**Planning (Listed Buildings and Conservation Areas) Act 1990**

**LISTED BUILDING CONSENT**

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**Application Number: 2021/65/93433/W**

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**To:** Andrew Coldwell,
Heppenstall Architects
Allisons Buildings
135, Armitage Road
Milnsbridge
Huddersfield
HD3 4JY

**For:** William Brooke Benevolent Fund

**The KIRKLEES COUNCIL hereby give notice that LISTED BUILDING CONSENT has been granted for the execution of the works referred to:-**

LISTED BUILDING CONSENT FOR CHANGE OF USE AND ALTERATIONS TO MILL BUILDING 29 TO FORM WELLNESS CENTRE (SUI GENERIS MIXED USE OF CLASS E(E) PROVISION OF HEALTH SERVICES AND F1(A) PROVISION OF EDUCATION) (LISTED BUILDING WITHIN A CONSERVATION AREA)

**At:** BROOKES MILL, ARMITAGE ROAD, ARMITAGE BRIDGE, HUDDERSFIELD, HD4 7NR

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**In accordance with the plan(s) and applications submitted to the Council on 27-Aug-2021 subject to the condition(s) specified hereunder:-**

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 Policy LP35 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The replacement windows shall be carried out in full accordance with the details submitted on drawings 4366 identified as quotation numbers 221616, 221617, 221618 and 221619 in relation to style, design and means of fitting. The window frames shall be timber with a white or off-white finish and shall be retained thereafter.
**Reason:** To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

4. Prior to the installation of solar panels and the heat pump units, in the event that these elements are implemented, full details of the fixing methods of the solar panels and heat pump units shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.
**Reason:** To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. Any patch repairs conducted to the external facing roof or wall shall be completed using matching stone slate for the roof and natural stone for the walls. All pointing shall be done in lime mortar and shall not strap pointed.
**Reason:** To preserve the significance, visual amenity, character and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

**Plans and Specifications Table:-**

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Location Plan | 4366-02-01a | 1 | 27/02/2023 |
| Existing Elevations and Sections | 4366-01-02 | 1 | 27/08/2021 |
| Existing Floor Plans | 4366-01-01a | 1 | 27/08/2021 |
| Existing Block Plan | 4366-02-02 | 1 | 27/08/2021 |
| Proposed Floor plans | 4366-07-01L | 4 | 20/04/2023 |
| Proposed Access Plan | 4366-07-02d | 2 | 24/02/2023 |
| Proposed Elevations | 4366-07-03a | 2 | 24/02/2023 |
| Proposed Wall Restraint | 4366-07-06d | 2 | 24/02/2023 |
| Proposed Wall restraint Details | 4366-07-07a | 2 | 24/02/2023 |
| Proposed Floor Strengthening Details | 4366-07-08 | 2 | 24/02/2023 |
| Proposed External Works | 366-07-10c | 2 | 24/02/2023 |
| Front Elevation Ground and First Floor Windows | 221629 | 1 | 31/03/2023 |
| Window Section | - | 1 | 31/03/2023 |
| Stair Windows | 221628 | 1 | 31/03/2023 |
| Back Elevation Windows | 221627 | 1 | 31/03/2023 |
| Front Elevation Second, Third and Fourth Floor Windows | 221626 | 1 | 31/03/2023 |
| Justification Statement | 4366 07 | 2 | 24/02/2023 |
| Structural Report | 366 07 | 2 | 24/02/2023 |
| Ecological Impact Assessment | AE22.172 | 2 | 03/02/2023 |
| Preliminary Ecological Appraisal | AE21.105 | 2 | 12/04/2022 |
| Tree Planting Scheme | 13328a/SR | 1 | 01/09/2021 |
| Arboricultural Impact Assessment | 13328/SR | 1 | 01/09/2021 |
| Heritage Statement | - | 1 | 27/08/2021 |

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. The applicant and local authority have worked with the agent to discuss matters relation to heritage, and biodiversity. Revisions have been made to the scheme based upon the applicant finding a tenant as well as additional information being submitted as per officer's request. The Authority have also worked closely with the agent to agree the trigger points of the conditions to be imposed. Additional information has also been received to address technical details of the works.

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

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

**Details Reserved by Condition**

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

**Development within a Coal Mining Area**

**The proposed development lies within 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 Coal Authority on 0345 762 6848.**

**Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority**

**Digital Infrastructure: Fibre To The Property (FTTP)**

**Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:**

- **Economic prosperity – workforces that are digitally-literate enables business to thrive.**
- **Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.**
- **New services – digital delivery can lower costs and provide innovative public and health services more conveniently.**

**It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speeder installation at a later date.**

**To discuss the benefits that FTTP may have for your development, please contact Carl Tinson in Kirklees Council's Digital Team at carl.tinson@kirklees.gov.uk**

**Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.**

**Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.**

**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**

**If the applicant is aggrieved by the decision of the Local Planning Authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he/she may, by notice served within six months of the date of issue of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20-21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. 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 has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Authority in regard to the proposed works are in progress.**

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

**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:** 21-Apr-2023

**Signed:**



**David Shepherd**
**Strategic Director Growth and Regeneration**

**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 2021/65/93433/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.

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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

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