

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS -
REGULATION 3 TOWN AND COUNTRY PLANNING GENERAL
REGULATIONS 1992 (AS AMENDED)**

Reference No: **2021/48/93190/E**

Site Address: 1-22, The Arcade, 14 & 16, Corporation Street, 23 & 25, Market Place, Dewsbury, WF13 1QG

Description: Alterations to the building and material change of use of units to flexible uses falling within Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public house/wine bar/drinking establishment (Listed Building within a Conservation Area)

Recommending Officer: Callum Harrison

DECISION – Full Permission – Grant under Regulation 3

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.

Victor Grayson

AUTHORISED OFFICER

Date: 04-Mar-2022

Officer Report

Site:

1-22, The Arcade, 14 & 16, Corporation Street, 23 & 25, Market Place, Dewsbury, WF13 1QG

Site Description:

The planning application relates to a shopping arcade built around 1899, known locally as 'The Arcade' and which has been closed since July 2016. The Arcade gently slopes downhill from north to south and its footprint measures approximately 800sqmm/0.08 ha. The Arcade once provided pedestrian-only access between Corporation Street to the north with Market Place to the south. It is located at the heart of Dewsbury Town Centre (Local Plan ID: TCB2). The immediate area is predominately defined by Victorian and Edwardian buildings, some of which are also Grade II listed and which house a mixture of shops and services or are vacant.

The Arcade is Grade II listed under several separate Grade II list entries and located within the Dewsbury Town Centre Conservation Area (Local Plan ID: CA29).

The shops on the northern and southern end of the arcade are both three storeys high with well detailed stone facades. The central arcade consists of small shop units which are one and two storeys high, on either side of a central arcade covered with a glazed roof on decorative cast iron frames.

In addition to the heritage designations, the council's GIS mapping system has also identified the Arcade as falling within the following layers:

- Flood Zones 2 and 3a
- Flood Plain Biodiversity Opportunity Zone
- Swift Nesting Area
- Secondary Shop Frontage (internal floors and Corporation Street frontage) (Local Plan ID: SSF40 and SSF41)
- Primary Shop Frontage (Market Place) (Local Plan ID: PSF20)
- Dewsbury Primary Shopping Area (Local Plan ID: PSA2)
- Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone (Local Plan ID: TS5)

Description of Proposal:

The proposal involves the refurbishment of 'The Arcade' with repairs to the building and restoration of the historic architectural fabric and detailing.

The proposal includes a material change of use of the existing units to flexible uses falling within the Town and Country Planning (Use Classes) Order 1987 (as amended) Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public

house/wine bar/drinking establishment (Listed Building within a Conservation Area)

As a part of this work, structural changes are proposed, both internally and externally, which require both Full Planning Permission and Listed Building Consent.

The proposal would be a car free development, relying on its accessibility to services and facilities within Dewsbury Town Centre.

History of Negotiations/Amendments Received:

Pre-application advice (reference: 2021/20269) was provided at a meeting held on 30/06/2021 and in a letter dated 07/07/2021.

Relevant Planning History:

87/00634 – Listed Building Consent for Refurbishment to include new lighting, shopfronts, signs and paving – Granted Conditionally

87/02848 – Listed Building Consent – Erection of roller grilles to each end of Arcade – Granted Conditionally

89/05673 – Listed Building Consent for non-illuminated fascia sign – Consent Granted

89/03767 – Change of Use – Shop to cafe/tea shop – Granted Conditionally

93/05429 – Listed Building Consent – Erection of roller grilles to each end of Arcade – Consent Granted

94/90445 – Erection of security grilles (Listed Building) – Conditional Full Permission

99/92970 – Listed Building Consent – Erection of sign (Within a Conservation Area) – Consent Refused

2000/93638 – Listed Building Consent for the erection of sign (Within a Conservation Area) – Consent Refused and Appeal Dismissed

2001/92780 – Listed Building Consent – Redecoration of shopfronts and ceiling, installation of anti-roost net and spikes and uplighters (Within a Conservation Area) - Withdrawn

2003/94369 – Listed Building Consent – Repainting, bird wiring system, netting, lighting, sound system and cleaning of stone floors (Within a Conservation Area) – Consent Granted

2003/95370 – Installation of New Shopfront (Listed Building Within a Conservation Area) – Conditional Full Permission

2003/95371 – Listed Building Consent – Installation of new shopfront (Within a Conservation Area) – Consent Granted

2004/90285 – Change of Use from photo shop to a cafe bar (Listed Building) (Within A Conservation Area) – Conditional Full Permission

2021/93191 – Listed Building Consent – Internal and external alterations (Within A Conservation Area) – Pending Consideration

Representations:

The application has been advertised via a site notice posted on 04/10/2021, a press notice published on 01/09/2021 and letters delivered to addresses abutting the application site. This is in line with the council's adopted Statement of Community Involvement. The end date for publicity was 22/09/2021.

Comments were received from a representative of the Dewsbury Chamber of Trade.

Consultation Responses (summary):

KC Environmental Health – no objections subject to conditions.

KC Policy – no objections subject to conditions.

KC LLFA – no objection.

KC Conservation and Design – no objections subject to conditions.

KC Highways – no objections.

West Yorkshire Archaeology Advisory Service – no objections subject to conditions.

West Yorkshire Police Designing Out Crime Officer – no objections

KC Fire Safety – no objections

Policy:

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 27th February 2019).

The site is unallocated for development but lies within the Dewsbury Primary Shopping Area occupying mostly secondary shop frontages as set out in the Kirklees Local Plan. The 'bookend' units addressed as 23 and 25 Market Place are set on the primary shop frontage. The site also lies within the Dewsbury Conservation Area and is Grade II listed and within close proximity to other Grade II listed buildings.

Kirklees Local Plan (LP):

LP 1 – Presumption in Favour of Sustainable Development

LP 2 – Place Shaping

LP 3 – Location of New Development

LP 7 – Efficient and Effective Use of Land and Buildings

LP 13 – Town Centre Uses

LP 16 – Food and Drink Uses and the Evening Economy

LP 18 – Dewsbury Town Centre

LP 20 – Sustainable Travel

LP 21 – Highways and Access

LP 22 – Parking

LP 24 – Design

LP 25 – Advertisements and Shop Fronts

LP 27 – Flood Risk

LP 28 – Drainage

LP 30 – Biodiversity and Geodiversity
LP 33 – Trees
LP 35 – Historic Environment
LP 43 – Waste Management Hierarchy
LP 48 – Community Facilities and Services
LP 51 – Protection and Improvement of Local Air Quality
LP 52 – Protection and Improvement of Environmental Quality
LP 53 – Contaminated and Unstable Land

Local Guidance:

Dewsbury Strategic Development Framework (2018)
Dewsbury Blueprint (2020)
Highway Design Guide SPD (2019)
Planning Applications Climate Change Guidance (2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Relevant chapters include:

Chapter 2 – Achieving Sustainable Development
Chapter 4 – Decision-Making
Chapter 6 – Building a Strong Competitive Economy
Chapter 7 – Ensuring the Vitality of Town Centres
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

Assessment:

The following matters are considered in the assessment below:

- 1) Principle of development
- 2) Design and impact upon historic environment
- 3) Impact on residential and neighbouring amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology (including bats)
- 6) Representations

7) Conclusion

1. Principle of Development

Refurbishment of The Arcade, and bringing it back into sustainable use, is very much welcomed in principle, given the site's prominence in Dewsbury. The Dewsbury Strategic Development Framework 2018 recognises The Arcade as an attractive building that is underutilised and as an opportunity to reopen and bring it back to use. It also lists it, along with other key town centre streets, as a focus and destination for retail activity. The principle of redeveloping The Arcade would also support the Dewsbury Blueprint which is a 10-year plan for the rejuvenation of Dewsbury Town Centre. The Dewsbury Blueprint seeks to honour the heritage of the town and build on recent investments. It aims to deliver a programme of development that will provide the Dewsbury community with improvements that will drive a greater footfall in the Town Centre. It includes a series of targeted acquisitions for development, which included the purchase of The Arcade in 2020.

The objectives of relevance include:

- Bringing more activity into the town centre;
- Improving accessibility;
- Developing a town centre that is fully utilised through increased housing and leisure provision, with a consolidated retail and commercial core; and
- Developing the area as a strategic employment location.

Under the Dewsbury Blueprint, The Arcade falls under the 'Shopper's town' key project area, where the council seeks to reconnect the retail areas by reopening The Arcade between Market Place and Corporation Street. It also seeks the redevelopment of The Arcade so that it can attract and retain a mix of retail, leisure and community facilities. Therefore the overarching principle of redeveloping the arcade is supported, however the principle and the exact manner to which it would be redeveloped must be assessed.

Local Plan Policy LP13 sets out a hierarchy of centres with Dewsbury being defined as a Principal Town Centre. Its role and function are to:

- Provide for the shopping needs (particularly for non-food goods) of residents across Kirklees.
- Be the main focus in Kirklees for the provision of financial and professional services, offices, entertainment, sport, leisure, arts, cultural and tourism facilities, further and higher education and health services.

In addition, policy LP18 regarding Dewsbury Town Centre states that *"The town centre will form the focus for retail provision for the north of the district, supported by other main town centre uses."* It also states that *"Proposals within the town centre will be supported where they retain and regenerate key historic features of the town centre such as pedestrian arcades"* and *"provide space for town centre residential living."*

As The Arcade is within Dewsbury Primary Shopping Area and a secondary shopping frontage alongside Corporation Street, with the Market Place “book end” units being on a primary shopping frontage, Local Plan policy LP14 (Shopping frontages) is also particularly relevant.

Primary shopping areas are where retail and other main town centre uses are focused. The policy states that *“Uses within Primary Shopping Areas will be expected to maintain or provide active ground floor uses. Retail uses within the above areas will be supported.”*

Within secondary shopping frontages, which all but two of The Arcade’s units are within, proposals for retail and other main town centre uses will be acceptable providing that they would not lead to a dominance of non-retail uses that would undermine the retail core and function of the Primary Shopping Area taking into account the nature of the proposed use and plans for the shop front. Dominance of non-retail uses is considered to be over 60% of units. The “bookend units” on Market Place are on a primary shopping frontage (23 and 25 Market Place) where retail should remain the predominant use which is over 60% of the units. Therefore, when considering the proposed use for the “bookend units,” due consideration needs to be given to the existing uses along this active street frontage in relation to Local Plan policy LP14.

Uses specified within Use Class E Commercial Business and Service are as follows:

- *“E(a) Display or retail sale of goods, other than hot food*
- *E(b) Sale of food and drink for consumption (mostly) on the premises*
- *E1 Provision of:*
 - I(c)(i) Financial services*
 - E(c)(ii) Professional services (other than health or medical services), or*
 - o E(c)(iii) Other appropriate services in a commercial, business or service locality*
- *E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or films)*
- *E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)*
- *E(f) Creche, day nursery or day centre (not including a residential use)*
- *E(g) Uses which can be carried out in a residential area without detriment to its amenity:*
 - o E(g)(i) Offices to carry out any operational or administrative functions,*
 - o E(g)(ii) Research and development of products or processes*
 - o E(g)(iii) Industrial processes”*

Not all the uses within use Class E set out above are main town centre uses as defined in the Local Plan and NPPF glossaries. The Local Plan definition is as follows:

“Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).”

The submitted Design and Access Statement provides detail on the proposed uses (page 39). It highlights the uses being applied for, with Corporation Street units 24, 26 and 30 providing 245 sqm flexible lettable space, Market Place units 1, 27, 29 providing 204 sqm flexible lettable space and Central Arcade units 2-16, 19-23, 25 and 28 providing 190 sqm flexible space comprised of shops, restaurants and cafes, financial, professional, business and commercial services, indoor sport, recreation or fitness and offices which are flexible within use class E (Commercial, Business and Service), and a public house/wine bar/drinking establishment which is sui generis.

All the potential uses proposed for the Corporation Street, Market Place and Central Arcade units as set out above are main town centre uses. Whilst Corporation Street and Central Arcade are secondary shopping frontages and Market Place a primary shopping frontage where retail should remain the predominant use, there is potential for these units to be occupied by shops. It is considered that the other potential main town centre uses for these units would support (and not undermine) the retail core, and with the proposal providing new shop fronts restored to original designs, active street frontages would be renewed and enhanced.

The applicant has proposed use class E(g)(iii) Industrial processes for first floor units 17 a, c, d and e and 18 a, c, d and e, described in the supporting information as studio space for small creative business/freelancers. Examples given of the types of uses it may include are Artist's studio, Photography studio, flower arrangement, fabric/textiles crafts and paper crafts. The examples given for the first floor units complement the main town centre uses proposed and would support the vibrancy of The Arcade and Dewsbury Town Centre through creative use, increased pedestrian footfall and linked trips.

The mix of retail and other main town centre uses proposed in this location particularly at ground floor level and the regeneration of the pedestrian arcade is supported. The proposal is in accordance with Local Plan policy LP13 and LP18. However, industrial processes although in use class E are not main town centre uses, and as such would not be supported if they were proposed to be on the ground floor and would be contrary to Local Plan policy LP14. The case officer agrees with the consultation response given by KC Policy, whereby they state a condition should prevent industrial processes (use class g (iii)) occupying ground floor units for the forementioned reasons. A condition is also required to limit which units can be used as drinking establishments for the same reason as well as in the interests of diverse uses and protecting retail in the town centre.

Subject to said conditions, the principle of development is considered acceptable in regard to principle, thus the proposal will now be subject to an assessment against other relevant policies in the plan, such as heritage and amenity. These matters are considered below.

2. Design and impact upon historic environment

The Arcade dates to the late 19th century and consists of three grade II listed buildings, 1-22 The Arcade, 14 and 16 Corporation Street and 23 and 25 Market Place (National Heritage List for England numbers 1134756, 1183500 and 1183688). Historic maps show that what is now the Market Place has been a focus for Dewsbury since at least 1600, when it is illustrated on Christopher Saxton's Map of Dewsbury, and likely represents a location settled since the medieval period and possibly since before the Norman Conquest when Dewsbury Minster was founded. By the time the arcade was built the Market Place was a busy commercial hub with a large number of inns, hotels and banks located in nearby buildings along with warehouses, mills and two railway stations. The Arcade employed grand entrances on the Market Place and Corporation Street (then New Bridge Street) linked by covering a narrow alley or yard that extended between them. Numbers 23 and 25 Market place predate the construction of The Arcade in c.1899 and this later 19th century building was given a new facade to provide a suitably grand southern entrance to The Arcade.

KC Conservation and Design and the West Yorkshire Archaeology Advisory Service have been consulted and support the proposal in principle. KC Conservation and Design state that the scheme will provide a sustainable use for this heritage asset and potentially create a vibrant space within the heart of the town centre and conservation area. The restoration of the building is fully supported, with its repairs to historic detailing and the reinstatement of missing details, along with new interventions which will enhance the significance and viability of the arcade and create a more accessible environment. It is accepted that some changes will be necessary to provide suitable access within the building, such as the insertion of new staircases and creating a level floor, and adapting shop units to provide first floor access, a meter room and accessible WC. The interventions have been sensitively designed to retain historic fabric as far as possible while ensuring that the building meets modern requirements. Many of the proposals enhance the building, and where there is a level of harm the alterations have been justified. The public benefits of bringing this vacant building back into a viable use, while restoring historic detailing and introducing enhancements, is considered to outweigh the less than substantial harm. This redevelopment would accord with Local Plan policy LP35 and Chapter 16 of the NPPF.

However, so as to ensure the works do not cause unnecessary harm, conditions regarding the submission of information relating to the following matters are required:

- Details of the proposed decorative gates and fanlights to each end of The Arcade, along with the central stairway gates. Details to include the design, colour and fixing methods.
- Accessible WC shop front alterations and details, showing the doorway and entrance floor alterations and new door. The top lights and transoms shall be retained.
- Details of hanging signage within the arcade.
- Colour scheme of the central arcade roof including metalwork and joinery.
- Details of the ventilation louvres in the rear upper floor sash windows.
- Details of the M&E installations and fittings, including service ducts, risers, radiators and lighting should be submitted to ensure that no damage occurs to important historic detailing (including decorative floor and wall finishes and external architectural details), and the character and significance of the building are maintained.
- Details of the proposed roof edge protection and perimeter details, including materials, design, scale and fixing methods, should be submitted to demonstrate that the visual impact has been kept to a minimum and no damage will be caused to the historic fabric.
- Trickle vent details for the sash windows.
- Details of how the decorative historic floor finish on the second floor will be conserved and retained.

These conditions are necessary to minimise damage to the historic fabric and ensure a high standard of design that respects the heritage asset so as to accord with Local Plan policies LP24 and LP35 and Chapters 12 and 16 of the NPPF.

Officers note that the West Yorkshire Archaeology Advisory Service Society have requested the carrying out of an archaeological and architectural observation and recording. This is due there currently being no information on archaeological survival below modern Dewsbury and the potential for medieval remains is unknown. For context, and as noted above, historic maps show that what is now the Market Place has been a focus for Dewsbury since at least 1600, when it is illustrated on Christopher Saxton's Map of Dewsbury, and likely represents a location settled since the medieval period and possibly since before the Norman Conquest when Dewsbury Minster was founded. By the time The Arcade was built the Market Place was a busy commercial hub with a large number of inns, hotels and banks located in nearby buildings along with warehouses, mills and two railway stations.

Given the potential archaeological value of the site, paragraph 205 of the NPPF is relevant. This paragraph which states that local authorities "*should require developers to record and advance understanding of significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted*". The Kirklees Local Plan reiterates this importance and makes provision for the retention and/or archaeological recording of heritage assets

in Policy LP35 where it sets out that “*the developer will be required to make adequate provision for excavation and recording before or during development*”. Given the extent and nature of works proposed, a detailed building record is not considered reasonable, having regard to the six tests for conditions. However, a condition requiring a programme of archaeological recording is appropriate and necessary to accord with said policy. In relation to the necessary and reasonable tests for this condition, this recording shall however only relate to the areas of groundworks and excavation as opposed to a detailed building record.

Given all the above, and subject to the conditions set out, the proposed development is considered to accord with Local Plan policies LP24 and LP35 and Chapters 12 and 16 of the NPPF with regard to design and heritage impact.

3. Impact on Residential and Neighbouring Amenity

Local Plan policy LP24 seeks to ensure a good standard of amenity for neighbouring occupiers. Local Plan policy LP52 seeks to protect and improve environmental quality from various matters including noise, which is also therefore relevant at this stage of the assessment. Chapters 12 and 15 of the NPPF echo this.

In this instance, the nearest existing noise-sensitive premises to the site are the flats above 19 Foundry St, the living accommodation of the Black Bull at 11 Market Place, the flats at 8 Corporation Street and 34 Market Place. These premises are all located with 18m of the application site.

By its nature (the works would essentially be refurbishment and a change of use), the scheme will not appear overbearing, would not overshadow or cause a loss of privacy to these properties. However, noise generation from the proposed development has the potential to materially harm the forementioned dwellings.

The applicant has submitted an Environmental Noise Assessment Report to assess the following potential noise sources. The report assumes mechanical plant may operate 24hrs a day, Class E uses may operate from 0800hrs to 2200hrs, and Drinking Establishment uses may operate from 1000hrs until 0000hrs. Based on the existing and proposed separating constructions noted in the noise report, it is expected that the proposed noise criteria outlined are achievable subject to noise break-out restrictions being applied to the commercial units.

The proposed Sui Generis (public house/wine bar/drinking establishment) commercial units and calculations indicate that the proposed external noise criteria at the closest residential facades and the internal noise criteria proposed for the commercial units adjacent to The Arcade’s bookend units are achievable with the separating constructions (assumed in section 5 of the report), subject to limiting the bar/restaurant units to the indicative entertainment noise levels as shown in table 8 of the noise report. It must be

noted that external entrance doors to these commercial units would need to remain closed except for access.

The submitted report only assesses the impacts from the drinking establishments as set out on the submitted floor plans. Given the flexible application, in theory, additional units could come forward for drinking use. As the impact of noise from other units has not been assessed, a condition is recommended to limit the units which would benefit from the drinking establishment use.

The proposed Class E commercial units and calculations indicate that the internal noise limit criteria proposed for the Class E commercial units are achievable with the separating constructions assumed in section 5, subject to the to the indicative noise limits as shown in table 9.

Regarding the cumulative noise resulting from all external plant associated with the development under normal operating conditions, the development is designed to achieve the indicative external noise emission limits presented in Table 10 of the noise report. The report notes that that the plant noise limits relate to the cumulative noise level from all external plant associated with The Arcade development. The development building service design will need to allow for the cumulative plant noise contribution of both landlord and tenant plant.

The findings of the report are accepted whereby it is considered that the development would not generate noise detrimental to the residential amenity of neighbouring development subject to conditions relating to: hours of use (customers, deliveries and dispatches); entertainment noise inaudibility; noise from fixed plant and equipment; and Construction Site Working Times.

There is also potential for lighting to impact on the amenity of neighbours and the street scene. A Lighting Report has been submitted in the Appendix of the Design and Access Statement. This report states luminance levels and design features of the proposed lighting as well as stating that a full DALI lighting control system is to be provided to control the illumination levels, resulting in energy savings. A photocell and timeclock would minimise the operational hours so that all exterior lighting would be switched off during hours of daylight and switched on at dusk. This is considered sufficient to safeguard the amenities of the occupiers of nearby properties in accordance with Local Plan policies LP24 and LP52. It is, however, recommended that a condition be applied to ensure that the works are carried out in full accordance with the submitting lighting report.

Given that there is the potential for cooking on site, pollution from odours, fats, oils, and grease may also impact on the amenity of the neighbouring uses and street scene in general. Given this, a condition is recommended requiring details of a kitchen ventilation extract scheme, as well as a scheme to prevent fats, oils, and grease from entering the drainage network. Subject to these conditions, the development accords with the forementioned national and local policy with regard to amenity.

For the reasons set out in full above, and subject to forementioned conditions, it is considered that the proposed development would ensure a good standard of amenity for neighbouring occupiers and would protect and improve environmental quality from all material matters in accordance with Local Plan policies LP24 and LP52 and Chapters 12 and 15 of the NPPF.

4. Impact on Highway Safety

This application is for alterations and a material change of use of a historic shopping arcade within the town centre of Dewsbury. KC Highways Development Management have been consulted.

The site has pedestrian accesses onto Corporation Street and Market Place. Corporation Street is a 30mph one-way single carriageway local access road of approximately 6.5m width with limited time loading only bays (8am – 6:30pm) and no waiting at any time, with no loading TRO markings.

Market Place is designated as a pedestrian zone with TROs in place where loading is allowed between 4pm and midnight and midnight and 10am. The vehicular access is along a one-way shared space running east to west and is approximately 6m in width with bollards to either side.

The site is located within the main retail area of the town centre and is approximately 350m from both the rail and bus stations with the closest bus stops on a high frequency route being within 70m.

The proposals are for a pedestrian access only into the building with all operational vehicular access being from the adjacent adopted highway.

No parking is to be provided with the development, however, the site is within easy reach of local town centre car parking and so this would not be a highways concern.

A site waste management strategy was provided with the application, however for the operational waste, the location of a collection point should be clearly shown on a drawing and details should be provided of how waste would be transferred from the individual units to the collection point and how they would be presented. The adopted pedestrian footways or highway should not be obstructed by refuse/recycling bins or bags on a collection day for safety reasons. With this a waste management plan is needed, clearly identifying the storage and collection points and details of who would have responsibility for managing this. It is recommended that this be conditioned.

A construction access management plan has not been submitted and it is recommended that this also be conditioned. This plan should indicate where contractor and delivery parking would take place, where and how deliveries would be made to site, where equipment and delivery storage would take place, where site and staff welfare facilities would be located and details of any barriered compounds or other traffic management in relation to adjacent

footways and the highway, so as to avoid obstruction and highway safety concerns in accordance with Local Plan policy LP21 and Chapters 12.

Subject to the conditions above and the forementioned reasons, the scheme would ensure the safe and efficient flow of traffic within the development and on the surrounding highway network and is considered to be compatible with highways standards and the needs of different users. The scheme is therefore considered to accord with Local Plan policies LP21 and LP24, and chapter 12 of the NPPF with regard to highway safety.

5. Other Matters

Contaminated Land

The development site is not shown as being potentially contaminated due to its former use and is not located close to any historic landfill sites. Some of the floors on the ground floor of The Arcade are to be lifted and re-laid, therefore there is the possibility for ground contamination to be encountered and a condition regarding unexpected contamination is considered necessary so as to accord with Local Plan policy LP53.

Carbon Budget

On 12th November 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. The site is in a sustainable location, with good access to bus and rail links which will promote the use of public transport by employees and customers. Electric vehicle recharging points are not applicable in this instance given the scheme does not include works to the highway.

Drainage

KC Lead Local Flood Authority were consulted, and stated that the proposed would not impact on the existing drainage arrangements. No drainage-related conditions are required. It is considered that the scheme accords with local and national drainage and flood risk policy.

Ecological considerations

A Bat Survey was submitted in support of the application. This included a desktop study and a site survey carried out in June and July 2021 (within the

recommended/optimal bat survey season). No evidence of a bat roost was recorded within The Arcade during the preliminary roost assessment on 24th June 2021 and no bats were observed emerging and/or re-entering the building during the dusk back-tracking survey on 30th June 2021 or dawn re-entry survey on 3rd July 2021. The author of the Bat Survey concluded that the survey information suggests there should be no significant concerns or constraints in relation to roosting bats in the proposals and there is no requirement for a relevant licence in respect of bats.

Consultants carrying out the Bat Survey also noted the presence of swifts in the town centre, however no evidence of these birds nesting in or using The Arcade was noted.

Given the above findings, the low likelihood of the site providing significant habitat, and in the absence of comments from KC Ecology to the contrary, it is considered that the proposed development is acceptable in relation to ecological considerations, Local Plan policy LP30, and chapter 15 of the NPPF.

Of note, all bird species are protected at their nest under the Wildlife and Countryside Act 1981. This protection already exists under that Act, and no condition related to nesting birds is considered necessary. If site works to these habitats are to be undertaken within the nesting season, an appropriately qualified ecologist would be required to undertake a site walkover to visually assess potentially suitable nesting habitat for active nests.

6. Representations

One representation was received from the Dewsbury Chamber of Trade regarding waste storage and collection. The concerns raised are noted, however given the above assessment and the recommended conditions, the development is considered acceptable in relation to this matter.

7. Conclusion

The site has an established commercial use and in this regard the principle of the proposed redevelopment is considered to be acceptable and would enhance Dewsbury Town Centre as well as being compatible with surrounding uses subject to conditions.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation:

Grant Conditional Full Permission

Report dated:

2nd March 2022

Conditions and Reasons

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

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. 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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP7, LP13, LP18, LP24 and LP35 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. Notwithstanding the plans hereby approved, only units 1, 2, 23, 24, 25, 26, 27, 28, 29 and 30 as shown on the submitted proposed floor plans (refs: 705-BDP-AD-00-PL-A-20001, 705-BDP-AD-01-PL-A-20001, 705-BDP-AD-02-PL-A-20001 and 705-BDP-AD-03-PL-A-20001) shall benefit from the hereby approved public house/wine bar/drinking establishment (Sui Generis) use.

Reason: As to ensure the vitality of the Dewsbury Town Centre by avoiding dominance of non-retail uses and to avoid material harm on neighbouring noise-sensitive premises as required by Local Plan policies LP13, LP18, LP24 and LP52 and Chapters 7, 12 and 15 of the National Planning Policy Framework.

4. Notwithstanding the plans hereby approved, the ground floor units shall not be occupied by uses falling within use Class E (G) iii (industrial process) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In the interests of ensuring and retaining a strong retail core in the designated town centre and primary/secondary shop frontages and to accord with Local Plan policy LP13 and Chapter 7 of the National Planning Policy Framework.

5. The use hereby permitted shall not be open to customers outside the hours of:

- Use Class E - 08:00 to 22:00 hrs everyday
- Public house/wine bar/drinking establishment (Sui Generis) use - 10:00 to 00:00 hrs everyday.

There shall be no deliveries to or dispatches from the premises outside these hours. No deliveries shall take place on Sundays or Bank Holidays.

Reason: To ensure that the proposed use(s) do(es) not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, 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.

6. Before food cooking commences details of the proposed kitchen extract re-circulation systems shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide the following information:

- Details of the amount and type of food that will be cooked;
- Details of the proposed methods of odour control;
- Details of the major components of the proposed re-circulation extract system;
- The noise mitigation measures that will be incorporated in the extract system and details of the likely resulting noise levels that will be caused by operation of the extract system, in particular how loud it will be at nearby noise sensitive locations; and
- The proposed ongoing maintenance schedule that will be carried out to ensure that the extract system continues to effectively control odours and not cause excessive noise.

Before food cooking commences the approved extract system shall be installed and thereafter retained and maintained in accordance with the approved details.

Reason: To ensure the proposed development does not cause harmful odour nuisance or pollution within either a public area or at neighbouring premises, in the interest of amenity, and to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

7. Before food cooking commences details for a scheme to prevent fats, oils, and grease entering the drainage network serving commercial food preparation and dish-washing areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first operation of the development and shall be retained 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 and environmental wellbeing, and to accord with Policies LP24 and LP28 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.

8. Where entertainment events take place more than once per week or continue beyond 23:00 hrs, entertainment noise (e.g. noise from amplified and non-amplified music, singing and speech) at the premises shall be controlled so as to be inaudible inside the nearest residential premises, inaudibility being defined as:

- if the external LAeq, (1min) (of the music etc. noise) at the façade of the nearest residential premises is not greater than the external LA90 (of the background with no music etc. noise) at the façade of the nearest residential premises, and
- if the external L10 (5min) (of the music etc. noise) at the façade of the nearest residential premises is not greater than the external L90 (of the background with no music etc. noise) in each 1/3rd octave band between 40Hz and 160Hz at the façade of the nearest residential premises.

Where entertainment events take place more than 30 times per year, not more than once in a single week and ends by 23:00 hrs, entertainment noise

(e.g. noise from amplified and non-amplified music, singing and speech) at the premises shall be controlled such that:

- the external LAeq, (1min) (of the music etc. noise) at the façade of the nearest residential premises does not exceed the external LA90 (of the background with no music etc. noise) by more than 5 dB at the façade of the nearest residential premises, and
- the external L10 (5min) (of the music etc. noise) at the façade of the nearest residential premises does not exceed the external L90 (of the background with no music etc. noise) by more than 5 dB in each 1/3rd octave band between 40Hz and 160Hz at the façade of the nearest residential premises.

Where entertainment events take place up to 30 times per year, suitable alternative external noise limits will be allowed based on the criteria set out in the 'Code of Practice on Environmental Noise Control at Concerts' (Noise Council, 1995).

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, and to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.

9. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time when measured at the window of any residential noise sensitive receptor, whereby "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, and to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

10. Any external artificial lighting shall be installed in accordance with the design intent provided in the Lighting Report in the Appendix of the Design and Access Statement by BDP (ref: 1705-BDP-AD-XX-RG-Z-00003) (dated: 9th August 2021). Prior to their installation, details of any additional external artificial lighting, not provided within the Lighting Report, shall be submitted to and approved in writing by the LPA. The installed external artificial lighting shall be operated thereafter in accordance with the approved scheme.

Reason: To safeguard the amenities of the occupiers of nearby properties and to promote sustainable development in accordance with chapters 2 and 15 of the NPPF and policies LP24 and LP52 of the Kirklees Local Plan.

11. In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during 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 two working days. Groundworks in the affected area shall not recommence until either:

- (a) a Remediation Strategy by a suitably competent person 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. No part of the site shall be brought into use until such time as that part of 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 the National Planning Policy Framework.

12. Construction related activities shall not take place outside the hours of:
07:30 to 18:30 hrs Mondays to Fridays
08:00 to 13:00 hrs, Saturdays

With no noisy activities on Sundays or Public Holidays

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with chapter 15 of the NPPF and policies LP24 and LP52 of the Local Plan.

13. Prior to their installation, details of suitable storage, bin presentation points and access for collection of wastes from the premises hereby approved 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: In the interests of amenity and highway safety and to meet the requirements set out in Local Plan Policy LP24 part d(vi).

This pre-commencement condition is required as waste storage and collection arrangements may impact upon layout matters which may be difficult to resolve retrospectively.

14. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the times of use of the access to the site, the numbers and size of vehicles expected to access the site, the routing of construction traffic to and from the site, construction worker and delivery parking facilities, the location of materials storage and site facilities and the location of any barriered outdoor compounds. Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Reason: As to ensure construction traffic does not cause harm to highway safety, and to ensure the safe use of the site at all time, in accordance with Local Plan policies LP21 and LP24 and chapters 9 and 12 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure construction management arrangements are devised and agreed at a suitable stage.

15. Prior to their installation, details (specification and plans) of the proposed decorative gates and fanlights to each end of the arcade, along with details of the central stairway gates (to include the design, colour and fixing methods), shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

16. Prior to their installation, details (specification and plans) of the Accessible WC shop front alterations, showing the doorway and entrance floor alterations and new door (the top lights and transoms shall be retained), shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

17. Prior to their installation, details (specification and plans) of the hanging signage within the arcade shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

18. Prior to installation, details (specification and plans) of the colour scheme of the central arcade roof including metalwork and joinery shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

19. Prior to their installation, details (specification and plans) of the ventilation louvres in the rear upper floor sash windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

20. Prior to their installation, details (specification and plans) of the M&E installations and fittings, including service ducts, risers, radiators and lighting, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To ensure that no damage occurs to important historic detailing, including decorative floor and wall finishes, to ensure external architectural details and the character and significance of the building are maintained, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

21. Prior to their installation, details (specification and plans) of the proposed roof edge protection and perimeter details, including materials, design, scale and fixing methods, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To demonstrate that the visual impact has been kept to a minimum and no damage will be caused to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

22. Prior to their installation, details (specification and plans) of the trickle vent details for the sash windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

23. Prior to installation, details (specification and plans) of the decorative historic floor finish on the second floor to be conserved and retained, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Local Plan policies LP24 and LP35 and chapters 12 and 16 of the NPPF.

24. No groundworks / excavations shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme archaeological recording. This recording shall only cover areas where groundworks or excavations are required. The written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority prior to commencement. The recording must then be carried out by an appropriately qualified and experienced archaeological consultant or organisation in complete accordance with the approved scheme of investigation.

Reason: To record and advance understanding of significance of heritage assets and to make adequate provision for excavation and recording before or during development in accordance with paragraph 205 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure archaeological recording is agreed at a suitable stage.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. 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: 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: Detailed advice is available in “Control of Odour and Noise from Commercial Kitchen Exhaust Systems” by EMAQ Sep 2018 which is an update of “Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems” by DEFRA 2005.

NOTE: It is recommended that prior to development commencing the applicant should contact the Food Safety Team of Environmental Services to arrange an advice visit to discuss food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 22100 (ask for food safety) or by email at food.safety@kirklees.gov.uk.

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Plan General	1705-BDP-AD-XX-RG-Z-00003_Design and Access Statement 54	1	28/09/2021
Proposed Elevations	1705-BDP-AD-XX-SE-A-20001 - Section AA proposed	1	11/08/2021
Proposed Elevations	705-BDP-AD-XX-EL-A-20004 - West Elevation	1	11/08/2021
Proposed Elevations	1705-BDP-AD-XX-EL-A-20003 - East Elevation	1	11/08/2021
Proposed Elevations	1705-BDP-AD-XX-EL-A-20002 - South Elevation	1	11/08/2021

Proposed Elevations	1705-BDP-AD-XX-EL-A-20001 - North Elevation	1	11/08/2021
Location Plan	1705-BDP-AD-SL-PL-Z-00001 - Site Location Plan	1	11/08/2021
Grouped Plans and Elevations	1705-BDP-AD-XX-SE-A-20002	1	11/08/2021
Existing Floor Plans	1705-BDP-AD-00-PL-Z-00001 - Existing Ground Floor Plan	1	11/08/2021
Existing Floor Plans	1705-BDP-AD-01-PL-Z-00001 - Existing First Floor Plan	1	11/08/2021
Existing Floor Plans	1705-BDP-AD-02-PL-Z-00001 - Existing Second Floor Plan	1	11/08/2021
Existing Floor Plans	- 1705-BDP-AD-B1-PL-Z-00001 - Existing Basement Plan	1	11/08/2021
Existing Floor Plans	1705-BDP-AD-03-PL-Z-00001 - Existing Third Floor Plan	1	11/08/2021
Existing Floor Plans	1705-BDP-AD-RF-PL-Z-00001 - Existing Roof Plan	1	11/08/2021
Proposed Floor Plans	1705-BDP-AD-03-PL-A-20001 - Third Floor GA Plan as Proposed	1	11/08/2021
Proposed Floor Plans	1705-BDP-AD-02-PL-A-20002 - Second Floor Removals Plan	1	11/08/2021
Proposed Floor Plans	1705-BDP-AD-02-PL-A-20001 - Second Floor GA Plan as Proposed	1	11/08/2021
Proposed Floor Plans	1705-BDP-AD-01-PL-A-20002 - First Floor Removals Plan	1	11/08/2021
Proposed Floor Plans	1705-BDP-AD-01-PL-A-20001 - First Floor GA Plan as Proposed	1	11/08/2021
Proposed Floor Plans	1705-BDP-AD-00-PL-A-20002 - Ground Floor Removals Plan	1	11/08/2021
Proposed Floor Plans	705-BDP-AD-00-PL-A-20001 - Ground Floor GA Plan as Proposed	1	11/08/2021
Proposed Floor Plans	1705-BDP-AD-RF-PL-A-20005 - Roof GA Plan as Proposed	1	11/08/2021

Proposed Floor Plans	1705-BDP-AD-RF-PL-A-20005 - Roof GA Plan as Proposed	1	11/08/2021
Proposed Floor Plans	1705-BDP-AD-03-PL-A-20002 - Third Floor Removals Plan	1	11/08/2021
Existing Site / Block Layout	1705-BDP-AD-SL-PL-Z-00002 - Site Plan as Existing	1	11/08/2021
Proposed Site / Block Layout	1705-BDP-AD-SL-PL-Z-00003 - Site Plan as Proposed	1	11/08/2021
Design and Access Statement	1705-BDP-AD-XX-RG-Z-00003_Designing and Access Statement Clients own	1	11/08/2021
Bat Survey	1705-BDP-AD-XX-RG-Y-00001 - Bat Survey	1	11/08/2021
General	1705-BDP-AD-ZZ-RG-M-57001 - Ventilation and Extract Statement	1	11/08/2021
General	1705-BDP-AD-ZZ-RG-J-00003 - Mechanical and Electrical supporting drawings	1	11/08/2021
General	1705-BDP-AD-ZZ-RG-J-00002 - Stage 3 Site Wide MEP Strategy	1	11/08/2021
General	1705-BDP-AD-XX-SG-Z-00001 - Site waste management statement	1	11/08/2021
General	1705-BDP-AD-XX-RG-J-08001 - Part L2B Statement	1	11/08/2021
General	1705-BDP-AD-XX-MS-Y-00001 - Climate Change Statement	1	11/08/2021
General	Flood Risk Assessment	1	12/08/2021
General	Environmental Noise Assessment Report	1	12/08/2021

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 has, 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. Pre-application advice (reference: 2021/20269) was provided at a meeting held on 30/06/2021 and in a letter dated 07/07/2021.

