



Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2007/62/94758/W2

To: ALASDAIR INGRAM
CHARTERED ARCHITECT
9 ST. HELEN'S GATE
ALMONDBURY
HUDDERSFIELD
HD4 6SD

For: REX DEVELOPMENTS 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:-

ERECTION OF 59 BED CARE HOME

At: LAND ADJACENT TO, LEPTON LIBERAL CLUB, WAKEFIELD ROAD, LEPTON,
HUDDERSFIELD

In accordance with the plan(s) and applications submitted to the Council on 15 November 2007, subject to the condition(s) specified hereunder:-

1. The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.
2. The development hereby permitted shall be carried out in complete accordance with the approved plans and specifications except as may be required by other conditions.
3. No development shall take place until a comprehensive scheme for landscaping treatment of the site prepared in accordance with the Local Planning Authority's Code of Practice Note 2 has been submitted to and approved in writing by the Local Planning Authority.

4. Any planting, seeding or tree management works forming part of the landscaping scheme referred to in Condition 3 shall be carried out during the first planting, seeding or management season following the commencement of development, or as otherwise may be agreed in writing by the Local Planning Authority, and shall be maintained for a period of five years from the completion of planting works. All specimens which die within this period shall be replaced.
5. Trees within or on the boundary of the site shall be neither felled, topped or lopped except with the prior written approval of the Local Planning Authority, nor shall they be damaged or killed by fire or by the application of toxic or injurious substances.
6. Before any materials are brought on site or development commences, the developer shall erect protective chestnut paling or similar fencing around all trees, shrubs or hedges to be retained, to the branch spread of individual trees or groups of trees/shrubs. The applicant shall obtain the Local Planning Authority's written confirmation that the fence is satisfactory and shall maintain such fencing unaltered until the development is completed. No work shall be carried out within the protected area except in accordance with the Local Planning Authority's Code of Practice Note 1.
7. The building shall be externally faced in natural stone with a pitch faced finish and laid in regular course depths.
8. No development shall take place until samples of all facing and roofing materials has been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.
9. The site shall be developed with separate systems of foul and surface water, on and off site.
10. No development shall take place until details of the proposed means of foul and surface water drainage, including details of any balancing works and off site works, have been submitted to and approved in writing by the Local Planning Authority.
11. Unless otherwise agreed in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development, prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to the completion of the approved foul drainage works.
12. Surface water from the vehicle parking and hard standings shall pass through an interceptor of adequate capacity prior to discharge into the public sewer. Roof drainage should not be passed through the interceptor.
13. Development shall not commence until a Remediation Strategy 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.
14. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to Condition 13. 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 works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the Local Planning Authority, 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.

15. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.
16. Before the development hereby approved is first occupied, the recommendations relating glazing/ventilation contained in the report from S&D Garritt Ltd August 2003 (ie conventional double glazing [4-16-4] to be installed in the windows of the proposed bedrooms in the care home. Non acoustic trickle vents to be installed in all habitable rooms of the development) shall be implemented and the work shall thereafter be retained.
17. No development shall take place until details of all proposed boundary treatments to the site have been submitted and approved by the Local Planning Authority. (These details to include any details and specifications of retaining structures). The approved details shall be implemented prior to occupation of any part of the building hereby approved.
18. Other than the works to construct the access, no development shall take place until works to construct the access shown on the approved plan have been completed and sight lines of 2.4x120m have been cleared of all obstructions to visibility exceeding 1m in height above the carriageway level. The access and sight lines shall thereafter be retained free from such obstruction.
19. Before the development is brought into use the existing access marked X on plan no 06.878/20/A1 shall be closed to all vehicular traffic (and any redundant footway crossings removed and footway reinstated) in accordance with the details that have been approved in writing by the Local Planning Authority. The access shall thereafter remain closed.
20. No other development shall take place until the access has been constructed to a vertical alignment that has first been agreed in writing by the Local Planning Authority.
21. No development shall take place until details of the new junction with Wakefield Road have been approved in writing by the Local Planning Authority. The development shall not be brought into use until the works to provide the junction have been completed in accordance with the approved details.

22. The areas to be used by vehicles including parking, loading and unloading areas shall be surfaced, sealed and drained before the development is occupied/brought into use and thereafter retained.

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions specified are:-

1. Pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Order 2004.
2. So as to ensure the satisfactory appearance of the development on completion.
- 3/4. In the interests of visual amenity and to comply with Policy D2 of the Unitary Development Plan.
- 5/6. To protect mature trees on neighbouring site in accordance with Policy NE9 of the Unitary Development Plan.
- 7/8. In the interest of visual amenity and to comply with Policy BE11 of the Unitary Development Plan.
- 9/12. To ensure the satisfactory drainage of the site in accordance with Policy D2 of the Unitary Development Plan.
- 13/15. To ensure the site is fit to receive new development in accordance with Policy G6 of the Unitary Development Plan.
16. To protect the residential amenities of the future occupiers of the site in accordance with Policy EP5 of the Unitary Development Plan.
17. In the interests of visual amenity and to comply with Policy D2 of the Unitary Development Plan.
- 18/22. In the interests of the free and safe use of the highway and to accord with Policy T10 of the Unitary Development Plan.

The decision to grant planning permission has been taken having regard to the policies and proposals in the Kirklees Unitary Development Plan set out below:

D2 - Unallocated LAND
NE9 - Retention of mature trees
BE11 - Materials
G6 - Land contamination
EP5 - Development near transport related noise
T10 - Highway safety

The reasons for granting planning permission can be summarised as follows:

The site comprises previously developed land. The development would have no detrimental affect on the visual amenities of the area nor any neighbouring properties and would not impact adversely on any highway safety issues. The development will not cause unacceptable harm to any protected trees on or adjacent to the site. The development has been designed to ensure that residents will not be adversely affected by existing/potential sources of noise.

There are no other material considerations which outweigh these findings.

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 Telephone: (01484) 221550 for more information.

Dated: 05 February 2008

Signed:



**Jonathan Barrett
Head of Service**

Address to which all communications should be sent:

Planning Service, PO Box B93, Civic Centre, Off Market Street, Huddersfield, HD1 2JR

IMPORTANT – YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

