



Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England) Order
2015**

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2019/62/92587/E

To: Anthony Lupton,
Beckwith Design Associates Ltd
The Studio
53, Leeds Road
Bradford BD1 5AF

For: JOSEPH GRUNFELD, MMR CONSTRUCTION LTD

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-

ALTERATIONS AND PARTIAL DEMOLITION TO CONVERT EXISTING BUILDING TO FORM 65 RESIDENTIAL UNITS, INSTALLATION OF MEZZANINE FLOORS, ASSOCIATED LANDSCAPING WORKS (SOFT & HARD LANDSCAPING) AND CAR PARKING LAYOUT (WITHIN A CONSERVATION AREA)

At: WHEELWRIGHT CENTRE, BIRKDALE ROAD, DEWSBURY, WF13 4HG

In accordance with the plan(s) and applications submitted to the Council on 08-Aug-2019, subject to the condition(s) specified hereunder:-

1. The development hereby permitted shall be begun not later than three years from 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 so as to ensure the satisfactory appearance of the development on completion, in the interests of visual amenity, highway safety, the amenity of future residents and to accord with Policies LP24 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 16 of the National Planning Policy Framework.

3. Prior to the commencement of development (including demolition works, but excluding soft strip-out works), a schedule of all external windows, doors and their surrounds within the existing building as well as details of whether they are to be retained, refurbished or replaced shall be submitted to and approved in writing by the Local Planning Authority. In the event of any replacements, the schedule shall also include full details at a scale of 1:20 of the materials, design, window frame depths, glazing patterns and reveal depths as appropriate. The details so approved shall be implemented in full to the satisfaction of the Local Planning Authority prior to the first occupation of the development hereby approved, and shall thereafter be retained.

Reason: In the interests of visual amenity, to maintain the character and appearance of the Northfields Conservation Area, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 16 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure adequate information regarding existing historic fabric (and works to it) is provided at an appropriate stage of the development process.

4. Prior to the commencement of development, full details of a strategy for 'making good' exposed areas of stonework, revealed by alterations and/or demolitions shall be submitted to and approved in writing by the Local Planning Authority. This shall identify those areas that will be exposed and include details of the materials to be used in their 'making good'. Any replacement stonework to the external walls shall in all respects match that on the existing building in colour, texture and unit size. The development shall be implemented in full accordance with the approved strategy prior to the first occupation of the development.

Reason: In the interests of visual amenity, to maintain the character and appearance of the Northfields Conservation Area, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 16 of the National Planning Policy Framework.

This pre-commencement condition is required to secure the necessary measures prior to the demolition and construction phases to conserve the character and appearance of the Northfields Conservation Area.

5. No works to the rainwater goods shall commence until details of the repair and, where necessary, the replacement of rainwater goods have been submitted to and approved in writing by the Local Planning Authority. Where the rainwater goods are to be replaced, this shall include details of their location on the building and the materials to be used for their replacement. The rainwater goods shall be installed in accordance with the approved details and retained.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, in the interests of the significance of the heritage asset and to accord with Policies LP24 and LP35 of the Kirklees Local Plan as well as Chapter 12 and 16 of the National Planning Policy Framework.

6. Prior to works commencing on the construction of the sub-station, details and samples of all external materials to be used for the proposed substation shall be submitted to and

approved in writing by the Local Planning Authority. The substation shall then be constructed in accordance with the approved materials and thereafter retained.

Reason: In the interests of visual amenity, to maintain the character and appearance of the Northfields Conservation Area, and to accord with policies LP24 and LP35 of the Kirklees Local Plan.

7. Any replacement roof slate shall in all respects match that on the existing building in material, colour, texture and unit size.

Reason: To preserve the character and appearance of the existing building and the Northfields Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 16 of the National Planning Policy Framework.

8. No works to the roof shall commence until details of the conservation style roof lights to be installed have been submitted to and approved in writing by the Local Planning Authority. The roof lights shall be installed in accordance with the approved details and retained thereafter.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, in the interests of the significance of the heritage asset and to accord with Policies LP24 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 16 of the National Planning Policy Framework.

9. Prior to the commencement of development, a report specifying the measures to be taken to protect the development from (i) noise from road traffic,(ii) the nearby playing fields, (iii) existing on site plant and equipment, (iv) the proposed plant room and (v) the proposed gym shall be submitted to and approved in writing by the Local Planning Authority. The report shall:-

- a) Determine the existing noise climate
- b) Predict the noise climate in bedrooms (night-time) and other habitable rooms of the development
- c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required)
- d) Regard to the character and appearance of Northfields Conservation Area.

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.

Reason: In the interest of future occupant residential amenity in accordance with Policy LP24 of the Kirklees Local Plan LP24 as well as National Planning Policy Framework Chapters 12 and 15.

This is a pre-commencement condition to secure the necessary mitigation measures to create an environment that will protect the residential amenity of future occupants.

10. Prior to the laying out of the car park, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:-

- A Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each residential unit that has a dedicated parking space
- One Standard Electric Vehicle Charging Point for every 10 unallocated residential parking spaces

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

Reason: To ensure residents of the development are encouraged to use low carbon and more sustainable forms of transport and to mitigate the air quality impacts of the development in accordance with policies LP20, LP24, 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.

11. Before the installation of any external artificial lighting commences, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:-

- a) The proposed hours of operation of the lighting
- b) The location and specification of all of the luminaires
- c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
- d) The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity.
- e) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
- f) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.
- g) Regard to the character and appearance of Northfields Conservation Area

The external artificial lighting shall be installed prior to first occupation of the development hereby approved and operated thereafter in accordance with the approved scheme.

Reason: To satisfactorily protect the character and appearance of the area and the residential amenities of the future occupants of the buildings and the nearby occupiers, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

12. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either

- a) A Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or
- b) The Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works 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 Chapter 15 of the National Planning Policy Framework.

13. The development shall be completed in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement, reference Delta Simmons 19-0651.04. These shall be implemented and maintained throughout the construction phase.

Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policy LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

14. Prior to the commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These works shall include:

- (a) Means of enclosure around the site, including gates;
- (b) Landscape works at the access point with Birkdale Road;
- (c) Materials to be used for all hard surfaced areas including vehicle and other circulation areas;
- (d) Soft landscape works to include planting plans; plant schedules noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation, management and maintenance programme.
- (e) The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the local planning authority

Reason: To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

15. All ecological measures and/or works pertaining to bats shall be implemented in strict accordance with the recommendations set out at Section 4.0 of the Bat Mitigation Strategy, Delta-Simons Project No. 19-0651.06, dated October 2019.

Reason: To ensure appropriate mitigation and enhancement measures in respect of roosting and foraging bats are incorporated into the scheme in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

16. Prior to the commencement of development, details of storage and access for collection of wastes from the premises shall be submitted to and approved in writing by the Local Planning Authority. The works comprising the approved details shall be provided before occupation and shall be so retained thereafter free of obstructions and available for storage throughout the lifetime of the development.

Reason: In the interests of visual amenity and highway safety and to comply with the Council's sustainability objectives set out in Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

17. The site shall be developed with separate on site systems of drainage for foul and surface water.

Reason: In the interest of satisfactory and sustainable drainage in accordance with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

18. Development shall not commence until a scheme detailing foul, surface water and land drainage, (including but not limited to; off-site works, gullies and drainage channels, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned, evidence of existing drainage connection to offsite system, and percolation tests, where appropriate) has been submitted to and approved in writing by the Local Planning Authority. None of the dwellings shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and thereafter retained throughout the lifetime of the development.

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

This is a pre-commencement condition to ensure that drainage measures are designed and approved at an appropriate stage of the development process.

19. The development shall not commence until a detailed exceedance flow routing plan has been submitted to and approved in writing by the Local Planning Authority. The plan must take into consideration exceedance flows above the Design Event, flows originating from within and out of the site boundary and from the first point on the network to surcharge above ground level. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter throughout the lifetime of the development.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This is a pre-commencement condition to ensure that drainage measures are designed and approved at an appropriate stage of the development process.

20. The development shall not commence until a scheme, detailing temporary surface water drainage for the demolition and construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

The temporary works shall be implemented in accordance with the approved scheme and phasing and no phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system, approved pursuant to condition no. 18 is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: To ensure the provision of adequate temporary means of drainage, in the interests of amenity, environmental well-being and to accord with Policies LP24, LP27, LP28 and LP34 of the Kirklees Local Plan and Chapters 12 and 14 of the National Planning Policy Framework.

This is a pre-commencement condition to ensure appropriate measures to protect amenity and maintain highways safety at an appropriate stage of the development process.

21. Prior to occupation of the development hereby approved, details of the operation, maintenance and management of the future surface water drainage infrastructure shall be submitted to and approved in writing with the Local Planning Authority. Details shall include adoption proposals of any adoptable structures, as necessary. The development shall thereafter be operated, managed and maintained at all times for the lifetime of the development in accordance with the approved details.

Reason: To deliver effective sustainable drainage systems that will be operated, maintained and managed for the lifetime of the development that it will serve, in accordance with Policy LP28 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order) any gates or barriers for or over a vehicular access or egress shall be set back 11m from the back of the carriageway of Birkdale Road and shall be hung as to only open inwards. So long as such gates or barriers are in position, they shall be retained to only open inwards, thereafter.

Reason: In the interests of highway safety and to avoid the need for vehicles to wait in the highway in accordance with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

23. Prior to first occupation of any part of the development hereby approved, a detailed scheme for the necessary highway works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- (1) The removal of the "School" sign and pole from Halifax Road (located approximately 21m North West of the Halifax Rd/Birkdale Road junction) and the making good of the footway
- (2) The closure of the vehicular access on Halifax Road including the removal of right turn lane markings on Halifax Road adjacent to the pedestrian/cyclist access and the replacement with an agreed new scheme of markings to tie in with existing; the reinstatement of the footway and removal of any redundant footway crossings.
- (3) The re-marking of a Bus Box adjacent to the bus stop on Birkdale Road opposite the vehicle access (stop No 16277) in accordance with West Yorkshire Metro's design guidelines.
- (4) Re-alignment of kerblines at access on Birkdale Road to provide visibility splays of 2.4m x 43m, as shown for indicative purposes only on Drawing No.1905701, Dated July 2019.
- (5) A timescale for the implementation of the works.

The scheme shall include full sections, construction specifications, drainage works, street lighting, lining and signing, surface finishes and treatment of junction sight lines together with an independent Safety Audit covering all aspects of the work. The agreed works shall be implemented in accordance with the approved timescale required by (5).

Note; the discharge of this condition will require the Applicant to enter a S278 Agreement with the Highway Authority.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan as well as Chapter 9 of the National Planning Policy Framework.

24. The buildings shall not be occupied until the areas to be used by vehicles and/or pedestrians have been surfaced and drained in accordance with the approved details, as shown on Site Plan, Drawing No. 321/MMR-WK-01b in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan as well as Chapter 9 of the National Planning Policy Framework.

25. No part of the development shall be brought into use until cycle storage facilities have been provided in accordance with the approved details, as shown on Site Plan, Drawing No. 321/MMR-WK-01b and Proposed Bin and Cycle Stores, Drawing No. 321/MMR/P-10, dated June 2019. The approved facilities shall thereafter be retained.

Reason: To comply with the Council's sustainability objectives outlined in LP20 and LP22 of the Kirklees Local Plan, the Highways Design Guide Supplementary Planning Document, as well as Chapter 9 of the National Planning Policy Framework.

26. No part of the development shall be brought into use until a Car Park Management Plan has been submitted and approved in writing by the Local Planning Authority. The plan shall show how the car park and deliveries/servicing to the site shall be managed and controlled. This should include details of any barrier or gate controls, signing for visitor spaces, deliveries, including "out of hours" deliveries and how the need for delivery vehicles to wait on the highway will be minimised. Any changes or amendments to the Car Park Management Plan should be submitted to and approved in writing by the Local Planning Authority before the changes come in to operation. The plan so approved shall be implemented before the development is brought into use and retained thereafter.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP21 and LP24 of the Kirklees Local Plan, as well as Chapters 9 and 12 of the National Planning Policy Framework.

27. Within the first 3 months of any part of the development being brought into use, a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall consider walking, cycling and public transport access to/from the development from/to local shops and services. Details shall also include how the Travel Plan will be managed; the targets aimed at lowering car use, particularly single occupancy trips, from/to the site; its progress and how the Travel Plan and its objective of more sustainable travel will be promoted. The approved Travel Plan shall thereafter retained throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with the Council's sustainability objectives by providing opportunities for residents and visitors to use modes of sustainable travel and to reduce the need for car use, in accordance with Policy LP20 and LP21 of the Kirklees Local Plan, as well as Chapter 9 of the National Planning Policy Framework.

28. No development shall take place, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) Timetable of all works;
- b) Details of points of access for all construction traffic
- c) Pre-development road condition surveys of Birkdale Road and Halifax Road
- d) Vehicle sizes and routes, times of vehicle movements,
- e) Details and location of signage;
- f) The parking of vehicles of site operatives and visitors;
- g) Loading and unloading of plant and materials;
- h) Storage of plant and materials used in constructing the development;
- i) Wheel washing facilities within the site;
- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- l) Noise & vibration arising from all construction related activities to. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- m) Site manager and resident liaison officer contact details (including their remit and responsibilities)
- n) Artificial lighting used in connection with all construction related activities and security of the construction site.

o) Hours of working

The development shall be carried out strictly in accordance with the approved CMP and no change there from shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule, and timetable, of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.

Reason: In the interests of amenity and highway safety, to ensure the risk of flooding does not increase during the construction phase, to limit the siltation of any on-site surface water features, and to accord with policies LP21, LP24 and LP52 of the Kirklees Local Plan, as well as Chapters 9 and 12 of the National Planning Policy Framework.

This is a pre-commencement condition to ensure appropriate measures to protect amenity and maintain highways safety are agreed at an appropriate stage of the development process.

29. Prior to construction of the access point at Birkdale Drive, as shown on drawing no. 321MMR/P-11, details of the proposed removal, relocation (within the red line boundary) and method of re-erection of the stone gate pillar, shall be agreed with the Local Planning Authority. The stone gate pillar shall be re-erected in its new location prior to the final occupation of the development and retained thereafter. **Reason:** In the interests of visual amenity, to maintain the character and appearance of the Northfields Conservation Area, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 16 of the National Planning Policy Framework.

Footnotes

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 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.

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

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.

Basically, 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.

The installation must comply with all applicable electrical requirements in force at the time of installation.

The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the “Guidance Notes for the Reduction of Obtrusive Light” by the Institution of Lighting Professionals: 2011 www.theilp.org.uk. The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for an Environmental Zone E2.

All contamination reports shall be prepared in accordance with Model Procedures for the Management of Land Contamination – Contaminated Land report 11 (CLR11), National Planning Policy Framework (NPPF) and the Council’s Advice for Development documents or any subsequent revisions of those documents.

Plan Schedule

In support of the draft planning conditions a draft Plan schedule has been prepared:-

Plan/Document Type	Reference	Version	Date Received
Site Location Plan	321/MMR-WK-00b		13/5/2020
Topographical Survey	1284-102_2D (A0-2)		02/08/2019
Topographical Survey	1284-102_2D (A0-1)		02/08/2019
Existing Roof Plan	261-033		02/08/2019
Existing Ground Floor Plan	261-031		02/08/2019
Existing Lower Ground Floor Plan	261-032		02/08/2019
Existing Lower Ground Floor Plan	321MMR/P-15		02/08/2019
Existing Ground Floor Plan	321MMR/P-16		02/08/2019
Existing First Floor Plan	321MMR/P-17		02/08/2019
Kingfisher Lighting Plan	D37281/JB/C		29/10/2019
Elevations 1-3 (Existing)	1284-102_E (A0-2)		02/08/2019
Elevations 4-10 (Existing)	1284-102_E (A0-2)		02/08/2019
Elevations 11-16 & Birkdale Road Entrance (Existing)	1284-102_E (A0-3)		02/08/2019

Site Demolition Plan	321/MMR-WK-22		02/08/2019
Proposed Site Plan	321/MMR-WK-01b		16/10/2019
Site Location Plan (Proposed)	321/MMR-WK-00a		08/08/2019
Proposed Floorplans – Coloured Reference Plans Lower Ground Floor Sheet 1 of 3	321MMR/WK-19 Sheet 1		02/08/2019
Proposed Floorplans – Coloured Reference Plans Lower Ground Floor Sheet 2 of 3	321MMR/WK-19 Sheet 2		02/08/2019
Proposed Floor Plans – Coloured Reference Plans Ground Floor and Mezzanine Floor Sheet 3 of 3	321MMR/WK-19 Sheet 3		02/08/2019
Proposed Section	321/MMR-P-20		02/08/2019
Proposed Sub Station	321MMR/P-18		02/08/2019
Proposed External Door Details	321MMR/P-21		02/08/2019
Block A – Proposed Lower Ground Floor. Main Building	321MMR/P-02		02/08/2019
Block A – Proposed Ground Floor. Main Building	321MMR/P-03		02/08/2019
Block A – Proposed Ground Floor Mezzanine. Main Building	321MMR/P-04		02/08/2019
Block A – Proposed First Floor. Main Building	321MMR/P-05		02/08/2019
Block A – Proposed First Floor Mezzanine. Main Building	321MMR/P-06		02/08/2019
Block B – Demolished 60s Building	321MMR/P-07		02/08/2019
Block C – Proposed Lower Ground and Ground. 80s Building	321MMR/P-08		02/08/2019
Block C – Proposed First Floor. 80s Building	321MMR/P-09		02/08/2019
Proposed Bin & Cycle Store Enclosures	321MMR/P-10		02/08/2019
Proposed Main Entrance details	321MMR/P-11		02/08/2019

Proposed Elevations 1-3	321/MMR-P-12		02/08/2019
Proposed Elevations 4-10	321/MMR-P-13		02/08/2019
Proposed Elevations 11-16	321/MMR-P-14		02/08/2019
Velux top-hung roof window GPL single installation into natural slate	GPL-EDN-0114-1114		02/08/2019
Kingfisher Lighting Design	D37281/JB/C		02/08/2019
Management and Maintenance Plan (Landscape)	MR19-061/102		02/08/2019
Soft Landscape Specification	MR19-061/101		02/08/2019
Drainage Strategy	DS(00)01	C	08/04/2020
Proposed Site Drainage Plan	2841JCES(10)01	C	07/04/2020
MMR Group Brochure			22/1/2020
Planning Support Statement			22/11/2019
Bat Survey Report (August 2019)	19-0651.05		28/08/2019
Bat Mitigation Strategy (October 2019)	19-0651.06		29/10/2019
Basic Charge: EV Brochure			25/09/2019
Blocks A and B – accommodation Schedule		E	25/09/2019
Preliminary Geo-Environmental Risk Assessment	19-0651.02		10/09/2019
Built Heritage Statement (August 2019)			04/09/2019
BS 5837:2012 Arboricultural Survey	19-0651.04		02/08/2019
BS 5837:2012 Arboricultural Impact Assessment	19-0651.04		02/08/2019
Arboricultural Method Statement for Demolition, Enabling and Construction Phases of Work	19-0651.04		02/08/2019
Location of Surveyors	19-0651.05		02/08/2019

and Results of Dusk Emergence Survey (08/07/2019) Wheelwright Survey			
Section D - Kirklees Rapid Health Impact Assessment			02/08/2019
Travel Plan			02/08/2019
Statement of Community Engagement			02/08/2019
Noise Impact Assessment	NIA/8587/19/8520/v1/ Wheelwright Centre		02/08/2019
Design and Access Statement			02/08/2019
Car Park Management Plan			02/08/2019
Viability Assessment (MAW Consulting, 31/10/2019)			05/11/2019
Viability Appraisal (Rental Option) (MAW, 04/02/2020)			05/02/2020

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 Planning 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. During the course of the planning application additional information was provided to address consultee responses. A Planning Policy Statement was submitted to demonstrate the principle of residential conversion. A Bat Mitigation Strategy was submitted to ensure the scheme minimised the impact on biodiversity. A revised flood risk assessment was provided to ensure that the proposal did not have an adverse impact on drainage and flood risk. Two viability appraisals were submitted to demonstrate that the proposal would not be viable given the policy requirements requiring affordable housing, public open space, education and sustainable travel contributions. Therefore, the Local Planning Authority has positively and creatively worked with the applicant in determining this planning application in accordance with paragraph 38 of the National Planning Policy Framework.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "submitted to and approved in writing by the Local Planning Authority".
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Development within a Coal Mining Area

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present

and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate> . Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 17-Jun-2020

Signed:



Karl Battersby
Strategic Director Economy and Infrastructure

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search planning applications and decisions' and by searching for application number 2019/62/92587/E.

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Planning Services
Investment and Regeneration
PO Box B93
Civic Centre III
Off Market Street
Huddersfield
HD1 2JR
