

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2022/62/92094/E
Site Address:	Nelson Inn, 145, Slaithwaite Road, Thornhill Lees, Dewsbury, WF12 9DW
Description:	Demolition of public house and erection of education centre and prayer room
Recommending Officer:	Jennifer Booth

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation contained in the Heavy Woollen Planning Sub-Committee agenda and update dated 15 December 2022 along with the Committee Decision Authorisation sheet annexed below in respect of the above matter.

Julia Steadman

AUTHORISED OFFICER

Date: 19-12-2022

Decision Authorisation – Committee Decision

Committee: Heavy Woollen Sub Committee

Date of Committee: 15/12/2022

Application Number: 2022/92094

Officer Recommendation: DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report. Additional condition set out in the verbal presentation in relation to reporting of unexpected land contamination.

Committee Decision: Approve as per the officer recommendation set out above.

Conditions

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 LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The use of the site shall be limited to 15 students or 10 worshippers on site at any one time.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with LP21 of the Kirklees Local Plan.

4. The development shall not be brought into use until a Management Plan for the timings of classes and prayers and to include an attendance register and monitoring regime has been submitted to and approved in writing by the Local Planning Authority, the development shall then operate in accordance with the approved Management Plan.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with LP21 of the Kirklees Local Plan.

5. The development shall not be brought into use until the car park has been surfaced, marked out into bays and drained in accordance with details that have previously be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with LP21 of the Kirklees Local Plan.

6. Before the development is brought into use an electric vehicle charging point shall be installed and retained thereafter.

Reason: In the interest of encouraging the use of electric and low emission vehicles and to accord with LP24 of the Kirklees Local Plan.

7. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: So as to protect the development from any potential contaminated land and to comply with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

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

Plans and specifications schedule:

Plan Type	Ref	Web ID	Date Received
Location plan	LOC	938582	21/06/2022
Elevations	AR-01	938581	21/06/2022
Floor plans	AR-02	938580	21/06/2022

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.

Report Dated:

19/12/2022