guidance documents to embed the climate change agenda. In June 2021 the council approved a Planning Applications Climate Change Guidance document.

Pre-application Advice

In mid-late 2024 there were numerous exchanges between the applicant team and officers regarding the previous application ref: 2024/91199. Officers expressed concerns regarding the scale and massing of the proposed development, impacts on heritage assets, and other planning matters. Comprehensive advice was set out in emails dated 07/08/2024 and 28/11/2024.

Application-stage Amendments

During the life of the current application, the applicant amended the roof material to be used at the front part of the new building, and confirmed the window material as metal. Supporting documentation and elevations were amended accordingly. A corrected Biodiversity Metric, using the Statutory Biodiversity Metric instead of the Small Sites Metric, was submitted. This was accompanied by condition assessment sheets and a revised Preliminary Ecological Appraisal. An amended drawing AL0110 (rev A) was submitted, showing additional cycle storage where a garden room / covered patio was previously proposed.

These amendments and further information did not necessitate public consultation.

Consultation

The application has been advertised (as a major development affecting a public right of way and the setting of a listed building) via two site notices posted on 14/03/2025, and a press notice published on 28/03/2025. This is in line with the council's adopted Statement of Community Involvement. The end date for publicity was 19/04/2025.

No responses were received.

The points raised by consultees are summarised as follows:

- Lead Local Flood Authority – No specific concerns regarding flood risk. The site is not suitable for soakaways due to steepness and proximity to properties with cellars. No watercourse is available. A combined sewer is the only available outfall, and the site is brownfield in drainage terms. Drainage maintenance for this site can be secured under condition (a Section 106 agreement is not needed). Condition recommended, securing a detailed surface water drainage scheme.
- KC Ecology – 0.25 habitat units and 0.26 hedgerow units will need to be provided in order to achieve 10% Biodiversity Net Gain. Submitted Preliminary Ecological Appraisal is reasonable and acceptable. CEMP: Biodiversity condition recommended.
- KC Environmental Health – Findings of applicant's air quality, noise and site contamination reports are accepted. Conditions and informative notes recommended.
- KC Highways Development Management – Proposals acceptable on highways grounds subject to conditions. Adequate visibility splays needed at site entrance. Trip generation would not severely impact on operation or efficiency of the local highway network. Likelihood of collisions would not increase as a result of the development. Parking provision (for drop-off and pick-up) is acceptable, subject to details of management. Shortfall in cycle parking proposed. Waste management details should be secured by condition. Travel plan not required. Any changes to dropped kerb would require legal agreement. Informative recommended regarding public footpath.
- KC Highways Structures – Condition recommended regarding retaining walls / structures adjacent to Manchester Road and public footpath HUD/327/30.
- KC Conservation and Design – No objection subject to confirmation of details. Many previous concerns have been addressed. Revised massing and reduced heights would now provide a better setting to the adjacent listed building. Hipped roof acceptable, given roof of the building to north. Standing seam roof in quartz zinc colour would jar with surrounding slate roofs – slate should be proposed

at least for front roof. Rooflights can be accepted if slate is proposed. Natural stone would be appropriate to the site's setting. Reduced metal cladding and deletion of red brick have improved the scheme. Coursing and source of stone should match that of surrounding buildings. Pointing should be flush or recessed, not strap or ribbon pointing. Windows should be metal or timber, with 100-150mm reveals. Front boundary wall should be natural stone with appropriate coping and landscaping. Landscaping would also help enhance setting of listed building to north.

- KC Strategic Housing – No affordable housing required of this student accommodation development.
- KC Trees – No objection. The presence of TPO-protected tree 26/91/t3 is void, as this tree has been removed. The rest of the trees on site appear to be of low quality or value and their removal would not impact the landscape at all.
- Yorkshire Water – Drainage scheme requires amendment. In accordance with drainage hierarchy, evidence needed to demonstrate means of disposal (other than to sewer) of surface water are not possible. Discharge to sewer should not exceed 3.5 litres per second. Existing combined sewer crossing the site should be taken into account in the proposed design. Condition recommended regarding disposal of surface water.
- Canal and River Trust – No comment.
- West Yorkshire Police Designing Out Crime Officer – Crime statistics noted, as are the vulnerabilities of such development. Further details of crime prevention measures, site management and cycle parking required. Defensible space likely to be achieved. Parking area would be overlooked. Access control is required at all entry / exit points. Gates and boundary treatments should be 1.8m high. Lighting and CCTV required.

KC Waste Strategy provided comments under the previous application (ref: 2024/91199).

Assessment

The relevant planning considerations are:

- Land use and principle of development
- Design and conservation
- Highways
- Waste storage and disposal
- Residential amenity and quality
- Drainage and flood risk

- Trees, landscaping and biodiversity
- Other planning considerations

Land use and principle of development

In the Local Plan the site is unallocated, and the proposed student accommodation therefore does not conflict with an intended (allocated) future use of the site. Local Plan policy LP1 states the council will take a positive approach (to development proposals) that reflects the NPPF's presumption in favour of sustainable development. It adds that, where there are no policies relevant to a proposal at the time of making a decision (which is the case here in respect of site allocation), the council will grant permission unless material considerations indicate otherwise.

The loss of one existing residential unit from the site is considered acceptable, given that the proposed provision of 11 apartments would result in a significant net increase in the number of residential units at the site.

The proposed development would introduce a sui generis use (purpose-built student accommodation) to the site. There is no objection in principle to this. As confirmed under Principle 10 of the council's Affordable Housing and Housing Mix SPD (2023), the university and student sector provide an important role in the economy and housing market in Huddersfield town centre, and proposals for student accommodation will be supported.

The front (southern) part of the site is within the Manchester Road / Longroyd Lane Local Centre, as designated in the Kirklees Local Plan. Local Plan policy LP13 states that the role and function of Local Centres shall be to "Provide for top-up shopping and local services particularly food and drink", however it does not rule out residential development in Local Centres.

The submitted application form indicates that the site's existing building includes a vacant retail unit at ground floor level. The loss of an appropriate main town centre use (retail) from the Manchester Road / Longroyd Lane Local Centre would normally be considered regrettable, however at this site the applicant team have stated that the ground floor unit has been vacant for over six years (online imagery suggests this is correct), and the premises are not ideally suited to present-day retail requirements (due to its limited window display, its detachment from other retail uses within the centre and its front setback which limits its visibility). It is not considered that the proposed development would have a significant adverse impact on the vitality and viability of the Local Centre, and it is not considered that the proposed development would compromise the Local Centre's role and function. Given the increased resident population of the site (it is again noted that the number of residential units would increase from one to 11), it is in fact likely that the proposed development would have a beneficial impact upon the Local Centre, given that residents may visit the existing businesses operating here.

Local Plan policy LP13 also states that "All proposals shall be inclusive for all users, and be attractive to pedestrians, cyclists, and public transport users.

They shall also conserve and enhance the local character, heritage, green spaces and the public realm where appropriate". These matters are considered later in this report.

Residential uses (including student accommodation uses) already exist adjacent to the site and in the surrounding area, and are not known to be problematic in these locations. Similarly, the proposed student accommodation use is not considered to be incompatible with the surrounding residential, retail and other uses. Significant noise is unlikely to be generated by the activities associated with the proposed development, and the proposals do not involve the introduction of a new highly-sensitive use that would be adversely affected by the operation of existing nearby businesses or community facilities.

The submitted application form states that there are no existing employees on the site, and that the proposed development would not increase or decrease the number of employees. However, it is considered likely that the proposed development would in fact create some (albeit limited) employment, as there would be regular janitorial and maintenance work to be carried out during the lifetime of the development.

The application site is within a wider minerals safeguarding area (surface coal resource, with sandstone and/or clay and shale). Local Plan policy LP38 therefore applies. This states that surface development at the application site will only be permitted where it has been demonstrated that certain criteria apply. Criterion 1c of policy LP38 is relevant, and allows for approval of a form of residential development here, as there is an overriding need (in this case, housing needs, having regard to Local Plan delivery targets) for it.

Given the above assessment, it is considered that the proposed development is acceptable in land use terms. The principle of development is also considered acceptable.

Design and conservation

Local Plan policies LP24, LP32 and LP35 are relevant, as are chapters 11, 12 and 16 of the National Planning Policy Framework (NPPF) and the National Design Guide. In relation to the nearby listed buildings, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant.

Policy LP24 states that proposals should promote good design through various means. Policy LP32 states that proposals should be designed to take into account and seek to enhance the landscape character of the area. Policy LP35 states that development proposals affecting a designated heritage asset should preserve or enhance the significance of the asset.

The application site is relatively sensitive, given its prominent location on one of the main roads leading to / from Huddersfield Town Centre. Thousands of people pass the site every day when using this busy, important thoroughfare.

The site's size and topography (it slopes uphill away from the road) also contribute towards its visibility and prominence.

The site's context is also sensitive. Several listed buildings and non-designated heritage assets surround the site, and much of the significance of these heritage assets is derived from their relationships with, similarities to, and spacing in relation to other buildings. There is a relatively consistent palette of materials in the surrounding area (natural stone predominates). Much of the area has a strong nodal and transport-related character, given the concentration of routes and crossings (road, rail, river and canal) here. Three public houses once surrounded the canal bridge. The ages of the majority of buildings also contribute to the area's character – according to Ordnance Survey maps and Historic England list entries, most buildings date from the 19th century. These attributes give the area surrounding the application site a high level of historic and townscape interest, and a strong and consistent character – indeed, the area between the Church of St Thomas and the Paddock Railway Viaduct (and possibly areas further west) could be worthy of conservation area status.

The loss of the site's existing dwelling is considered acceptable in design and conservation terms, and is in fact welcomed, given the harm it currently causes to the townscape, the visual amenities of the area, and the settings of surrounding heritage assets. This harm is caused by the existing building's inappropriate materials, setback front building line, storey heights, roof form, shuttered front windows and general poor condition, and due to the way it currently allows exposure of an unsightly slate-clad gable end at 142 Manchester Road.

The principle of significant development (of the width proposed) in this location is considered acceptable. Although this could be regarded as an intrusion into what appears to have originally been the long garden of what is now 27 Woodthorpe Terrace (and, arguably, an intrusion into the setting of that listed building), the application site has not formed part of that property's garden for many years, it has previously been separated and developed (although not to the width now proposed), and there would still be a significant distance between the new building and 27 Woodthorpe Terrace. The proposed development would screen most views of the attractive 27 Woodthorpe Terrace from Manchester Road, however those views were already at least partly obstructed by the site's existing detached dwelling, and by a dense row of conifers planted along the boundary between the application site and 27 Woodthorpe Terrace. The benefit of better enclosure and definition to Manchester Road (that the proposed development would bring) weighs significantly in the balance of relevant considerations, such that the principle of the proposed development (and its width) can be accepted. The proposed width would also assist the delivery of a significant quantum of development that would make effective use of this previously-developed (brownfield) site.

The extent to which the proposed development would spread rearwards (uphill, towards 27 Woodthorpe Terrace) has been significantly reduced in

comparison with what was proposed under the previous application ref: 2024/91199. The proposed new building's rearward projection would extend less far north, and would be less high. Although a rearward projection that respected (and extended no further than) the rear wing of 138 Manchester Road would have been preferable, what is now proposed would not cause harm in design and conservation terms.

In principle, contemporary design can be considered acceptable in historic environments, provided that such designs are heritage-sensitive. Respect for surrounding heights and building lines, the use of materials that match those that predominate in the area, and respectful fenestration rhythm can help a contemporary design sit comfortably within such a setting.

In this case, the applicant proposes a front building line that would respect that of the adjacent terrace (142 to 156a Manchester Road). This is considered appropriate. The front (Manchester Road) elevation of the front part of the proposed development would be three storeys in height. This is also considered appropriate – although the adjacent terrace presents a 2-storey front elevation to Manchester Road, and although the proposed 3-storey elevation would have a higher eaves level, this would not appear incongruous given the further height increase (and higher eaves level) of 138 Manchester Road. The front part of the proposed development would have a hipped roof (which, in some respects, would reference the hipped roof of 27 Woodthorpe Terrace). The proposed ridge height would be very similar to that of the terrace of 142 to 156a Manchester Road.

Behind the front part of the proposed development, heights would increase to four full storeys, before falling back to three storeys (again with accommodation within the roof space, as is proposed at the front of the site) at the rear. This arrangement of heights and massing is considered acceptable, given the height of 138 Manchester Road to the east, and the presence of buildings to the rear of (and uphill from) the application site's frontage.

The proposed arrangements and sizes of fenestration are considered acceptable. Although most surrounding buildings have their ground and first floor windows vertically aligned, the different approach proposed at the application site (where windows would not align with those of the storey above / below) would provide visual interest to the proposed elevations. The window apertures would be taller and narrower than those of most surrounding buildings, however in some respects they would reflect the tall, narrow ground floor windows of the adjacent 138 Manchester Road to the east. Adequate window reveals (of 100mm to 150mm) would need to be provided to ensure that sufficient relief to the elevations is achieved – it is recommended that adequate reveals be secured by condition 17. The number and locations of the proposed rooflights are considered acceptable in design terms, and the same recommended condition requires these to be conservation-style rooflights.

Entrances to developments should be legible, visible and obviously located, ideally in front elevations facing the public realm (as is the case in most existing buildings surrounding the application site). This is important not only for streetscape, public realm animation, crime prevention and safety reasons, but also to assist with deliveries, and to assist residents and visitors who have certain disabilities and cognitive impairments. The new building's communal entrance is proposed on its east side, although it would be close to the site's southeast corner. This sufficiently addresses concerns regarding the location and legibility of the development's entrance, which were raised under the previous application ref: 2024/91199 (where the entrance was proposed within the development's rear yard).

Appropriate external wall materials are now proposed. Stone cladding is annotated on all elevations, and the submitted Design and Access Statement refers to "ashlar and pitched face stone". The submitted elevations suggest that pitched face stone would be used in panels, framed by horizontal and vertical elements clad with ashlar stone. Recommended condition 17 requires the submission and approval of details and samples of all external materials – the details to be submitted pursuant to that condition would need to confirm that the proposed stone would closely match the natural local stone that is predominant in the surrounding area, and that an appropriate method of fixing the stone cladding (ensuring that fixings behind the stone would not be visible between each cladding piece) would be implemented. Natural stone should be used, given the site's context and sensitivities. A second external wall material is proposed for parts of the top storey (third floor) of the development's 4-storey element. This would be standing seam cladding, in "quartz zinc" colour. This is considered acceptable in principle, however recommended condition 17 requires the submission and approval of details and samples of this material. Those details would need to confirm the profile and orientation of the standing seams, and that pointing flush or recessed (and not strap or ribbon pointing) would be used.

At roof level, slate is proposed for the roof of the front part of the development. This is considered appropriate, although full details and samples of this material (which would need to closely match the slate traditionally used on older buildings in the surrounding area, and should therefore be a natural (preferably UK-sourced) slate) would need to be submitted pursuant to condition 17. Behind the front part of the proposed development, standing seam roofing ("quartz zinc" in colour) is proposed. This would appropriately match the wall cladding material referred to above, however details (including of the profile and orientation of the standing seams, and of the material's sheen) would need to be submitted pursuant to recommended condition 17.

On 26/06/2025 the applicant's architect confirmed that the proposed windows would be powder coated metal. The submitted elevations confirm that the windows and doors would be dark grey. Subject to final details being submitted and approved pursuant to condition 17, this material and colour is considered acceptable (uPVC windows would not be considered appropriate here). Using a dark grey colour for the new building's windows and doors

would help ensure a simple and restrained palette would be implemented across the development, with there essentially being only two colours (buff stone, and dark grey for the roofs, third floor cladding, windows and doors). The result would be neat and consistent elevations, and an overall appearance that would sit comfortably within the site's context (where material palettes are similarly restrained).

A detached bike store is proposed to the rear of the new building. Due to the site's topography, this would be at a higher level, however it would not be visible from Manchester Road by virtue of the main building blocking sightlines. The outbuilding would be single-storey, would be built with the same external materials as the main building (stone cladding and standing seam roofing), and would have only one opening (a door, facing eastwards towards a proposed access gate). The design of this outbuilding is considered acceptable. Furthermore, due to its limited size, the proposed outbuilding would not result in an unacceptable creep (rearwards, uphill) of development and massing towards 27 Woodthorpe Terrace.

The application site currently has boundary treatments that are of some interest, and that may be contemporary with (possibly once enclosing the long garden of) 27 Woodthorpe Terrace. These include a stone wall and two stone gate piers at the site frontage, "straight-and-wiggly" metal railings to the side boundary, and a stone wall (with coping) beneath those railings.

The submitted Design and Access Statement states that "There will be secure boundary walls and fencing to the perimeter of the site and a vehicular and pedestrian gate on the Manchester Road frontage". The proposed site layout (drawing AL0103 rev A) annotates a stone wall and shrubbery to the site's Manchester Road frontage, a shrubbery along the common boundary shared with 27 Woodthorpe Terrace, and an "existing hedge and fence boundary" to the boundary at the highest part of the site. A gate is shown in the site's side (eastern) boundary, providing access from the adjacent track to the proposed bike store. The submitted elevations appear to show stone perimeter walls to the site's Manchester Road and side (eastern) boundaries.

Notwithstanding what is shown on the submitted drawings, it may be preferable to retain and re-use the site's surviving boundary treatments, or parts of them, where possible. Restoration (which may need to involve dismantling and rebuilding in some places) could contribute positively to the street scene, to the setting of the new building, and to the settings of heritage assets. They could also serve as a reminder of the site's history. The two stone gate piers could be re-used for the proposed pedestrian entrance (possibly retaining one of the piers in its current position). Further details of boundary treatments would need to be submitted pursuant to recommended condition 18, which does not set out specific requirements, as the feasibility of retaining and re-using surviving boundary treatments is likely to require further investigation and discussion at conditions stage. For visual amenity and heritage reasons, it is not recommended that 1.8m high boundary treatments (as requested by the West Yorkshire Police Designing Out Crime Officer) be provided. In addition to masonry walls and railings, the planting of hedgerows

along site boundaries would be supported, particularly as this could help achieve the required 10% Biodiversity Net Gain, and (if thorny species are specified) could help to secure the site. Details submitted pursuant to condition 18 would need to include details of the gates to the proposed undercroft, which have been shown in plan but not in elevation.

A significant retaining wall, approximately 3m in height, is proposed to the rear of the new building. Section B on drawing AL0130 rev A suggests that this would be clad in the same pitched face stone that is proposed for the new building. This is considered appropriate. Although the retaining wall would be tall, it would be well screened by the close and taller new building, therefore its visual impact would be very limited.

No signage is shown on the proposed elevations, and no signage would be approved under this application for full planning permission. Separate advertisement consent(s) may be necessary for such installations.

The proposed development is considered acceptable in relation to the prevention and deterrence of crime and anti-social behaviour. Section 8.0 of the submitted Design and Access Statement addresses crime prevention, and confirms that measures such as secure perimeters and gates, lighting and CCTV would be implemented to minimise risks. The proposed layout and other aspects of the development's design would not create significant new opportunities for crime, nor would any parts of the site become unacceptably more vulnerable in these respects. Although it would be preferable to provide a bike store within the envelope of the main building, the provision of cycle storage within an outbuilding is considered acceptable, provided that the store is made sufficiently secure. The West Yorkshire Police Designing Out Crime Officer raised no objection in principle to the proposed development, subject to further information being submitted at conditions stage. Condition 22, and parts of conditions 19 and 20, are recommended accordingly.

Regarding accessibility, Local Plan policy LP24f requires the needs of a range of different users (including people with disabilities) to be met, and accessible and inclusive spaces to be created. Lift access would be provided to all floors of the development, and it appears that the provision of step-free access from the footway of Manchester Road to all of the 11 units would be possible.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities – when considering whether to grant planning permission – to have special regard to the desirability of preserving listed buildings, their settings and any features of special architectural or historic interest which they possess. Policy LP35 of the Local Plan is also relevant, and states that development proposals affecting a designated heritage asset should preserve or enhance the significance of the asset.

The nearest listed building to the application site is the Grade II listed 27 Woodthorpe Terrace (to the north). As noted above, much of the application site appears to have originally been the long garden of this house, and it is

noted that the 1850 Ordnance Survey map of the area also appears to show the adjacent Clifton Cottage and Woodthorpe House with long gardens running downhill. At the time it was built (in the early 19th century), the house would have occupied a commanding position above Manchester Road, and would have been visible from that important thoroughfare. Much of the significance and grandeur of that house would have been derived from that position, the house's south elevation, the site's topography, and the relatively limited surrounding development (at that time, the terrace of 142 to 156a Manchester Road and 138 Manchester Road had not been built). However, subsequent development later in the 19th century, and the erection of the detached 140A Manchester Road in the 20th century, greatly eroded and intruded into the space surrounding the house, and reduced its visibility from Manchester Road. As noted in the glossary of the NPPF, the extent of the setting of a heritage asset (i.e., the extent of the surroundings in which a heritage asset is experienced) is not fixed, and may change as the asset and its surroundings evolve. The significance of 27 Woodthorpe Terrace is now derived mainly from its age, architecture, elevational detailing, garden (which is much smaller than it once was), and presence on Woodthorpe Terrace, none of which would be adversely affected by the proposed development. As noted above, the application site has not formed part of the garden of 27 Woodthorpe Terrace for many years, it has previously been separated and developed (although not to the width now proposed), and a significant distance would be maintained between the proposed new building (and the smaller outbuilding) and 27 Woodthorpe Terrace. It is again noted that the proposed development would screen most views of 27 Woodthorpe Terrace from Manchester Road, however those views were already at least partly obstructed by the site's existing detached dwelling, and by a dense row of conifers planted along the boundary between the application site and 27 Woodthorpe Terrace. The replacement of the application site's existing detached two-storey dwelling (which, as noted above, currently causes harm) with a more attractive and appropriate building would improve the setting of 27 Woodthorpe Terrace in some respects. The historic, largely non-physical association between 27 Woodthorpe Terrace (when it was in use as a vicarage) and the Church of St Thomas would not be affected by the proposed development. Overall, it is considered that the proposed development's impact upon the setting and significance of 27 Woodthorpe Terrace would not be harmful, and in some respects it would be beneficial.

Other designated heritage assets are located further away from the application site, and have less of a direct relationship with it. To the west, 160, 162, 164 and 166-170 Manchester Road are all Grade II listed, and derive some of their significance from their relationship with Manchester Road. The proposed development would be seen in some of the same street views that take in these listed buildings. By respecting the front building line of adjacent buildings to the west, and by using appropriate materials, the proposed development would not detract from views of those heritage assets, nor would it adversely affect their relationship with the road. The proposed development would in fact extend and reinforce the pattern of (and relationships between) the road and buildings found along this part of Manchester Road. This pattern is created by the designated and non-designated heritage assets to the west.

14 and 15 Woodthorpe Terrace, the Church of St Thomas (Grade II* listed), the Huddersfield Narrow Canal Bridge and the Paddock Railway Viaduct are listed buildings. The space around these designated heritage assets, and their relationships with other buildings, would not be adversely affected by the proposed development. In most cases these are prominent buildings, and that prominence would not be reduced or rivalled by the proposed development. The remaining, glimpsed view of 14 and 15 Woodthorpe Terrace from Manchester Road would be lost, however that view is not considered to be so important as to warrant referring to that impact as harmful (of note, the applicant's heritage consultant has argued that the track directly to the east was historically the key line of observation for experiencing the villas located uphill to the north of the application site). The proposed use of appropriate materials at the application site would ensure that the settings of these heritage assets would be respected, and would not be adversely affected.

For the same reasons, the significance of the area's non-designated heritage assets would not be adversely affected. The layout of roads and routes around the application site (including the track directly to the east, which was the only means of accessing the villas uphill prior to Woodthorpe Terrace being built, and which now carries public footpath HUD/327/30) would not be changed. The context of 138 Manchester Road, and those non-designated heritage assets associated with the canal and the area's industrial history and role as a significant transport corridor, would change, but not adversely.

Given the nearest part of the Springwood Conservation Area is approximately 310m away to the northeast, given the intervening buildings and topography, and given the limited views that take in both the application site and the conservation area, it is considered that the character and appearance of this designated heritage asset would not be adversely affected by the proposed development.

A brief Heritage Assessment (by Fibre Architects) has been submitted. A further, more detailed and researched assessment by Dr Stuart Wrathmell has also been submitted – this provides information regarding the existing site and its surroundings, however it is undated and refers (by application reference number) to the development previously proposed under application ref: 2024/91199.

KC Conservation and Design raised no objection to the proposed development in relation to impacts on heritage assets, subject to concerns regarding roofing and window materials being addressed. Those matters have indeed been addressed by the applicant, and other points made by KC Conservation and Design would be addressed via the recommended conditions.

Given the above assessment, it is considered that the proposed development is acceptable in relation to design and conservation matters (subject to conditions). Total loss, substantial harm, or less than substantial harm (to the significance of heritage assets) would not be caused by the proposed

development, therefore the tests and balancing set out in chapter 16 of the NPPF do not apply. The proposed development is compliant with relevant design and conservation policies in the Local Plan, with chapters 12 and 16 of the NPPF, and with the Planning (Listed Buildings and Conservation Areas) Act 1990.

Highways

Local Plan policies LP20, LP21, LP22, LP23, LP24 and LP47 are relevant to the highways implications of the proposed development, as is chapter 9 of the NPPF.

Existing highway conditions are noted. Manchester Road (the A62) is a 30mph two-way single carriageway primary distributor road of approximately 10.2m width, with footways on both sides, and with street lighting present. There are “no waiting at any time” TRO markings to both sides at the application site frontage, and a bus lane opposite to the east of the site. Manchester Road hosts a high frequency bus route and there are stops within 60m of the proposed site entrance. The closest convenience store is approximately 60m from the site and the application site is within walking distance of Huddersfield Town Centre and the main University of Huddersfield campus. A track runs along the eastern edge of the application site, carrying public footpath HUD/327/30.

The applicant has not provided trip generation details in relation to the current proposals, however KC Highways Development Management (KC HDM) have advised that a development of this type (specifically student accommodation) and size (with only three drop-off parking spaces proposed) is not expected to generate sufficient trips to have a severe impact on the operation or efficiency of the local highway network.

KC HDM have noted that there have been 12 slight and serious collisions recorded along Manchester Road between the signalised junction with Longroyd Lane (approximately 70m to the west of the application site) and the signalised junction with Castlegate (approximately 700m to the east of the site) over the last five years, however most of these were at the junctions (as would be expected). KC HDM do not consider that the proposed development would exacerbate the opportunity for these types of collisions along Manchester Road.

The proposed development would continue to be accessed (by vehicles) via the existing site entrance and dropped kerb on Manchester Road. This raises no concerns in relation to highways safety or function, and no modifications are needed to this site entrance in connection with the proposed development. An adequate (2.4m x 43m) visibility splay (entirely within the public highway) is shown on drawing AL0103 rev A, and on 11/06/2025 (at surgery), KC HDM confirmed that this addressed their earlier comment, and that no condition relating to visibility splays was necessary.

Should any changes be proposed to the site's existing dropped kerb, this would need to be done under the correct legal agreement with the council as Local Highway Authority. A relevant footnote (for inclusion in the council's decision) is recommended.

The proposed pedestrian entrance is considered acceptable. This would be close to the site's southeast corner, and raises no highway safety concerns.

The three proposed drop-off parking spaces would be of a suitable size. These spaces are not expected to be allocated to residents – instead, they would be used for maintenance / servicing and for start- and end-of-term drop-off and pick-up use. For start- and end-of-term drop-off and pick-up, a booking system would need to be employed for the spaces, with drivers pre-booking a timed slot where they would be allowed to unload / load. Details of how this provision would operate are needed, and recommended condition 15 accordingly requires the submission of a Vehicular Access and Servicing Management Plan (VASMP) which is required to include a Car Park (drop-off/pick-up) Management Statement (CPMS). For highway safety reasons, the proposed development should not be allowed to result in unmanaged and illegal parking on the double yellow lines on Manchester Road.

The applicant's swept path analysis indicates that cars (and vans, albeit possibly with more manoeuvring) would be able to turn within the rear yard, so that they would be able to enter and exit the site in forward gear, which is considered necessary for highway safety reasons (reversing onto Manchester Road would not be acceptable).

Cyclists wishing to access the proposed bike store (in the outbuilding proposed to the rear of the main building) would use a gate proposed in the side (eastern) boundary, accessed via the adjacent track and public footpath HUD/327/30. This raises no highway safety concerns. The proposed bike store (as shown in drawing AL0110 rev A) would accommodate a total of 26 bicycles. No other details of cycle parking have been provided. Paragraph 5.4 of the council's Highway Design Guide SPD recommends one cycle parking space be provided per unit, and KC HDM have stated that this expectation should be applied to the 31 bedrooms (rather than the 11 apartments). This would mean there would be a shortfall in on-site cycle parking provision, although the shortfall has been significantly reduced with the submission of drawing AL0110 rev A – previously, only 12 spaces were proposed, whereas 26 are now illustrated. Recommended condition 8 secures this provision.

Regarding sustainable transport, a travel plan would not normally be required for a development of this size. The applicant has submitted a Combined Transport Statement and Travel Plan which is a partly-updated version of a document previously submitted under application 2024/91199 (when a larger development was proposed), and which includes recommendations regarding travel planning. There is no objection to such promotion of and support for sustainable and active travel at the site, and KC HDM have advised that implementation of a travel plan at this site would be welcomed, although it would not be subject to annual monitoring by the council. No sustainable

transport contribution is considered necessary for a development of this size and nature.

The track that runs along the eastern edge of the application site carries public footpath HUD/327/30. No works are proposed to this track, although a new gate would be installed (providing access to the proposed bike store), and the applicant's submission indicates that a replacement boundary treatment is proposed along this eastern boundary of the application site. The excavation of part of the site and the erection of the new building and retaining walls may have implications for the public footpath. Condition 7 is therefore recommended (as per the advice of KC Highways Structures) – this requires the submission of all new retaining walls and building retaining walls adjacent to the existing highway (including Manchester Road and public footpath HUD/327/30). An informative note (advising that the public footpath must not be interfered with or obstructed, prior to, during or after development works) is also recommended.

The council's Transport Scheme Route (TS3 – Huddersfield Southern Gateway), which involves parts of Manchester Road, would be unaffected by the proposed development.

The recommended condition (condition 4) requiring the submission, approval and implementation of a Construction (Environmental) Management Plan (C(E)MP) includes measures that would help ensure the highway would not be obstructed during the construction phase.

Waste storage and disposal

Local Plan policies LP24d(vi) and LP43, and the Highway Design Guide SPD are relevant, as is the council's Waste Management Design Guide for New Developments (2020, updated 2021).

Waste and recycling bins would be stored in a dedicated room at ground floor level to the front of the proposed building, accessed via the proposed undercroft. This is considered a suitable location, accessible to all residents of the proposed development.

Waste collection would be carried out at the kerb side on Manchester Road to the front of the application site. This would require careful management to ensure that the waste and recycling bins are left in a suitable place for collection (where they are accessible to the collection team but not where they would obstruct the highway or footway), and returned promptly to the storage area after collection. KC HDM have also advised that details are needed regarding how the site would be serviced and how any access for maintenance vehicles could be safely provided given the limited turning space within the site. Accordingly, recommended condition 15 requires the submission of a Vehicular Access and Servicing Management Plan (VASMP) including a Servicing and Waste Management/Collection Management Plan (SWMCMP).

Eight 1,100 litre bins are indicatively shown within the bin store. Given that 100 litres of recycling capacity and a further 100 litres for non-recyclable waste should be provided per bedroom, a total provision of 6,200 litres would be required, which the proposed 8,800 would adequately provide for.

The doors to the proposed bin store would be wide enough for bins to be moved through.

Residential amenity and quality

The surrounding area includes residential uses to the north and west.

Due to its dimensions and location in relation to these neighbouring residential properties, the proposed new building raises no significant concerns in relation to natural light, privacy and overshadowing impacts. 142 Manchester Road has two side windows in the gable end at roof level (second floor), however these appear to be obscure glazed, and due to their size they are unlikely to be the sole source of natural light and outlook for a habitable room. Due to the proposed hipped roof design, those two windows would still receive at least some natural light in any case.

A patio is proposed in the rear garden of the proposed development. While it is noted that this area can already lawfully be used as an outdoor amenity space, an intervening building (Darci House, 156B Manchester Road) with no rear habitable room windows would provide screening, such that the amenities of 142 to 156a Manchester Road would not be significantly affected when the patio is in use.

The following unit sizes are proposed (all figures are GIA):

- Ground floor:
 - Apartment 1 (3-bed unit) – 80sqm
 - Apartment 2 (studio) – 22sqm
 - Apartment 3 (studio) – 22sqm
- First floor:
 - Apartment 4 (studio) – 22sqm
 - Apartment 5 (5-bed unit) – 110sqm
 - Apartment 6 (4-bed unit) – 95sqm
- Second floor:
 - Apartment 7 (studio) – 22sqm
 - Apartment 8 (5-bed unit) – 110sqm
 - Apartment 9 (4-bed unit) – 95sqm
- Third floor:
 - Apartment 10 (5-bed unit) – 117sqm
 - Apartment 11 (studio) – 22sqm

The above floorspace figures fall short of the minimum sizes set out in the Government's Nationally Described Space Standard in respect of the five studios proposed, however the larger units would be compliant. In that

standard, floorspace of at least 37sqm is expected for studios, 74sqm for 3-bed units, 90sqm for 4-bed units, and 103sqm for 5-bed units.

Notwithstanding the above, the unit size mix expectations set out in the council's Affordable Housing and Housing Mix SPD (2023) are not applied to student housing developments, although due regard to the implications of the smaller sized units is required.

All units would be provided with windows and rooflights, providing outlook and access to natural light. In most cases this provision would be adequate, although apartments 2 and 3 at ground floor level would only have west-facing windows overlooking the proposed three drop-off parking spaces.

All units would have adequate levels of privacy.

A large communal outdoor amenity space would be provided as part of the proposed development. This would include an outdoor patio area.

Although adequate amenity should be provided for all types of residential accommodation, it is accepted that, in some respects, student accommodation need not be provided with the same level of amenity as is required for general needs housing, as student lets usually last less than a year, are transitory, and residents are normally able to return to their parental/guardian homes during academic holidays and at other times. With this noted, it is considered that, overall, the proposed amenity and quality is acceptable for student occupation. Amendments were not sought, and refusal of permission is not recommended, on the grounds that the studio apartments would be small and the outlook from apartments 2 and 3 would be compromised.

Although the proposed amenity and quality is considered acceptable for student accommodation, it would not be considered adequate for other types of occupancy, therefore a condition (condition 3) is recommended (as per other permissions for student accommodation), restricting the occupation of the residential accommodation to students in full-time education.

The proposed development is unlikely to introduce new sources of noises (that would cause significant impacts) to this main road location.

The applicant has submitted a Residential Noise Assessment, which is the same document that was submitted under the previous application (ref: 2024/91199). This assessment considers noise ingress into the proposed residential accommodation. Traffic noise from Manchester Road is the main source of noise affecting the site. A noise survey was carried out at the site in March 2024. The submitted assessment sets out recommendations regarding insulation, glazing and ventilation of the proposed development. KC Environmental Health previously commented on this assessment (comments dated 11/06/2024), accepting its findings, and recommending a condition requiring the implementation of its recommendations. In more recent

comments dated 07/04/2025, KC Environmental Health reiterated this advice. Condition 13 is therefore recommended accordingly.

The front (southwest) part of the application site is within an Air Quality Management Area (AQMA 10 – Thornton Lodge) in relation to elevated levels of Nitrogen Dioxide. The application site is also located on a road of concern (Manchester Road) in relation to air quality. The applicant has therefore submitted an Air Quality Assessment, which is the same document that was submitted under the previous application (ref: 2024/91199). This details the impact of the development on air quality during both the construction and operational phases.

KC Environmental Health previously commented on this assessment (comments dated 11/06/2024), agreeing with its conclusion, but noting that – although the proposed development would be classed as “Medium” (applying WYLES guidance) in terms of air quality due to its size and use – it would be partly within an AQMA and next to a road of concern and therefore it would meet the criteria for a “Major” development. Notwithstanding this, KC Environmental Health noted that data gathered from the council’s monitoring tube located less than 20m away from the application site confirmed that the air quality at the site was predicted to be below the national air quality objective. Further to this, as only three car parking spaces are proposed, KC Environmental Health did not expect that vehicles traveling to and from the site would impact air quality.

In more recent comments (dated 07/04/2025) relating to the current application, KC Environmental Health accepted that future occupiers of the proposed development would not be exposed to poor air quality.

The proposed development is therefore considered acceptable in relation to air quality, subject to the requirements of recommended conditions 4 (relating to construction phase dust) and 14 (requiring one of the three parking spaces to be provided with an electric vehicle charging point) being met.

The recommended condition (condition 4) requiring the submission, approval and implementation of a Construction (Environmental) Management Plan (C(E)MP) includes measures that would help ensure residential amenity would be protected during the construction phase, including in relation to noise, dust and artificial light. KC Environmental Health have advised that, due to the scale of the development and the proximity of residential properties to the site boundary, a condition to limit the construction times would be appropriate. This matter would also be addressed via details to be submitted pursuant to condition 4, and a related informative is recommended regarding hours of works.

Drainage and flood risk

The front (southwest) part of the application site is located within Flood Zone 2. The majority of the site is, however, within Flood Zone 1. The Huddersfield Narrow Canal is approximately 55m away, to the south of the application site.

Further south, approximately 70m away from the nearest part of the application site, is the River Colne. A Yorkshire Water sewer runs north-south across part of the application site (to the rear of 142 Manchester Road).

Annex 3 of the NPPF confirms that residential accommodation (including student accommodation) is a “more vulnerable” use in relation to flood risk. The applicant has not submitted a sequential test in relation to flood risk, and has not considered alternative sites for the proposal. This is considered appropriate, given that the application relates to a previously-developed site, and given that no residential accommodation is proposed at ground floor level within the small part of the site that falls within Flood Zone 2. The development’s vehicular entrance and undercroft is proposed at the new building’s southwest corner. Residents of the development would be able to escape the new building (in the event of a flood) via the main entrance at its southeast corner, and would be able to access Manchester Road without having to enter Flood Zone 2.

The applicant has not submitted a full Flood Risk Assessment, but has submitted:

- Engineering Feasibility drawing E24/8164/001
- Causeway Calculations (Haigh Huddleston and Associates, dated 23/04/2024)

These documents have not been updated to refer to the current proposals, and drawing E24/8164/001 still shows the site layout proposed under previous application ref: 2024/91199. An on-site storage pipe (providing 16 cubic metres of storage surface water) is shown, as is a hydrobrake that would attenuate surface water discharge from the site (before it is disposed of to the Yorkshire Water combined sewer beneath Manchester Road) at a rate of 3.5 litres per second.

The Lead Local Flood Authority (LLFA) were consulted on the current application. In comments dated 11/04/2025, they stated that there were no specific concerns relating to flood risk, and they raised no concern over the fact that the applicant’s drainage information had not been updated to refer to the current proposals, as the pertinent information (namely, the indicative drainage designs) were unaffected by the amended layout / design of the building. The LLFA also accepted that surface water needs to be disposed of via the combined sewer, given that soakaways are not suitable at this sloped site (where there are properties with cellars nearby) and given that no suitable watercourses exist.

Although updated information would have been preferred, it is noted that if 16 cubic metres of on-site storage was deemed adequate for the previous proposal (as the LLFA confirmed at the time), it can be concluded that the same on-site provision would be more than adequate for the current, reduced proposal which involves less hard surfacing and less surface water run-off. Furthermore, it is noted that there is scope within the layout currently proposed to move the proposed storage pipe (if it cannot be provided beneath

the now-proposed undercroft) to the rear yard or possibly to the front hard surfaced area.

The proposed discharge rate (of 3.5 litres per second) to the combined sewer is considered acceptable for this brownfield site.

In accordance with LLFA advice, condition 6 is recommended. This requires the submission of full details of the development's drainage scheme. Updated drawings (reflecting what is now proposed) would need to be submitted pursuant to that condition. This condition is considered more appropriate than the condition recommended by Yorkshire Water.

The Yorkshire Water sewer running north-south across part of the application site would not be affected by the proposed development – the proposed new building would be located away from it.

The application site is within an area where the Canal and River Trust are to be notified of applications for major development. In response to the council's consultation, the Canal and River Trust made no comments on the proposed development.

Given the above assessment, the proposed development is considered to be compliant with policies LP27 and LP28 of the Local Plan, and chapter 14 of the NPPF.

Trees, landscaping and biodiversity

The provision of a Biodiversity Net Gain (BNG) of 10% is now 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). This is subject to limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12/02/2024 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 mandatory BNG requirement, nor do officers consider exemption applicable in this case.

The applicant initially submitted a Biodiversity Metric spreadsheet, albeit in PDF format only, and using an incorrect metric (the Small Sites Metric was used, which is not applicable to major developments, and version 4.0 was used). Furthermore, the submitted Biodiversity Metric was the same as the one submitted under application ref: 2024/91199, and had not been updated. The post-development figures it set out were therefore based on the superseded proposals, which involved the retention of less green space within the site (when compared with the current proposals).

A corrected Biodiversity Metric (using the Statutory Biodiversity Metric suitable for major developments) was submitted on 15/08/2025. This set out the application site's existing (baseline, or pre-development) biodiversity values as follows:

	Existing (baseline)	Proposed (post-development)	Change
Habitat units	0.23	0.0	-100%
Hedgerow units	0.24	0.0	-100%
Watercourse units	0.0	0.0	0%

According to the applicant's figures, significant reductions in habitat and hedgerow units would occur at the site, contradicting the claim made in the submitted Planning Statement that "The proposed scheme will significantly enhance the biodiversity on the site". Officers doubt that such significant losses would, in fact, occur, given that the submitted drawing AL0103 rev A indicates that some of the site's existing trees and hedges would be retained, and new shrubberies would be planted. It is noted that much of the application site would not be developed under the current proposals, and that there is scope for greatly improving the on-site provision of habitat as part of a comprehensive landscaping scheme.

It is accepted that – as there is no existing watercourse at the site – a 10% BNG in respect of watercourse units is not required at this site.

To achieve the required 10% BNG at this application site, a post-development biodiversity value totalling less than 1 unit would be needed. Given that this number would not be regarded as "significant", there is no need to secure management and monitoring (for a 30-year period) in relation to the BNG required of the proposed development.

An informative is recommended, reminding the applicant that the pre-commencement Biodiversity Gain Plan general planning condition (imposed by legislation) applies.

The applicant has submitted a Preliminary Ecological Appraisal, which includes a Preliminary Roost Assessment. A site survey was carried out on 28/02/2024, and the findings of that survey are therefore still considered reliable. No evidence of badgers, bats, or aquatic species was found. No hedgehogs or bird nests were observed, however it was noted that parts of the application site offer suitable habitat. The site was found to have minimal potential for reptiles, and was unsuitable for hazel dormouse and red squirrel. No negative impacts were identified in relation to most species of note, however it was accepted that birds could be impacted if the site is cleared during nesting season.

No trees of significant size or amenity value would be lost as part of the proposed development. As noted above, a record of a Tree Protection Order

26/91/t3 still applies to the application site, however this is considered void as the tree has been removed.

Much of the application site has been soft landscaped in the past, however the site was subsequently allowed to become overgrown and unkempt, and it was partly cleared in recent years. Problematic species (rhododendron and montbretia) are present at the site.

The applicant has submitted a Site / Landscaping Plan as Proposed (drawing AL0103 rev A). This provides little information in relation to landscaping, other than annotations indicating where grass and shrubberies are proposed, and where trees would be retained. Recommended condition 19 requires full details of hard and soft landscaping at the site. Appropriate landscaping is required by policy LP24 of the Local Plan, and in addition would help to enhance the setting of heritage assets surrounding the application site.

Other planning considerations

The application site is within a Development Low Risk Area, as defined by the Mining Remediation Authority. The Mining Remediation Authority did not need to be consulted on the application.

According to records held by the council, no parts of the application site are potentially contaminated, although land to the south is potentially contaminated. The applicant has submitted a Phase 1 Geo-environmental Report, which is the same document that was submitted under the previous application (ref: 2024/91199). This report provides a desk-top study assessment of the potential source pollutant linkages at the site, recommends a site investigation to establish the geo-environmental conditions at the site, recommends that topsoil and subsoils should be sampled and tested, and recommends that any suspected areas of contamination should also be targeted for metals, metalloids, EPA 16 PAHS and asbestos. KC Environmental Health previously commented on this assessment (comments dated 11/06/2024), accepting its findings, and recommending four conditions related to site contamination. These four conditions were again recommended in KC Environmental Health's more recent comments of 07/04/2025. Conditions 9, 10, 11 and 12 are therefore recommended accordingly.

In relation to climate change, a Climate Change Statement has been submitted by the applicant. This confirms that the proposed development would exceed the requirements of Building Regulations in relation to thermal insulation, wherever possible. Information is also provided regarding materials, water use and other matters relevant to sustainable development.

The size of the proposed development does not trigger the requirement for an agreed training or apprenticeship programme referred to in Local Plan policy LP9.

Conditions

Draft conditions were shared with the applicant team on 03/07/2025. On 04/07/2025, the applicant team confirmed that the conditions were agreed.

A further list of updated conditions was shared with the applicant team on 30/09/2025. On 01/10/2025 the applicant confirmed that they had no concerns regarding the conditions.

Section 106 agreement

No Section 106 agreement is needed in connection with the proposed development.

As confirmed at paragraph 4.7 of the council's Affordable Housing and Housing Mix SPD (2023) and in the comments of KC Strategic Housing, student accommodation is not subject to requirements regarding affordable housing provision. Recommended condition 3 restricts the occupation of the residential accommodation to students in full-time education.

Conclusion

It is recommended that planning permission be approved, subject to conditions.

Recommendation: Approve (subject to conditions)

Decision Authorisation: Delegated Powers

Application Number: 2025/90512

Conditions and Reasons

Compliance conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved 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 in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

3. The residential accommodation hereby approved shall be occupied only by students, defined as persons whose main residence is elsewhere and who are enrolled on a recognised full-time course at a higher educational establishment in the borough of Kirklees only. The residential accommodation hereby approved shall be used for no other purpose (including any purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order with or without modification).

Reason: The development has not been assessed against relevant requirements for the provision of affordable housing or the highway, parking or other implications of general needs housing. The restriction on occupation is required to accord with Policies LP11, LP20, LP21 and LP22 of the Kirklees Local Plan and the National Planning Policy Framework.

Pre-commencement conditions

4. Prior to the commencement of development (including ground works), a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include the following details:

- A timetable of all works;
- Hours of works;
- Point(s) of access for construction traffic;
- Construction vehicle sizes and routes;
- Numbers and times of construction vehicle movements;

- Locations of HGV waiting areas and details of their management;
- Parking for construction workers;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Signage;
- Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;
- Street sweeping;
- Measures to control and monitor the emission of dust and dirt during construction – this shall include the dust mitigation measures outlined in Table 15, pages 25 and 26, of the Air Quality Assessment by Redmore Environmental (ref: 7881r, Version 1, dated: 11/04/2024);
- Site waste management, including details of recycling/disposing of waste resulting from construction works;
- Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
- Artificial lighting used in connection with all construction-related activities and security of the construction site;
- Site manager and resident liaison officer contacts, including details of their remit and responsibilities;
- Engagement with local residents and occupants or their representatives; and
- Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity, in the interests of highway safety, to ensure the highway is not obstructed, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30, LP35 and LP52 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity and biodiversity impacts are devised and agreed at an appropriate stage of the development process.

5. Prior to the commencement of development (including vegetation clearance and ground works) a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following.

- Risk assessment of potentially damaging construction activities that refers to the most up-to-date site-specific survey information and specifically to nesting birds and invasive plant species;
- Identification of “biodiversity protection zones” where appropriate;

- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works where appropriate;
- Responsible persons and lines of communication; and
- Use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP: Biodiversity shall be implemented and adhered to throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason. To protect biodiversity during construction by avoiding impacts to protected species and preventing the spread of non-native plants, and to accord with Policy LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to prevent or minimise biodiversity impacts are devised and agreed at an appropriate stage of the development process.

6. Prior to the commencement of development (including ground works), details of a scheme restricting the rate of surface water discharge from the site to a maximum of 3.5ls shall be submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 100 year storm event with a 45% allowance for climate change. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.

Reason: To ensure the effective disposal of water from the development, to avoid an increase in flood risk and so as to accord with Policies LP27 and LP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that details of drainage are agreed at an appropriate stage of the development process.

7. Prior to the commencement of development (including ground works), details of all new retaining walls and building retaining walls adjacent to the existing highway (including the A62 Manchester Road and public footpath HUD/327/30) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include locations, cross-sectional information, the proposed design(s) and construction detail(s). The development hereby approved shall be implemented in accordance with the details so approved and the retaining walls shall thereafter be retained for the life of the development.

Reason: To ensure that any new retaining structures do not compromise the stability of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of retaining structures are agreed at an appropriate stage of the development process.

8. Prior to the commencement of development (including ground works), details of suitable cycle storage facilities (capable of accommodating 26 bicycles) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: To comply with the council's sustainability objectives and to meet the requirements set out in Policy LP22 part g of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of cycle parking are agreed at an appropriate stage of the development process.

Conditions subject to other triggers

9. Following demolition, no ground works (other than those required for a site investigation report) shall commence until a 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 the National Planning Policy Framework

10. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 9, further ground works 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 the National Planning Policy Framework.

11. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 10. 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 two 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 the National Planning Policy Framework.

12. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy, a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been 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 the National Planning Policy Framework.

13. Before the development hereby approved is first brought into use all works which form part of the sound attenuation scheme as specified in the Residential Noise Assessment authored by Nova Acoustics dated 22/04/2024 ref NP-010863 rev 02 shall be completed. Any changes to the approved noise mitigation measures must be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of the development from noise or disturbance from nearby noise sources or noise-generating premises, and to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

14. The development hereby approved shall not be brought into first use until:

- All hard-surfaced areas to be used by vehicles and pedestrians have been laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway;
- The three on-site drop-off car parking spaces hereby approved have been laid out, surfaced and marked out into bays in accordance with the Site/Landscaping Plan As Proposed (drawing AL0103 rev A); and
- At least one of the three on-site drop-off car parking spaces has been provided with one standard electric vehicle charging point (of a minimum output of 16A/3.5kW) which shall be made operational.

The hard-surfaced areas, the on-site drop-off car parking spaces and the electric vehicle charging point(s) shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: In the interests of highway safety, to achieve a satisfactory layout, to ensure users of and visitors to the development are encouraged to use lower-carbon and more sustainable forms of transport, to mitigate the air quality impacts of the development, and to accord with Policies LP3, LP20, LP21, LP24, LP31, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

15. The development hereby approved shall not be brought into first use until a Vehicular Access and Servicing Management Plan (VASMP) has been submitted to and approved in writing by the Local Planning Authority. The VASMP shall include a Car Park (drop-off/pick-up) Management Statement (CPMS) and a Servicing and Waste Management/Collection Management Plan (SWMCMP). The CPMS shall include details of:

- The member of staff responsible for resident liaison, and their contact details;
- Details of the parking space booking system to ensure that all drop-off and pick-up parking demand at the start and end of term is managed with suitable staggered arrival/departure times to avoid cars arriving when parking spaces are still occupied:
- The use of parking marshals;
- Method(s) of informing residents of booking procedures for drop-off and pick-up. (for example this might include leaflet, text, website, notice board etc – these details shall be provided to all residents on being appointed a room in the development but prior to their first arrival);
- Information for guests on sustainable travel options; and
- A mechanism for the review of the CPMS.

The SWMCMP shall include details of:

- Responsibilities for waste bin presentation on collection days, including the prompt return of waste bins to their storage place;
- Details of how servicing and maintenance at the premises will be managed to avoid parking on the A62 Manchester Road to the site frontage;
- The use of marshals or banksmen for the manoeuvring of large vehicles that cannot turn within the car park; and
- A mechanism for the review of the SWMCMP.

The development shall thereafter be operated in accordance with the VASMP so approved.

Reason: To ensure that (having regard to its location and the restricted servicing facilities available) the site is not used in an over-intensive and inappropriate manner, to protect the amenities of all other road users, in the interests of highway safety, and to accord with Policies LP20, LP21 and LP24 of the Kirklees Local Plan, and chapters 9 and 15 of the National Planning Policy Framework.

16. Prior to the commencement of superstructure works, details of storage and access for collection of wastes from the development hereby approved, and details of the management of the proposed waste storage, shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include plans, elevations and sections of any bin/waste stores (including details of materials), details of measures to control odour and vermin, and measures to discourage flytipping. The works and arrangements comprising the approved details shall be implemented prior to first occupation and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and highway safety, to protect the setting of heritage assets, to assist in achieving sustainable development, and to accord with Policies LP21, LP24 and LP35 of the Kirklees Local Plan.

17. Notwithstanding what is shown on the drawings hereby approved, prior to the commencement of superstructure works, the following shall be submitted to an approved in writing by the Local Planning Authority:

- Details of all external materials (with samples left on site for inspection), which shall include natural stone and natural slate;
- Typical details of window reveals (plans and sections); and
- Details of rooflights, which shall be conservation-style rooflights.

The development shall be implemented in strict accordance with the details so approved. No materials other than those approved in accordance with this condition shall be used.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and the National Planning Policy Framework.

18. No boundary treatments shall be erected without the prior written approval of the Local Planning Authority. Prior to the commencement of superstructure works, details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The details shall include sections and details of materials and levels. The development shall be implemented in accordance with the details so approved. The approved works shall be retained thereafter.

Reason: In the interests of visual amenity, maintaining the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and the National Planning Policy Framework.

19. Prior to the commencement of superstructure works, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These shall include:

- Details of existing and proposed levels, and regrading;
- Planting plans, including treeplanting;
- Details of tree pit sizes and soils;
- Species schedules;
- Details of initial aftercare and long-term maintenance;
- Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fails or becomes diseased within the first five years from completion;
- Details of how the soft landscaping would contribute towards the achievement of a 10% Biodiversity Net Gain;
- Details (including samples, if requested), of paving and other hard surface materials;
- Details of how soft landscaping has been designed to prevent and deter crime and anti-social behaviour; and
- Details of natural surveillance and windows overlooking publicly-accessible areas (including public footpaths).

No part of the development hereby approved shall be first occupied until all hard and soft landscaping has been implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of local ecological value, visual amenity and highways safety, to protect the setting of heritage assets, to minimise flood

risk, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, in the interests of creating a safer, more sustainable neighbourhood and reducing the risk of crime and anti-social behaviour, and to accord with Policies LP21, LP24, LP27, LP30, LP32, LP33, LP35 and LP47 of the Kirklees Local Plan, and chapters 8, 12 and 15 of the National Planning Policy Framework.

20. Prior to the first occupation of the development hereby approved, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. These details shall not include low-level or bollard street lighting. The external lighting shall be designed to avoid harm to residential amenity, increased highway safety risk, risk of creating opportunities for crime and anti-social behaviour, and disturbance to wildlife. The development shall not be brought into use until the external lighting so approved has been installed and brought into use, and the external lighting shall be retained and maintained as such thereafter. Under no circumstances shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety, to prevent significant ecological harm, to protect the setting of heritage assets, to safeguard habitat, in the interests of creating a safer, more sustainable neighbourhood and reducing the risk of crime and anti-social behaviour, and to accord with Policies LP21, LP24, LP30, LP35 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

21. Other than where indicated on the drawings hereby approved, no cables, plumbing, foul pipes, vents, burglar alarm boxes, and/or CCTV cameras or related equipment and installations shall be located or fixed to any external elevation(s) of the development hereby approved. Should any such equipment or installations be considered necessary, details of these shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the details so approved.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan.

22. Prior to the commencement of superstructure works, details of measures to prevent and deter crime and anti-social behaviour at the site shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be completed in accordance with the details so approved.

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

NOTE: In accordance Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) **development may not be begun unless:**

- a) A biodiversity gain plan has been submitted to the local planning authority; and
- b) The local planning authority has approved the plan.

The biodiversity gain plan must include:

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) The pre-development biodiversity value of the onsite habitat;
- c) The post-development biodiversity value of the onsite habitat;
- d) Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) Any biodiversity credits purchased for the development; and
- f) Any such other matters as the Secretary of State may by regulations specify.

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

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of 07.30 and 18.30 hours Mondays to Fridays, and 08.00 and 13.00 hours on Saturdays, with no working Sundays or Public Holidays. These hours should be referred to in any Construction Environmental Management Plan to be submitted to the Local Planning Authority for approval. In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974 (Section 60), Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: Institute of Air Quality Management document "Guidance on the assessment of dust from demolition and construction" Version 1.1 2014 provides detailed information regarding dust control. 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.

NOTE: A Standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) is, however more likely to be futureproof. Standard charging points for single residential properties that meet the requirements specified in the latest version of “Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)” by the Office for Low Emission Vehicles will be acceptable. Charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 sockets would be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable. The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website.

NOTE: Public footpath Huddersfield HUD/327/30 is adjacent to the site and must not be interfered with or obstructed, prior to, during or after development works. Queries regarding public rights of way may be put to the relevant council team by telephone (01484 221000 – ask for Sharon Huddleston) or email (publicrightsofway@kirklees.gov.uk).

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway and any changes to the access within the adopted highway fronting the property will need to be constructed under a Section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Regarding condition 18, the application site currently has boundary treatments that are of some interest, and that may be contemporary with (possibly once enclosing the long garden of) 27 Woodthorpe Terrace. These include a stone wall and two stone gate piers at the site frontage, “straight-and-wiggly” metal railings to the side boundary, and a stone wall (with coping) beneath those railings. Notwithstanding what is shown on the submitted drawings, it may be preferable to retain and re-use the site’s surviving

boundary treatments, or parts of them, where possible. Restoration (which may need to involve dismantling and rebuilding in some places) could contribute positively to the street scene, to the setting of the new building, and to the settings of heritage assets. They could also serve as a reminder of the site's history. The two stone gate piers could be re-used for the proposed pedestrian entrance (possibly retaining one of the piers in its current position).

NOTE: References to “(as amended)” documents in the plans and specifications schedule below reflect the fact that some submission documents have not been updated and still refer to the previous superseded development proposed under application ref: 2024/91199. For the avoidance of doubt, that earlier proposal (for a 49-bed student accommodation development) is not hereby approved.

Plans and specifications schedule:

Plan/document type	Reference	Version	Date received
Location Plan as Existing	EX0001		25/02/2025
Site Plan as Proposed	AL0106		25/02/2025
Site / Landscaping as Proposed	AL0103	Rev A	10/06/2025
Floor Plans as Proposed	AL0110	Rev A	15/08/2025
GA Elevations as Proposed	AL0120	Rev B	26/06/2025
GA Sections as Proposed	AL0130	Rev A	10/06/2025
Schedule of Accommodation			25/02/2025
Design and Access Statement	Fibre Architects, 12/02/2025		10/06/2025
Heritage Assessment	Fibre Architects, February 2025		10/06/2025
Assessment of the Potential Impact on Heritage Assets (as amended)	Dr Stuart Wrathmell		25/02/2025
Combined Transport Statement and Travel Plan (as amended)	Paragon Highways, 2307, April 2024	First Issue	25/02/2025

Engineering Feasibility (as amended)	E24/8164/001		25/02/2025
Causeway Calculations (as amended)	Haigh Huddleston and Associates, 23/04/2024		25/02/2025
Residential Noise Assessment (as amended)	Nova Acoustics, NP-010863, 22/04/2024	Rev 02	25/02/2025
Air Quality Assessment (as amended)	Redmore Environmental, 7881r, 11/04/2024	Version 1	25/02/2025
Phase 1 Geo-environmental Report (as amended)	Haigh Huddleston and Associates, E24/8164/R001, March 2024		25/02/2025
Preliminary Ecological Appraisal	Whitcher Wildlife, 240227/1, 12/02/2025		15/08/2025
Biodiversity Metric	Whitcher Wildlife, 12/08/2025		15/08/2025
Biodiversity Metric Condition Assessment Sheets and Methodology	Whitcher Wildlife, 28/02/2024		15/08/2025
Arboricultural Survey and Impact Assessment (as amended)	Tree Care Consultancy, AIA-1932-1, 16/04/2024		25/02/2025
Rapid Health Impact Assessment (as amended)			25/02/2025
Climate Change Statement (as amended)			25/02/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Report Dated: 06/10/2025