



Kirklees Council
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Date: 27-Jan-2026
Our Ref: 2025/92961

Dear, Madam.

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge of details reserved by conditions 3 (C(E)MP), 4 (CEMP: Biodiversity), 5 (Air Quality Impact Assessment), 6 (Noise Impact Assessment), 7 (external facing materials), 8 (bin store), 9 (external facing materials), 10 (BEMP), 11 (invasive species protocol), 14 (noise management plan) on previous permission 2022/93932 for change of use of crown house to provide student-only living accommodation (sui generis) in the form of studios (198), with ancillary concierge and communal facilities including an open plan lounge, coffee bar and gym at ground floor, with laundry, car parking, cycle store, parcel store and plant rooms at basement level and associated works including the installation of new cladding and fenestration to the elevations with a new roof garden atop the building
Crown House, 12, Southgate, Huddersfield, HD1 1DE
Application Number: 2025/92961**

I write with reference to your application to discharge the conditions for the above development as submitted on 22-Oct-2025.

Overview

This decision letter concludes the following:

- Details approved: 4 (CEMP for Biodiversity), 5 (AQIA), 6 (Noise Impact Assessment), 11 (Invasive species) 14 (Noise Management Plan)
- Details not approved: 3 (CEMP), 7 (External materials for bin store), 8 (Fire safety strategy for bin store), 9 (Materials) and 10 (BEMP)

Please note a new Discharge of Condition application is required for any future submission in relation to Conditions 3, 9, and 10.

Regarding conditions 7 and 8, the submitted details directly contradict the requirement(s) of the conditions. It is beyond the remit and scope of a Discharge of Condition application to contradict or change the requirement of a condition. Therefore, for such details to be submitted, the conditions would need to be formally varied and/or removed via either a s73 or s96a submission (as appropriate).

Condition 3: CEMP

Pursuant to Condition 3, you have submitted:

- Construction Environmental Management Plan (reference: 25_505 CEMP)

The CEMP submitted fails to provide an adequate timetable for the construction works, as specifically required via the condition. As such, Officers are unaware of when the development is likely to begin and how long it would take to complete.

For these reasons, the information submitted does not adequately address all the requirements of Condition 3, and therefore this condition **cannot** be discharged at this time.

Condition 4: (CEMP: Biodiversity)

Pursuant to Condition 4, you have submitted:

- Construction Environmental Management Plan (Biodiversity) (reference 25_505)

Based on the information submitted, Officers are satisfied that the initial requirements of Condition 4 have been met and is hereby approved.

However, please be aware that Condition 4 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Condition 5: Air Quality Impact Assessment

Pursuant to Condition 5, you have submitted:

- Air Quality Assessment (reference: P9131-R1-V1)
- Transport Statement (reference: 757-01/TS01)

Based on the information provided, Officers are satisfied that the initial requirements of Condition 5 have been met and is hereby approved.

However, please be aware that Condition 5 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

The approved mitigation measures shall be implemented prior to the first occupation of the hereby approved development and shall thereafter be retained.

Condition 6: Noise Impact Assessment

Pursuant to Condition 6, you have submitted:

- Acoustic Design Strategy (reference: J005131-8042-CW-01)

Based on the information provided, Officers are satisfied that the initial requirements of Condition 6 have been met and is hereby approved.

However, please be aware that Condition 6 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Condition 7: External materials for bin store

Pursuant to Condition 7, you have submitted:

- Condition Discharge Information (dated October 2025)

The information submitted seeks to re-locate the external bin store by providing it within the building. However, that the condition explicitly relates to plans which show an external bin store, and therefore, Officers are unable to support the discharge of this condition as it fails to fulfil its requirements.

It is also considered to go beyond the remit of the Discharge of Condition process to deviate from the condition wording. If the re-location of the bin store is required, the applicant would need to submit a S73 application (Variation of Condition) or S96a (Non-Material Amendment) as appropriate.

For these reasons, Condition 7 **must** remain until further notice.

Condition 8: Fire safety strategy for bin store

Pursuant to Condition 8, you have submitted:

- Fire Plan – Lower Ground Floor (reference: P-1100 rev I01)
- Fire Plan – Ground Floor (reference: P-1101 rev I01)

- Fire Plan – 1st Floor (reference: P-1102 rev I01)
- Fire Plan – 2nd – 9th Floor (reference: P-1112 rev I01)
- Fire Plan – Roof (reference: P-1111 rev I01)

The information submitted seeks to re-locate the external bin store by providing it within the building. However, that the condition explicitly relates to plans which show an external bin store, and therefore, Officers are unable to recommend discharge of this condition as it fails to fulfil its requirements.

It is also considered to go beyond the remit of the Discharge of Condition process to deviate from the condition wording. If the re-location of the bin store is required, the applicant would need to submit a S73 application (Variation of Condition) or S96a (Non-Material Amendment) as appropriate.

For these reasons, Condition 8 **must** remain until further notice.

Condition 9: External facing materials

Pursuant to Condition 9, you have submitted:

- Materials samples (reference: P-7002 rev P01)
- Green roof and podium detail (reference: P-7001 rev P01)
- Windows and Brise-soleil details (reference: P-7000 rev P01)

The materials proposed for this prominent ring road site are not considered to be acceptable. As such, Condition 9 **must** remain at this time.

Samples of any future materials proposed should be provided as part of any future discharge of condition application, given this prominent and large building in such a sensitive site.

Condition 10: BEMP

Pursuant to Condition 10, you have submitted:

- Biodiversity Enhancement and Management Plan (reference: 25_505)

The BEMP fails to address the following information:

- The BEMP does not appear to include the BNG metric to outline how the 10% net gain in habitats is to be achieved post-development. The committee report for 2022/93932 outlines that part of the enhancement would be via the inclusion of a green roof to the ground floor podium roof, however this does not appear to be mentioned within the report.

- The report fails to fully address bullet point two - Extent and location/area of proposed enhancement works on appropriate scale maps and plans, including provisions for nesting birds, roosting bats, invertebrates, except from the perching Peregrine Falcon.

As such, Condition 10 **cannot** be discharged at this time.

Condition 11: Invasive species protocol

Pursuant to Condition 11, you have submitted:

- Invasive Non-Native Species (INNS) Protocol (reference: 25_505)

Based on the information provided, Officers are satisfied that the initial requirements of Condition 11 have been met and is hereby approved.

However, please be aware that Condition 11 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

Thereafter the development shall be undertaken in accordance with the approved scheme.

Condition 14: Noise management plan

Pursuant to Condition 14, you have submitted:

- Noise Management Plan – Non-Residential Spaces (reference: J005131-8238-CW-01)

Based on the information provided, Officers are satisfied that the initial requirements of Condition 14 have been met and is hereby approved.

However, please be aware that Condition 14 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

The approved noise management plan shall be implemented before use commences, reviewed periodically and retained thereafter.

Yours faithfully

Mathias Franklin
Head of Planning and Development