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

PLANNING PERMISSION FOR DEVELOPMENT

NOTE: This approval should be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act 1990

Application Number: 2022/62/92097/W

To: Dawson Williamson Ltd
Hope Park Business Centre
Bradford
BD5 8HH

For: DONALDSON'S VETS LTD

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-

ERECTION OF TWO STOREY EXTENSION AND ALTERATIONS

At: THE VETERINARY HOSPITAL, 131, SOMERSET ROAD, ALMONDBURY, HUDDERSFIELD, HD5 8HN

In accordance with the plan(s) and applications submitted to the Council on 23-Jun-2022, 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 (as amended).

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 accord with Policies LP1, LP2, LP7, LP21, LP22, LP24, LP27, LP28, LP30, LP33, LP51, LP52, LP53 & LP61 of the Kirklees Local Plan, the Council's Highways Design Guide and policies within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework

3. The development hereby approved shall be constructed from the materials of construction and colour finishes detailed within submitted drawings 202Rev2 & 201Rev2. The development shall not be brought into use until the development has been completed in accordance with the materials of construction detailed upon submitted drawings 202Rev2 & 201Rev2. The materials of construction and colour finishes shall be thereafter retained for the lifetime of the development.
Reason: In the interests of visual amenity to accord with Policies LP11 & LP24 of the Kirklees Local Plan, Principle 13 of the Councils adopted Housebuilders Design Guide SPD and policies contained within Chapter 12 of the National Planning Policy Framework.

4. The development shall be undertaken in full accordance with the submitted document titled 'Construction Environmental Management Plan' ref: Rev B received 24th January 2024. All demolition, engineering and construction works must be undertaken in accordance with the submitted document titled 'Construction Environmental Management Plan' ref: Rev B received 24th January 2024 which must be fully implemented and adhered to throughout the construction phase of the development.
Reason: In the interests of amenity and highway safety, and to accord with policies LP21, LP22 and LP24 of the Kirklees Local Plan and policies within chapter 12 of the National Planning Policy Framework.

5. Within three months of the development hereby approved being brought into use the measures set out in the submitted travel plan dated 11th July 2023 (ref: 23030 issue no: 4) shall be implemented. The travel plan hereby approved shall thereafter be subject to monitoring and review as set out in section 10 of the travel plan.
Reason: In the interests of access and highway safety, to support the promotion of the use of sustainable modes of transport to accord with policies LP21 and LP22 of the Kirklees Local Plan and the Council's adopted Highway Design Guide.

6. The development shall not be brought into use until a lighting design strategy for biodiversity in relation to the site has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall:
a) identify those areas/features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the approved strategy and retained thereafter.
Reason: To prevent ecological harm in respect of direct impacts to bats and to accord with policy LP30 and the requirements of chapter 15 of the National Planning Policy Framework.

7. In the event that contamination not previously identified by the developer 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: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with LP53 of the Kirklees Local Plan and policies contained within Chapter 15 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan / Document Type	Reference	Version	Date Received
Application Form			22nd June 2022
Proposed Elevations	201Rev2		13th March 2023
Proposed Elevations	202Rev2		13th March 2023
Proposed First Floor Plan	111Rev1		23rd June 2022
Proposed Ground Floor Plan	110Rev1		23rd June 2022
Proposed Lower Ground Floor Plan	109Rev1		23rd June 2022
Existing Elevations	022Rev1		23rd June 2022
Existing Elevations	021Rev1		23rd June 2022
Existing first floor plan	011Rev1		23rd June 2022
Existing ground floor plan	010Rev1		23rd June 2022
Existing lower ground floor plan	009Rev1		23rd June 2022
Proposed site plan	101		22nd June 2022
Existing site plan	001		22nd June 2022
Travel Plan	23030 issue no: 4		18th July 2023

Plan / Document Type	Reference	Version	Date Received
Design and Access Statement			13th March 2023
Highways Technical Note	21045		14th October 2022
Highways Technical Note			22nd June 2022
Flood Risk Assessment			22nd June 2022
Construction Environmental Management Plan	RevB		24th January 2024

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.

Amendments were sought in relation to the design of the proposed development, with amendments submitted to address the concerns raised. Further information was submitted to address a recommended pre commencement condition with the further information considered to satisfy the requirements of the condition.

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.

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

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 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 relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:**

  i) 28 days of the date of service of the enforcement notice, or
  ii) within the specified period, starting on 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: 26-Feb-2024

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

http://www.kirklees.gov.uk/business/planning/planning.asp

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

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