



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2020/70/93910/W

To: Malcolm Sizer Planning Ltd
17, Kistvaen Gardens
Meltham
Holmfirth
HD9 5NQ

For: Bankgate (Lindley) 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:-**

**VARIATION CONDITION 9 (OPENING HOURS) ON PREVIOUS PERMISSION
2018/90081 FOR VARIATION CONDITION 2 (PLANS) ON PREVIOUS
PERMISSION 2016/93797 FOR CONVERSION AND EXTENSION OF
EXISTING BUILDING, INCLUDING PART DEMOLITION, TO FORM WEDDING
VENUE AND RESTAURANT WITH BEDROOMS, AND ANCILLARY CAR
PARK TOGETHER WITH COMMUNITY USE. (LISTED BUILDING) (MODIFIED
PROPOSAL)**

At: MANOR HOUSE LINDLEY, 1, LIDGET STREET, LINDLEY, HUDDERSFIELD,
HD3 3JB

**In accordance with the plan(s) and applications submitted to the Council on 17-
Nov-2020 [together with those plans and application(s) submitted to the Council
on 12-Jan-2018 and incorporated into planning permission 2018/90081 granted on
05-Mar-2018] and subject to the condition(s) specified hereunder:-**

Note: The applicant is advised that the below conditions were imposed by planning permission 2016/93797 and the subsequent variation of condition approved under application 2018/90081 (other than 9 which has been sought for variation as part of this application). They are hereby reproduced on this notice, to provide you with a complete record of all conditions, regardless of whether some may have already been discharged.

Where the details pursuant to the above conditions, in accordance with 2018/90081 corresponding original list of conditions, have already been submitted for discharge and approved, or part approved, by the Local Planning Authority, and where there is no change to the details required by that condition, a further discharge of condition application pursuant to this application's reference will not be necessary.

1. The development hereby permitted 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, and to accord with policy LP24 of the Kirklees Local Plan.

2. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

3. Before work commences on the formation of the roof terrace, details of any parasols or umbrellas to be installed permanently on the terrace shall be submitted to and approved in writing by the Local Planning Authority. No permanent parasols or umbrellas shall be attached to the terrace other than those approved, including at any time in the future.

Reason: To ensure that the development does not detract from the character and significance of the Grade II listed building and to accord with the aims of Policy LP35 of the Kirklees Local Plan and the National Planning Policy Framework – Conserving and enhancing the historic environment.

4. The development shall not be brought into use until sight lines of 2.4metres x 43 metres in which there shall be no obstruction to visibility 1.0m above the adjacent carriageway channel line as indicated on the approved plan B99C 01 Rev C have been completed. Thereafter, the sight lines shall be retained as such.

Reason: In the interests of Highway Safety and the formation of an acceptable access to serve the application site, and the adjacent approved housing site and in accordance with Policy LP21 of the Kirklees Local Plan, and Policies within the National Planning Policy Framework.

5. The improvements to the access shown on drawing B99C 01 Rev C shall be implemented in full accordance with approved details before the development is brought into use, and thereafter retained as such.

Reason: In the interests of Highway Safety and the formation of an acceptable access to serve the application site, and the adjacent approved housing site and in accordance with LP21 of the Kirklees Local Plan, and Policies within the National Planning Policy Framework.

6. Before the development is first brought into use all works which form part of the sound attenuation scheme as specified in the revised Noise Report dated 11th October 2016 produced by S & D Garritt Ltd:- I. shall be completed; and II. evidence submitted to prove that they have been installed shall be submitted to the Local Planning Authority. These works shall thereafter be retained.

Reason: In the interests of preventing loss of amenity to residential properties in the vicinity of the site by reason of noise disturbance, and to accord with Policy LP52 of the Kirklees Local Plan, and Chapter 11 of the National Planning Policy Framework.

7. Before the function rooms are first brought into use, details of a ventilation scheme to show how function rooms shall be ventilated without the need to open windows and doors shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before the development is first brought into use and thereafter retained.

Reason: In the interests of preventing loss of amenity to residential properties in the vicinity of the site by reason of noise disturbance, and to accord with Policy LP52 of the Kirklees Local Plan, and Chapter 11 of the National Planning Policy Framework.

8. All external doors and windows to rooms where regulated entertainment is provided shall remain closed during the course of the entertainment, and no loudspeaker used to relay singing, speech or amplified music shall be positioned on the premises in any external area including the proposed roof terrace.

Reason: In the interests of preventing loss of amenity to residential properties in the vicinity of the site by reason of noise disturbance, and to accord with Policy LP52 of the Kirklees Local Plan, and Chapter 11 of the National Planning Policy Framework.

9. The “bar and restaurant” use of the hereby approved development as shown on the approved floor plans and as detailed as the ‘Dining’ and ‘Bar/Dining’ area shall not be open to customers outside the hours of 06:00 to 00:00 Midnight, Monday to Thursday including Bank Holidays, and not be open to customers outside the hours of 06:00 to 02:00 Fridays to Sunday.

Reason: In the interests of preventing loss of amenity to residential properties in the vicinity of the site by reason of noise disturbance, and to accord with Policy LP52 of the Kirklees Local Plan, and Chapter 11 of the National Planning Policy Framework.

10. No patrons shall be permitted to use the roof terrace except between the hours of 0700 and 2130 on any day.

Reason: In the interests of preventing loss of amenity to residential properties in the vicinity of the site by reason of noise disturbance, and to accord with LP52 of the Kirklees Local Plan, and Chapter 11 of the National Planning Policy Framework.

11. Before the development is first brought into use, two artificial bat roost features shall be installed integral to the fabric of the building, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. These shall thereafter be retained.

Reason: In the interests of enhancing biodiversity and to accord with the requirements of Policy LP30 of the Kirklees Local Plan and Chapter 11 of the National Planning Policy Framework.

12. Before the development is first brought into use, three woodcrete starling nest boxes shall be erected on mature trees within the site. The boxes shall be erected at least 3 metres from the ground above a clear stem with no branching. These shall thereafter be retained.

Reason: In the interests of enhancing biodiversity and to accord with the requirements of Policy LP30 of the Kirklees Local Plan and Chapter 11 of the National Planning Policy Framework.

13. Notwithstanding the details on the submitted plan (0-) 05, a detailed landscaping plan including a full planting scheme and phasing for the proposed works shall be submitted to the Local Planning Authority within 3 months of the date of this permission and approved in writing. The development and the works comprising the approved scheme shall be implemented in accordance with the approved details and phasing, except that the car parking spaces shown on plan (0-) 05 shall be provided. The approved landscaping scheme shall, from its completion, be maintained for a period of five years, with the exception of the parking spaces and other areas to be used by vehicles which shall be retained as such at all times in the future. 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 its written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented in the interests of ensuring that the works conserve and enhance the setting of the Listed Building and biodiversity, to ensure that landscaping works are carried out at the construction phase of the development, to ensure satisfactory parking provision is retained in the interests of highway safety and to accord with the requirements of Policy LP30 of the Kirklees Local Plan, and the aims of Chapters 11 and 12 of the National Planning Policy Framework.

14. The development shall not be brought into use until all areas indicated to be used for parking on the submitted plan (0-)05 have been marked out, and laid out with a hardened and drained surface in accordance with the details shown in annotation on the plan. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for the use specified on the submitted plan (0-)05.

Reason: To ensure adequate space within the site for vehicle movements and parking in the interests of highway safety, to ensure that the development does not contribute to flood risk arising from additional water run-off, and to accord with the aims of Policy LP21, 22 and 28 of the Kirklees Local Plan and Chapter 10 of the National Planning Policy Framework.

15. Notwithstanding the arboricultural method statement 12111/SR dated 18th March 2015, an updated arboricultural method statement reflecting the amended parking layout as shown on plans (0-) 05 shall be submitted to and approved in writing by the Local Planning Authority before work commences on the construction of the parking spaces. Thereafter no works shall be carried out except in accordance with the approved method statement.

Reason: In the interests of the protection of mature and protected trees at the application site and to accord with the requirements of Policy LP33 of the Kirklees Local Plan, and Policies in Chapter 11 of the National Planning Policy Framework.

16. The drainage scheme for the disposal of foul and surface water shown on the approved plan 2013/38/06 Rev B shall be implemented in accordance with the details shown before the development is first brought into use and thereafter retained.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental well-being, to ensure that drainage arrangements are carried out at the construction phase of the development.

17. Before the development is brought into use all windows at first floor level in the northern side elevation of the development hereby approved have been fitted with obscure glazing, minimum grade 4. The obscure glazing shall be retained thereafter.

Reason: In the interests of the amenity of the occupiers of neighbouring properties and to prevent any detrimental overlooking from occurring and to accord with Policy LP24 of the Kirklees Local Plan, and Chapter 12 of the National Planning Policy Framework.

18. The scheme of boundary treatments shown on the approved plan 0010/01 and the details on drawing 0010/04 shall be implemented before the development is first brought into use and shall be retained thereafter.

Reason: In the interests of the amenity of the occupiers of neighbouring properties, the protection of the historic importance, visual appearance and setting of the Grade II Listed Building and to accord with Policy LP35 of the Kirklees Local Plan, and Chapter 12 of the National Planning Policy Framework.

19. The cycle parking facilities as shown on drawing BA 056 (0-) 05 and 0010/04 shall be provided before the development is first brought into use and thereafter retained.

Reason: To comply with the Council's sustainability objectives set out in Policy LP22 of the Kirklees local plan and Chapter 9 of the National Planning Policy Framework.

20. The measures contained within the submitted Travel Plan (reference 899E) shall be implemented in accordance with the approved timescale, except where the monitoring evidence demonstrates that a revised timescale/measures to achieve trip targets are necessary, in which case the revised details would be implemented.

Reason: To comply with the Council's sustainability objectives set out in Kirklees Policy LP20 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

21. The submitted lighting scheme, received 1st March 2018, shall be implemented prior to the development being brought into use and retained thereafter.

Reason: In the interests of ensuring that appropriate crime prevention measures are incorporated in the development and in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 8 of the National Planning Policy Framework.

22. The balustrading to the top of the roof terrace shall be given a matt black finish either before installation or before the roof terrace is first brought into use and thereafter retained as such.

Reason: In the interests of visual amenity, to ensure that the development does not detract from the character and significance of the Grade II listed building and to accord with the aims of Policies LP24 and 35 of the Kirklees Local Plan, and the National Planning Policy Framework – Conserving and enhancing the historic environment.

23. The external frames for the solar PV equipment hereby approved shall be factory colour coated or finished matt black prior to the installation of the panels on the roof and shall be retained as such thereafter.

Reason: In the interests of visual amenity, to ensure that the development does not detract from the character and significance of the Grade II listed building and to accord with the aims of Policies LP24 and 35 of the Kirklees Local Plan, and the National Planning Policy Framework – Conserving and enhancing the historic environment.

24. Before the development is brought into use a scheme of details for a site specific CCTV system to monitor all car parking areas, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the development being brought into use and retained thereafter.

Reason: In the interests of ensuring that appropriate crime prevention measures are incorporated in the development in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 8 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
<i>Plans and specifications schedule for latest application, 2020/93910</i>			
Application form			20-Nov-2020
Report of noise impact of extension of hours	S&D Garrett Ltd		31-May-2022
Report of sound validation measurements	S&D Garrett Ltd		31-May-2022
<i>Plans and specifications schedule for original permission, 2018/90081</i>			
Application form			12-Jan-2018
Location plan	2013/38/10		15-Nov-2016
Proposed drainage scheme	2013/38/06	B	23-Jan-2017
Plan showing proposed boundary treatments	0010/01		15-Nov-2016
Boundary treatment details	0010/04		15-Nov-2016
Proposed cellar plan	(0-) 00	B	12-Jan-2018
Proposed ground floor plan	(0-) 01	B	12-Jan-2018
Proposed first and second floor plans	(0-) 02	B	12-Jan-2018
Proposed elevations 1	(0-) 03	C	12-Jan-2018
Proposed elevations 2	(0-) 04	A	12-Jan-2018
Proposed site plan	(0-) 05		12-Jan-2018
Courtyard elevation A	A		12-Jan-2018
Courtyard elevation B	B		12-Jan-2018
Railing design sketches	QD-Sketch E1		12-Jan-2018
Proposed sections	C-C & D-D		12-Jan-2018
Plan view of glazed canopy over walkway in courtyard			12-Jan-2018
Transport Statement and Travel Plan Framework	899D		16-Nov-2016
Noise Impact Assessment revised 11th October 2016	S&D Garritt Ltd.		16-Nov-2016
Bat survey and report	11785b/DR		16-Nov-2016
Tree Survey	4845		16-Nov-2016
Access improvement details (PAH Highway Consultants)	B99C 01	C	16-Nov-2016
Planning statement			12-Jan-2018
Full travel plan	899E		01-Mar-2018
Proposed lighting plan	Proposed lighting		01-Mar-2018

Plan Type	Reference	Version	Date Received
<i>Plans and specifications schedule for latest application, 2020/93910</i>			
Application form			20-Nov-2020
Report of noise impact of extension of hours	S&D Garrett Ltd		31-May-2022
Report of sound validation measurements	S&D Garrett Ltd		31-May-2022
<i>Plans and specifications schedule for original permission, 2018/90081</i>			
	including isolines 20/02/2017		
Scheme of lighting positions on building	Liteideas		01-Mar-2018

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. The case officer requested additional supporting information, which was provided, and informed the decision.

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.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk/)

Where 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 refuse permission for the proposed development or 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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:
 - i) 28 days from the date of this notice where the enforcement notice has been served,
 - ii) 28 days of the date of service of the enforcement notice or,
 - iii) the specified period starting from 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/appeal-planning-decision>. 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: 11-Apr-2025

Signed:



David Shepherd
Executive Director for Place

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 and view existing planning applications and decisions' and by searching for application number 2020/70/93910/W .

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: Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
