

Statement of Case of the Local Planning Authority (Kirklees Council)

Statement dated 15th August 2023

Appeal ref: APP/Z4718/W/3324633

Application ref: 2022/92194

Site: Land adj. 21 Thomas Street, Lindley, Huddersfield, HD3 3JJ

Appellant: Muller Property Group

1. Introduction

- 1.1 The appeal site and its surroundings are described within the first page of the delegated officer report attached to the council's appeal questionnaire.
- 1.2 The planning history of the site is provided within the second and third pages of the same report, however further details of the site's planning history are provided in this Statement of Case where relevant. The decision notice relating to the recently approved outline application for the same site (ref. 2023/91344) is provided at Appendix 2 of this Statement of Case.
- 1.3 On 17/03/2023 Kirklees Council refused outline planning permission for the erection of a care home (use class C2) of up to 60 beds with associated access (ref: 2022/92194). The text of the reason for refusal reads:
 1. *The Council adopted the Kirklees Local Plan on 27 February 2019 for all planning purposes. The following policy statements are considered relevant to the proposed development:*

Kirklees Local Plan (February 2019)

Policy LP21 – Highways and access

National Planning Policy Framework (July 2021)

Chapter 9 – Promoting sustainable transport Paragraph 111

Highway Design Guide SPD (November 2019).

2. *The proposed development is considered not to be in accordance with the requirements of the Development Plan, and it has been concluded that there are no material considerations which would justify or outweigh the non-compliance with the relevant policies of the adopted Development Plan. It is the considered opinion of the Local Planning Authority that: The proposed site access arrangements do not provide a safe means of access to and from the site for all road users, including emergency and servicing/delivery vehicles, as the proposed visibility splays at the Brian Street site entrance would be significantly detrimentally affected by the prevalence of on-street parking. The servicing/delivery arrangements at the north of the site are inadequate given the requirement to cross an existing layby and full height kerb to access the*

site. No demonstrably feasible servicing/delivery access arrangements have been submitted which would not prejudice the free flow of traffic on the site's surrounding streets. Without the provision of safe visibility splays and the provision of on-street car parking mitigation measures on Brian Street and Thomas Street (such as waiting time restrictions) it is the considered view of Officers and Kirklees Council Highways Development Management (as the Local Highway Authority) that the proposal would lead to an unacceptable impact on highway safety and is therefore contrary to Policy LP21 of the adopted Kirklees Local Plan, Highway Design Guide Supplementary Planning Document, and National Planning Policy Framework (Chapter 9) Paragraph 111. Officers note the brownfield nature of this site and its previous uses and consider that the site could be developed with a safe means of access for all road users, however the applicant has been unwilling to amend the application in light of the technical consultee advice received for works which are necessary to make the proposed development acceptable in planning terms.

3. *There are no material considerations advanced in favour of the development that would outweigh the identified conflict with the Development Plan.*

- 1.4 That refused application is now the subject of this appeal.
- 1.5 The Appellant's Statement of Case contains 7 main sections. For the sake of avoiding unnecessary repetition, the Council will refrain from summarising or passing comment on sections 2 and 3 entitled "Factual Background" and "The Appeal Proposal". These are mainly concerned with matters of fact which will be reflected in the final Statement of Common Ground. Similarly, since the Statement of Case provides a detailed account of the policy context (section 4) it is considered that there would be no benefit in the case officer providing a list of all applicable Kirklees Local Plan policies, supplementary planning documents, or quoting at length from the NPPF.
- 1.6 Instead, this Statement of Case will proceed to the main matter in hand – demonstrating that the reasons for refusal are justified in planning terms, and examining and responding to the Appellant's counterarguments.
- 1.7 Section (2) of this Statement of Case will deal with the highway safety aspects of the proposal, upon which the reason for refusal is based. For the sake of convenience and brevity, the Council's observations on sub-section 5(C) – "other material considerations" and on the Appellant's section 7 – Overall assessment of the appeal proposals – will be amalgamated into one section, (3).
- 1.8 It is noted that in section 6 of their Statement of Case, the Appellant has responded at length to concerns raised by third parties which are in principle material planning issues but did not form part of the reason for refusal. Since the issues raised – trees, design and appearance, etc – are not clearly relevant to the matter in hand, which is to defend the highway-based grounds for refusal, the Council will refrain from passing comment on this section.

2. Reason for refusal (2)

- 2.1 This section will provide, where appropriate, further elaboration on the Council's reason for refusal (2) and will examine the arguments that have been made by the Appellant concerning this reason for refusal, in their Statement of Case. In doing so it will demonstrate that the proposal conflicts with the aims of Policy LP21 and Chapter 9 of the NPPF.
- 2.2 Chapter 9 of the NPPF and Local Plan policy LP21 are relevant.
- 2.3 Local Plan policy LP21 requires development proposals to demonstrate that they can be accessed effectively and safely by all users, and requires the submission of adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Of relevance to this appeal, it adds that all proposals shall:
- a) Ensure the safe and efficient flow of traffic within the development and on the surrounding highway network;
 - b) Where needed, provided new infrastructure or improvements on or off site to ensure safe access from the highway network for pedestrians, cyclists, public transport users and private vehicles;
 - c) Be accompanied by a supporting Transport Assessment or Transport Statement where the development would generate significant trip generation, providing detail as to the impact on highway safety;
 - e) Take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely;
 - f) Take into account access for emergency, service and refuse collection vehicles.
- (criteria d and g are of less relevance to this appeal).
- 2.4 Within Chapter 9, paragraph 110 of the NPPF states that, in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on highway safety can be cost-effectively mitigated to an acceptable degree. Paragraph 111 adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 2.5 The Council's highway-related grounds for refusing the application were expressed as a single reason for refusal, (2). The Appellant has however broken this down into different sub-headings: Site Access – Visibility; Access for Emergency and Service / Delivery Vehicles; Access for Waste Collection; Summary in Relation to Reason for Refusal 2. The Council's Statement of Case will consider these in turn.
- 2.6 *Site Access – Visibility:* The Council does not dispute the results of the Appellant's Automatic Traffic Count / speed survey. It is accepted that visibility splays commensurate with the recorded 85th Percentile speeds at the new Brian Street entrance would be 32.8m to the east and 30.3m to the west. It is also accepted

that to maintain such visibility splays would only be possible as long as there were no on-street car parking for 10m to the west of the site access and 13.5m to the east of the site access.

- 2.7 The Council does however take issue with the arguments advanced in paragraphs 5.18 to 5.24 that attempt to demonstrate either that parking within the visibility splays will not occur to any significant degree, or that if it does, it would have no significant impact upon highway safety.
- 2.8 It is not disputed that under the Highway Code (clause 243) a vehicle cannot legally be parked within 10m of any junction. "Junction" in this context should however be understood to mean the junction of two roads constituting the public highway, not the junction of the public highway with a private access point. A motorist choosing to park within 10m of the proposed access point, in such a way as to obstruct either the western or eastern visibility splay, would therefore not be committing an offence under highway law. Even if this interpretation (that of the Highway Officer who offered comments on the original application, and of the case officer) is incorrect, there is a very strong likelihood that this such informal parking would continue to occur following the formation of the new access. Parking within 10m of a junction or access point is a very common practice in urban areas where there is a high demand for on-street parking, such as in this part of Lindley, and is rarely enforced against. It is therefore expected that the visibility splays would frequently be obstructed by parked cars, and not only within the 3.5m stretch to the east of the site access referred to in paragraph 5.18. The only reliable way to prevent cars from parking within the visibility splay would be the enactment of a Traffic Regulation Order (see paragraphs 2.25-26 below).
- 2.9 The statement further goes on to claim that it is "very common in built-up areas and neighbourhoods for vehicles to park within the visibility splays of site accesses, and drivers naturally adjust their behaviour to account for such obstacles." Reference is made in paragraphs 5.19-20 to the Manual for Streets. This document acknowledges that at urban junctions that suffer from limited visibility owing to parked cars and other obstructions, "drivers of vehicles on the minor arm tend to nose out carefully until they can see oncoming traffic." It is a matter of common observation and experience that where the visibility splay is obstructed by a parked vehicle, emerging drivers will usually modify their behaviour accordingly. Motorists however cannot be relied upon to adopt this sort of precautionary behaviour all of the time, and any development that depends on the assumption they will do so is liable to give rise to an increased risk of accidents. If the proposal were for a very small-scale minor development that would only give rise to a few vehicular movements per day (such as a single dwelling house) then the increased risk of accidents arising from the impaired visibility caused by parked vehicles might be dismissed as insignificant. With the number of vehicle movements arising from the proposed use as estimated in the Section 7 of the Traffic Impact Assessment (5 arrivals, 5 departures in morning peak hour, 3 arrivals and 7 departures in the evening peak hour), planning officers are entirely justified in treating this as a substantial planning concern.
- 2.10 It is acknowledged that the site has previously been served by three vehicle access points that are narrower than the one now proposed (5.24) and that there

are no recent injury accidents associated with the site or on the local road network (5.23). But this proposal is for a use that is anticipated to be larger-scale and more intense than the previous use of the site as children's home, which ceased around 2002. The former development comprised single-storey buildings whereas the proposed care home is expected to be at least two-storey and have a greater cumulative footprint. It is therefore not unreasonable to adopt a working assumption that it would give rise to more vehicular movements than the previous uses of the site. Furthermore, it is not possible to say with confidence that a use that ceased more than 20 years ago and caused no reported highway safety problems, would be similarly unproblematic if it were carrying on at the present time, since during this period many factors may have changed – the number of vehicles on the local highway network, some aspects of driver behaviour, and so forth.

- 2.11 To conclude this sub-section, it is acknowledged by both parties that temporary obstructions to visibility at the Brian Street access would be liable to occur as a result of cars parking in the visibility splays. The Council disagrees concerning the extent to which this would occur, and more importantly does not accept that it would be inconsequential in highway safety terms.
- 2.12 *Access for emergency and service/delivery vehicles:* Sanderson Associates' drawing (appendix 5), showing swept paths for a minibus and ambulance is noted. On the basis of that drawing, it is not disputed that a minibus or ambulance, or an even larger vehicle if required, would be able to gain access and egress to the site via Brian Street in forward gear. This does not overcome the Council's concerns about visibility that form a key part of the reason for refusal.
- 2.13 It is noted that the care home would undertake its own laundry. If outsourced, delivery and collection of linen would add a further source of journeys to and from the site, but it is considered that this would not be very significant given the overall number of trips from other sources (staff vehicles, minibuses, etc).
- 2.14 In short, it is accepted that emergency and service vehicles using the Brian Street entrance would, in practical terms, be able to enter the site, turn, and leave in forward gear. The Council does not accept that such vehicles will be able to "safely enter and exit the site" because the Council's principal safety concern over the use of the Brian Street access, namely visibility, has not been overcome.
- 2.15 *Access for waste collection:* Kerbside collection would be undertaken from Thomas Street using a route from the bin store to Thomas Street via a dropped kerb. This route is not considered acceptable for reasons that will be elaborated on in paragraph 2.18 below. The Appellant's statement, paragraph 5.32, envisages that the refuse collection vehicle can wait in the layby on Thomas Street, if it is available for use. As previously noted, there is a very high demand for on-street parking in the local area. Online street-view images dating from the present year as far back as 2009 all show at least one vehicle parked in this layby, a situation that was also seen to exist on occasions when the case officer has visited the site. The likelihood of parking within the layby occurring may depend on the time of day, and refuse collections may be outside peak times of usage, but it would be unreasonable to assume that it will normally be free from obstruction.

- 2.16 The statement goes on to claim that if the layby is occupied, the refuse service vehicle can simply wait on the carriageway and that this is not problematic because there will still be room for another vehicle to pass. It is agreed that the carriageway width is such that if a refuse vehicle pulled up close to the kerb, a car would be able to pass it without difficulty – but only if there were no obstacles on the opposite side of the road. If a car were to be parked opposite the layby whilst the refuse vehicle were undertaking refuse collection, then in the time this operation took to complete, it would not be possible for a car to pass and traffic would be held up. It is noted that there are no waiting restrictions on the carriageway of Thomas Street, but only on the entrance driveway to Lindley Village Surgery, so there is nothing to stop cars parking on the northern side of Thomas Street close to, or directly opposite, the layby.
- 2.17 It is acknowledged that interruption to the free flow of traffic caused by refuse collection would be brief, and that to a degree this situation already occurs when collection is undertaken from existing residential properties on Thomas Street. The additional interruption to the flow of traffic arising from a commercial development of this scale – which paragraph 5.33 of the Appellant’s statement acknowledges may require servicing twice a week, with each collection taking more than one minute – would be greater than that which would result from, for example, a single new dwellinghouse. But it is considered on balance that the effect would only amount to a minor inconvenience to other road users and would not constitute a reason to refuse the application if all other aspects of servicing access were acceptable. This stance is consistent with the delegated officer’s report which states that roadside refuse collection impinging on the free flow of traffic would be “momentary and would not cause an unacceptable impact on highway safety.”
- 2.18 The key issue then is that the existing dropped crossing only provides access into the existing layby, which might be occupied by parked cars, and not direct to the carriageway of Thomas Street. It is noted that the pathway for refuse collection would only cross the chamfered entrance to the lay-by and not the main part of it, which would mean that the prospect of conflict with parked vehicles would be somewhat reduced. This arrangement might on balance be judged acceptable if only domestic sized wheeled bins were being taken out for collection. However, in a situation where refuse workers will have to drag large commercial-sized waste containers over this stretch of dropped kerb, the presence of parked cars on or close to the access route may make their task unacceptably onerous and hazardous. For example, if there were a car parked with its front bumper overhanging the chamfer, there could be serious difficulties in manoeuvring the container out on to the road whilst avoiding collision with that parked car, and also without making use of the full-height kerb. Indeed, more severe obstructions than this may occur. At the time of the case officer’s recent visit to the site, on 15th August 2023, a car was seen to be parked on the short stretch of pavement between the two laybys on Thomas Street with its front end overlying the chamfer so that the dropped kerb was completely obscured (photograph, Appendix 3).
- 2.19 The officers report speculates that the proposed route for refuse and waste collection could “likely” be made acceptable, by the creation of an additional dropped kerb. The key question is therefore whether the Appellant has addressed this point in their Statement of Case. Paragraph 5.30 of the Statement says that the site “will incorporate a level footpath and dropped kerbs to assist the

manoeuvre of refuse out of the site.” The annotated photograph, Figure 5.1 shows the waste collection pathway as a red arrow which still crosses the layby and is therefore unacceptable for the reasons set out above.

- 2.20 In the absence of evidence to the contrary, the Council accepts it is likely that refuse collection from the site was historically serviced from Thomas Street, and that there is no objective evidence that this caused significant problems regarding the safe or efficient use of the highway for other users. The previous use of the site however ceased roughly 20 years ago, and the site has since been cleared preventing any resumption of this historic use. It is considered therefore that no significant weight can be placed on this factor as a material consideration.
- 2.21 It is accepted that all matters are reserved except for access. Access should be understood to include methods of access for waste collection, although not necessarily the full details of the positioning, design and internal layout of waste storage and collection points. It is the Council’s view however that changes to internal layout, such as the precise siting of the bin store, would not overcome the concerns highlighted in the paragraphs above.
- 2.22 The approved Outline application 2023/91344 does not depend upon servicing access from Thomas Street. The plans show all servicing, including refuse collection, are to be undertaken from the new Brian Street entrance.
- 2.23 *Summary in Relation to Reason for Refusal 2.* The Council does not accept the assertions in paragraph 5.38-40 of the Appellant’s statement that the site can be accessed safely by all users, that the servicing arrangements are entirely appropriate for the use proposed, its location and historic context, all without any mitigation measures.
- 2.24 The development proposal in its present form is considered to conflict with the aims of paragraphs 110-111 of the NPPF, and those of LP21(a, b, e and f) of the Kirklees Local Plan.
- 2.25 Paragraph 55 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.
- 2.26 In other circumstances, the concerns over the access from Brian Street could be overcome through the use of a planning condition requiring measures to manage parking on Brian Street (i.e. the imposition of a Traffic Regulation Order), as was done on the subsequent, successful, outline application. In this instance it is considered that to allow this development subject to a condition requiring measures of this nature would serve no useful planning purpose. The Appellant’s position is that this is unnecessary and it is their wish to obtain a permission that does not require them to undertake such operations. For the Inspector’s assistance, the wording of Condition (5) is reproduced here. It is not however been incorporated into the list of conditions that the Local Planning Authority wishes to have imposed in the event of the appeal being upheld.

5. Prior to the commencement of development, a scheme detailing measures to manage parking on Brian Street to either side of the site access and all

associated works, together with appropriate Safety Audits, shall be submitted to and approved in writing by The Local Planning Authority. Unless otherwise agreed in writing no part of the scheme shall be brought into use until the approve scheme has been implemented.

Reason: In the interest of highways safety and achieve a satisfactory and safe layout in accordance with Policies LP1, LP2, LP21, LP24 of the Kirklees Local Plan, the Kirklees Highways Design Guide, and the aims of Chapter 9 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that highway safety would not be harmed by the development hereby approved.

- 2.27 It is also possible that the concerns about the servicing arrangements to the north of the site could be overcome, or at least significantly mitigated, by creating a new dropped kerb giving direct access to the highway, which could also be the subject of a condition. It would not be possible to guarantee that motorists would always refrain from parking their vehicles in such a way as to obstruct the new dropped kerb, but this possibility could be minimised through the use of signage. Since the Appellant has not indicated willingness to do this, it is the Council's assumption at the time of writing this Statement of Case that this is not a practical option.

3 Other material considerations.

- 3.1 Part 5(C) of the Appellant's Statement of Case sets out factors that are deemed to weigh in favour of granting planning permission.
- 3.2 It is acknowledged that that the proposal would (i) represent a reuse of previously-developed land which is unsightly in its present condition (ii) in a location which is sustainable in terms of its accessibility by a range of means of transport, (iii) that it would create jobs, (iv) that it would contribute towards an identified need for new care home accommodation (and might have the indirect effect of freeing bedroom space in existing dwelling houses).
- 3.3 It is not disputed that in isolation these are positive factors. In some circumstances, any of these factors – alone or in conjunction with each other – might amount to positive material considerations that would justify granting planning permission for a proposal that would otherwise be, on balance, unacceptable. This might be the case, for example, if Local Planning Authority concerns related to the appearance of the development, or to tree loss. The concerns in this case relate to highway safety. This may allow less flexibility because of the Council's duty of care to ensure the safety of highway users is not materially affected. To grant permission, on the strength of "other material considerations" for a proposal that it is believed will have a materially negative impact upon the safe use of the highway, without mitigating measures to overcome these effects, would be exceptional in planning terms.
- 3.4 The planning concerns set out in the reason for refusal can be grouped into two; firstly, the visibility at the Brian Street access, and secondly, the refuse collection arrangements off Thomas Street. The Council's position remains that the use of the primary entrance off Brian Street, without mitigation measures which the Appellant is reluctant to implement in the context of this application, would give

rise to a materially increased risk of road traffic accidents. The second area of concern is that the arrangements for refuse collection would present an unacceptable degree of inconvenience and safety risk to refuse workers, for the reasons set out in Section (2) of this Statement of Case.

- 3.5 In a situation where some aspects of the access or servicing arrangements were judged less than ideal but would only be likely to result in a minor inconvenience to future users or third parties, material conditions such as those set out above might be enough to tip the balance. The access arrangements in this instance are in this case considered so unsatisfactory (in the absence of mitigation measures) that the negative impacts of granting planning permission, as identified in the reason for the refusal, would not be outweighed by other material considerations.

4 Conditions

- 4.1 A list of recommended conditions (to be applied in the event that the appeal is allowed) is provided at Appendix 1 of this Statement of Case. These are in all essentials identical to those imposed on the approved application 2023/91344, save for condition (5), referred to in paragraph 2.26 of the Council's Statement of Case, which has been omitted. It is possible that these may form part of the Statement of Common Ground but at the time of writing the Appellant has not confirmed agreement to the conditions.

5 Conclusion

- 5.1 The Council's position is that the proposal remains unacceptable as it would be conflict with the aims of Policy LP21 of the Kirklees Local Plan and Chapter 9 of the NPPF and would cause demonstrable harm. The potential benefits of granting planning permission outlined within the Appellant's Statement of Case are not considered sufficient to outweigh the harm caused. In this instance it would not be practical or appropriate to use planning conditions to overcome or mitigate the planning concerns set out in the reason for refusal. The council's refusal of planning permission was, and remains, sound, and it is respectfully requested that the appeal be dismissed.

Appendices

Appendix 1 – Conditions that the Local Planning Authority would wish to see imposed in the event of the appeal being upheld.

Appendix 2 – Decision notice for application 2023/91344.

Appendix 3 – Photograph taken on Thomas St, 15th August 2023, showing a parked vehicle obstructing the intended refuse collection route.

Appendix 1 – Conditions that the Local Planning Authority would wish to see imposed in the event of the appeal being upheld.

1. Prior to the commencement of development, plans and particulars of the Reserved Matters relating to appearance, landscaping, layout and scale (hereinafter called the “Reserved Matters”) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the Reserved Matters so approved.

Reason: No details of the matters referred to having been submitted, they are reserved for the subsequent approval in writing of the Local Planning Authority.

This pre-commencement condition is necessary to ensure that Reserved Matters are approved at an appropriate stage of the development process.

2. All applications for approval of any Reserved Matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun either before the expiration of two years from the final approval of Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This permission is in outline only and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

4. 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, to ensure that the development is carried out only as approved by the Local Planning Authority, and in accordance with Policies LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan, the Kirklees Highways Design Guide, Kirklees Housebuilders Design Guide SPD and the aims of the National Planning Policy Framework.

5. No part of the development shall be brought into use until a Full Travel Plan for the site, has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include:

- Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets;
- The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring;
- The provision of travel Information;
- Implementation and review timescale;
- Enforcement, sanctions and corrective/review mechanisms.

The measures contained within the Travel Plan shall be implemented in accordance with the approved timescale, except where the monitoring evidence demonstrates that a

revised timescale/measures to achieve trip targets are necessary, in which case the revised details would be implemented.

Reason: To ensure future occupiers of the development are encouraged to use sustainable forms of transport and to mitigate the highway and air quality impacts of the development, in accordance with Policies LP20, LP21, LP51 and LP52 of the adopted Kirklees Local Plan.

6. Prior to the commencement of development (including demolition and ground works) a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include:

- A timetable of all works;
- Details of point(s) of access for construction traffic;
- Details of vehicle sizes and routes;
- Details of times of vehicle movements;
- Details of parking for construction workers;
- Details of signage;
- Pre-development road condition surveys; and
- Details of wheel washing facilities within the site

The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.

Reason: In the interests of amenity and highway safety, to ensure the risk of flooding does not increase during the construction phase, and to accord with Policies LP21 and LP52 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to protect amenity and maintain highways safety are agreed at an appropriate stage of the development process.

7. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise and vibration arising from all construction related activities (this shall also include suitable restrictions on the hours of working on the site including times of deliveries);
- Dust arising from all construction related activities, which should include measures to monitor and record the emissions of dust during construction; and
- Artificial lighting used in connection with all construction related activities and security of the construction site.

A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Planning Authority must be included. The agreed plan shall be adhered to throughout the construction of the development.

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

This pre-commencement condition is necessary to ensure appropriate measures to protect amenity are undertaken during the construction period.

8. Prior to the commencement of development a scheme detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- Detail phasing of the development and phasing of temporary drainage provision;
- Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and detail how flooding of adjacent land is prevented.

The scheme shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100%. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA. The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: In the interest of providing a satisfactory surface water drainage scheme which does not detrimentally impact on the site and surrounding area during the construction phase, in accordance with Policy LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This is pre-commencement to ensure detailed designs are available to enable implementation as part of the construction program.

9. Prior to the commencement of development, details of secure covered cycle parking 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 highways and cyclist safety and security as to achieve a satisfactory and safe layout, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate measures to protect amenity, maintain highways safety and ensure suitable bike storage can be provided prior to the layout being finalised and to avoid the provision being omitted or poorly retrofitted.

10. No part of the development shall be brought into use until the existing accesses from Brian Street to the east of the site frontage and the access onto Thomas Street have been permanently closed [and any redundant footway crossings removed, and the footway reinstated] and the new access has been constructed and brought into use in accordance with details that have previously been approved in writing by the Local Planning Authority.

Reason To avoid danger and inconvenience to highway users as well as to achieve a satisfactory and safe layout, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

11. Prior to the commencement of development, the sightlines from the Brian Street access of 2.4m x is 32.8m to the east and 30.3m to the west as shown on the Sanderson Associates Visibility at site access plan number 152986-001 Rev A shall be cleared of all obstructions to visibility exceeding 1m in height and these shall be retained free of any such obstruction.

Reason: To ensure adequate visibility in the interests of highway safety by means of securing a safe layout, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate measures to protect highway safety are undertaken prior to construction commencing.

12. Prior to the commencement of development, 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 well-being and to comply with LP44 of the Local Plan and Chapters 12 and 15 of the NPPF.

This pre-commencement condition is necessary to ensure measures to protect drainage infrastructure are agreed at an appropriate stage.

13. Prior to the commencement of development, a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rate of 5.0 l/s with the LLFA to the combined sewer, attenuation for the critical 1 in 100 + climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Reason: In the interest of providing a satisfactory surface water drainage scheme which does not detrimentally impact on the site or future occupiers, in accordance with Policy LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure drainage details are agreed at an appropriate stage.

14. Prior to the commencement of development, an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and elsewhere (both upstream and downstream of the development), shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.

Reason: In the interest of providing a satisfactory surface water drainage scheme which does not detrimentally impact on the site or future occupiers, in accordance with Policy

LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure detailed designs are available to enable implementation as part of the construction program.

15. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interests of satisfactory and sustainable drainage and so as to accord with Policies LP27, LP28 and LP34 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.

16. Any application for Reserved Matters shall be accompanied by an ecological design strategy (EDS) addressing the mitigation and enhancement detailed within the submitted PEA. The EDS shall be submitted to and agreed in writing by the local planning authority. The EDS shall include the following.

- Purpose and conservation objectives for the proposed ecological works;
- Location (shown on appropriate scale plans) of specific make and model, or design, of habitat boxes, such as bat boxes, bird boxes and hedgehog refuges (habitat boxes to be integral to new structures where appropriate);
- Details of how the design of boundary treatments will not obstruct the movement of hedgehogs;
- Planting schedule and planting plan showing the inclusion of native species of tree and shrub to be included within/at the boundary of the application area, and how this achieves the stated purpose; and
- Details of maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to ensure the development hereby permitted provides ecological enhancement measures sufficient to provide a biodiversity net gain in accordance with policy LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure detailed designs are available to enable implementation as part of the construction program.

17. Prior to the commencement of development, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These works shall include:

- Location and detailed design and layout of open space, site furniture and; maintenance responsibility the landscape design. This will include, where relevant, make, model and means of installation of proposed site furniture, habitat boxes, and/or detailed designs for these elements including bespoke habitat structures.
- Landscape works at the access points and at the boundaries etc;
- Materials to be used for all hard surfaced areas including linking paths to buildings, access points, vehicle and other circulation areas;
- Soft landscape works to include planting plans; plant schedules noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation, management, and maintenance programme;
- Landscape Management Plan required including details of initial aftercare and long-term maintenance for minimum of five years.

This should also include any SuDS features, existing trees and vegetation retained on site. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.

Reason: To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP33 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure detailed designs are available to enable implementation as part of the construction program.

18. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To prevent significant ecological harm in respect of direct impacts to birds, their eggs, nests and young and to accord with policy LP30 and the requirements of Chapter 15 of the National Planning Policy Framework.

19. All planted materials shall be maintained for five years, and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation. Reason: In the interests of the visual amenity and character of the surrounding area and to accord with Policy LP24 of the Kirklees Local Plan.

Reason: In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

20. Prior to materials being imported to the site associated with the erection of the care home, associated access and sub station, a strategy detailing the intended placement, the source, characterisation and the suitability of any imported material must be submitted to and approved in writing the Local Planning Authority. Testing to demonstrate suitability shall then be carried out in accordance with the approved strategy. Following importation and placement of the materials as described in the approved strategy, a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time until a Verification Report 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 paragraphs 183 and 184 of the National Planning Policy Framework.

21. In the event that contamination, or the presence of coal not previously identified in the approved Ground Investigation report by Georisk Management Limited, dated May 2022 (ref: 22052/1) prior to the grant of this planning permission is encountered during the development, all works 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. Works 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 Verification 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 Verification 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 paragraphs 183 and 184 of the National Planning Policy Framework.

22. Prior to the commencement of food cooking within the development, details of a kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide the following information:

- A risk assessment for odour which considers amount and type of food that would be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours;
- Based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours. The effective stack height (discharge height plus plume rise) must be high enough to ensure that adequate dilution takes place before the plume interacts with the nearest sensitive receptor;
- Details showing the proposed location of all the major components of the extract system;
- The noise mitigation measures that would be incorporated in the extract system and details of the likely resulting noise levels that would be caused by operation of the extract system, in particular how loud it would be at nearby noise sensitive locations; and
- The proposed ongoing maintenance schedule that would 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 pollution within either a public area or at neighbouring premises in the interest of amenity, 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.

23. Prior to first occupation, a scheme detailing the dedicated facilities that will be provided at the premise for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the requirements of the current West Yorkshire Low Emission Strategy (WYLES) document. The approved dedicated facilities for charging electric vehicles shall be installed prior to occupation and retained for use thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

24. Prior to the installation of external artificial lighting, details of a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following information:

- The proposed hours of operation of the lighting;
- The location and specification of all of the luminaires;
- The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated;
- The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site; and
- The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

No external artificial lighting shall be used unless the lighting has been installed and operated in accordance with the approved scheme.

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

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.

NOTE: Noisy construction related activities should not take place outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays Institute of Air Quality Management document "Guidance on the assessment of dust from demolition and construction" Version 1.1 2014 provides detailed information regarding dust control. 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: The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the "Guidance Note 01/21 for the Reduction of Obtrusive Light" by the Institution of Lighting Professionals: 2021 www.theilp.org.uk. The predicted

levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for the corresponding Environmental Zone (i.e. E0 to E4).

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation. The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

Appendix 2 – Decision notice for application 2023/91344.



Town and Country Planning Act 1990

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

OUTLINE PLANNING PERMISSION

Application Number: 2023/60/91344/W

To: Laura Beech,
Walsingham Planning
Brandon House
King Street
Knutsford
WA16 6DX

For: C R Muller, Muller Property Group

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:-

**OUTLINE APPLICATION FOR ERECTION OF CARE HOME (USE CLASS C2)
OF UP TO 60 BEDS WITH ASSOCIATED ACCESS AND SUB STATION**

At: LAND ADJ, 21, THOMAS STREET, LINDLEY, HUDDERSFIELD, HD3 3JJ

In accordance with the plan(s) and applications submitted to the Council on 05-May-2023, subject to the condition(s) specified hereunder:-

1. Prior to the commencement of development, plans and particulars of the Reserved Matters relating to appearance, landscaping, layout and scale (hereinafter called the "Reserved Matters") shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the Reserved Matters so approved.

Reason: No details of the matters referred to having been submitted, they are reserved for the subsequent approval in writing of the Local Planning Authority.

This pre-commencement condition is necessary to ensure that Reserved Matters are approved at an appropriate stage of the development process.

2. All applications for approval of any Reserved Matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun either before the expiration of two years from the final approval of Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This permission is in outline only and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

4. 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, to ensure that the development is carried out only as approved by the Local Planning Authority, and in accordance with Policies LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan, the Kirklees Highways Design Guide, Kirklees Housebuilders Design Guide SPD and the aims of the National Planning Policy Framework.

5. Prior to the commencement of development, a scheme detailing measures to manage parking on Brian Street to either side of the site access and all associated works, together with appropriate Safety Audits, shall be submitted to and approved in writing by The Local Planning Authority. Unless otherwise agreed in writing no part of the scheme shall be brought into use until the approve scheme has been implemented.

Reason: In the interest of highways safety and achieve a satisfactory and safe layout in accordance with Policies LP1, LP2, LP21, LP24 of the Kirklees Local Plan, the Kirklees Highways Design Guide, and the aims of Chapter 9 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that highway safety would not be harmed by the development hereby approved.

6. No part of the development shall be brought into use until a Full Travel Plan for the site, has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include:

- Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets;
- The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring;
- The provision of travel Information;
- Implementation and review timescale;
- Enforcement, sanctions and corrective/review mechanisms.

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

Reason: To ensure future occupiers of the development are encouraged to use sustainable forms of transport and to mitigate the highway and air quality impacts of the development, in accordance with Policies LP20, LP21, LP51 and LP52 of the adopted Kirklees Local Plan.

7. Prior to the commencement of development (including demolition and ground works) a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include:

- A timetable of all works;
- Details of point(s) of access for construction traffic;
- Details of vehicle sizes and routes;
- Details of times of vehicle movements;
- Details of parking for construction workers;
- Details of signage;
- Pre-development road condition surveys; and
- Details of wheel washing facilities within the site

The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.

Reason: In the interests of amenity and highway safety, to ensure the risk of flooding does not increase during the construction phase, and to accord with Policies LP21 and LP52 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to protect amenity and maintain highways safety are agreed at an appropriate stage of the development process.

8. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise and vibration arising from all construction related activities (this shall also include suitable restrictions on the hours of working on the site including times of deliveries);
- Dust arising from all construction related activities, which should include measures to monitor and record the emissions of dust during construction; and
- Artificial lighting used in connection with all construction related activities and security of the construction site.

A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Planning Authority must be included. The agreed plan shall be adhered to throughout the construction of the development.

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

This pre-commencement condition is necessary to ensure appropriate measures to protect amenity are undertaken during the construction period.

9. Prior to the commencement of development a scheme detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- Detail phasing of the development and phasing of temporary drainage provision;
- Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and detail how flooding of adjacent land is prevented.

The scheme shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100%. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA. The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: In the interest of providing a satisfactory surface water drainage scheme which does not detrimentally impact on the site and surrounding area during the construction phase, in accordance with Policy LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This is pre-commencement to ensure detailed designs are available to enable implementation as part of the construction program.

10. Prior to the commencement of development, details of secure covered cycle parking 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 highways and cyclist safety and security as to achieve a satisfactory and safe layout, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate measures to protect amenity, maintain highways safety and ensure suitable bike storage can be provided prior to the layout being finalised and to avoid the provision being omitted or poorly retrofitted.

11. No part of the development shall be brought into use until the existing accesses from Brian Street to the east of the site frontage and the access onto Thomas Street have been permanently closed [and any redundant footway crossings removed, and the footway reinstated] and the new access has been constructed and brought into use in accordance with details that have previously been approved in writing by the Local Planning Authority.

Reason To avoid danger and inconvenience to highway users as well as to achieve a satisfactory and safe layout, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

12. Prior to the commencement of development, the sightlines from the Brian Street access of 2.4m x is 32.8m to the east and 30.3m to the west as shown on the Sanderson Associates Visibility at site access plan number 152986-001 Rev A shall be cleared of all obstructions to visibility exceeding 1m in height and these shall be retained free of any such obstruction.

Reason: To ensure adequate visibility in the interests of highway safety by means of securing a safe layout, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate measures to protect highway safety are undertaken prior to construction commencing.

13. Prior to the commencement of development, 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 well-being and to comply with LP44 of the Local Plan and Chapters 12 and 15 of the NPPF.

This pre-commencement condition is necessary to ensure measures to protect drainage infrastructure are agreed at an appropriate stage.

14. Prior to the commencement of development, a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rate of 5.0 l/s with the LLFA to the combined sewer, attenuation for the critical 1 in 100 + climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Reason: In the interest of providing a satisfactory surface water drainage scheme which does not detrimentally impact on the site or future occupiers, in accordance with Policy LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure drainage details are agreed at an appropriate stage.

15. Prior to the commencement of development, an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and elsewhere (both upstream and downstream of the development), shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.

Reason: In the interest of providing a satisfactory surface water drainage scheme which does not detrimentally impact on the site or future occupiers, in accordance with Policy LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure detailed designs are available to enable implementation as part of the construction program.

16. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interests of satisfactory and sustainable drainage and so as to accord with Policies LP27, LP28 and LP34 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.

17. Any application for Reserved Matters shall be accompanied by an ecological design strategy (EDS) addressing the mitigation and enhancement detailed within the submitted PEA. The EDS shall be submitted to and agreed in writing by the local planning authority. The EDS shall include the following.

- Purpose and conservation objectives for the proposed ecological works;
- Location (shown on appropriate scale plans) of specific make and model, or design, of habitat boxes, such as bat boxes, bird boxes and hedgehog refuges (habitat boxes to be integral to new structures where appropriate);
- Details of how the design of boundary treatments will not obstruct the movement of hedgehogs;
- Planting schedule and planting plan showing the inclusion of native species of tree and shrub to be included within/at the boundary of the application area, and how this achieves the stated purpose; and
- Details of maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to ensure the development hereby permitted provides ecological enhancement measures sufficient to provide a biodiversity net gain in accordance with policy LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure detailed designs are available to enable implementation as part of the construction program.

18. Prior to the commencement of development, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These works shall include:

- Location and detailed design and layout of open space, site furniture and; maintenance responsibility the landscape design. This will include, where relevant, make, model and means of installation of proposed site furniture, habitat boxes, and/or detailed designs for these elements including bespoke habitat structures.
- Landscape works at the access points and at the boundaries etc;
- Materials to be used for all hard surfaced areas including linking paths to buildings, access points, vehicle and other circulation areas;
- Soft landscape works to include planting plans; plant schedules noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation, management, and maintenance programme;
- Landscape Management Plan required including details of initial aftercare and long-term maintenance for minimum of five years.

This should also include any SuDS features, existing trees and vegetation retained on site. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.

Reason: To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP33 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure detailed designs are available to enable implementation as part of the construction program.

19. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To prevent significant ecological harm in respect of direct impacts to birds, their eggs, nests and young and to accord with policy LP30 and the requirements of Chapter 15 of the National Planning Policy Framework.

20. All planted materials shall be maintained for five years, and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation. Reason: In the interests of the visual amenity and character of the surrounding area and to accord with Policy LP24 of the Kirklees Local Plan.

Reason: In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

21. Prior to materials being imported to the site associated with the erection of the care home, associated access and sub station, a strategy detailing the intended placement, the source, characterisation and the suitability of any imported material must be submitted to and approved in writing the Local Planning Authority. Testing to demonstrate suitability shall then be carried out in accordance with the approved strategy. Following importation and placement of the materials as described in the approved strategy, a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time until a Verification Report 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 paragraphs 183 and 184 of the National Planning Policy Framework.

22. In the event that contamination, or the presence of coal not previously identified in the approved Ground Investigation report by Georisk Management Limited, dated April 2023 (ref: 22052/1 – Revision 1) prior to the grant of this planning permission is encountered during the development, all works 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. Works 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 Verification 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 Verification 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 paragraphs 183 and 184 of the National Planning Policy Framework.

23. Prior to the commencement of food cooking within the development, details of a kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide the following information:

- A risk assessment for odour which considers amount and type of food that would be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours;
- Based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours. The effective stack height (discharge height plus plume rise) must be high enough to ensure that adequate dilution takes place before the plume interacts with the nearest sensitive receptor;
- Details showing the proposed location of all the major components of the extract system;
- The noise mitigation measures that would be incorporated in the extract system and details of the likely resulting noise levels that would be caused by operation of the extract system, in particular how loud it would be at nearby noise sensitive locations; and
- The proposed ongoing maintenance schedule that would 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 pollution within either a public area or at neighbouring premises in the interest of amenity, 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.

24. Prior to first occupation, a scheme detailing the dedicated facilities that will be provided at the premise for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the requirements of the current West Yorkshire Low Emission Strategy (WYLES) document. The approved dedicated facilities for charging electric vehicles shall be installed prior to occupation and retained for use thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

25. Prior to the installation of external artificial lighting, details of a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following information:

- The proposed hours of operation of the lighting;
- The location and specification of all of the luminaires;
- The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated;
- The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site; and
- The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

No external artificial lighting shall be used unless the lighting has been installed and operated in accordance with the approved scheme.

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

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.

NOTE: Noisy construction related activities should not take place outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays Institute of Air Quality Management document "Guidance on the assessment of dust from demolition and construction" Version 1.1 2014 provides detailed information regarding dust control. 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: The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the “Guidance Note 01/21 for the Reduction of Obtrusive Light” by the Institution of Lighting Professionals: 2021 www.theilp.org.uk. The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for the corresponding Environmental Zone (i.e. E0 to E4).

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation. The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

Plan Type	Reference	Version	Date Received
Site Location Plan	9-1	Rev A	09/05/2023
Proposed Site Plan (indicative)	9-2	Rev Q	09/05/2023
Proposed Ground Floor Plan (indicative)	H.21.81-(00) 1	1	09/05/2023
Proposed First Floor Plan (indicative)	H.21.81-(00) 2	1	09/05/2023
Illustrative Proposed Second Floor Plan (indicative)	H.21.81-(00) 3	1	16/05/2023

Illustrative Proposed Roof Plan (indicative)	H.21.81-(00) 4	1	16/05/2023
Arboricultural Impact Assessment	80-761-R1-5	1	09/05/2023
Design and Access Statement	-	C	09/05/2023
Care Home Need Assessment	-	-	09/05/2023
Preliminary Ecological Appraisal	BEK-22034-1	B	09/05/2023
Flood Risk Assessment	HYD710_THOMAS.ST REET_FRA&DMS	2.1	09/05/2023
Planning Statement	-	1	09/05/2023
Transport Assessment	152986-001	02	09/05/2023
Travel Plan	52986-002	02	09/05/2023
Level 1 Utility Study	-	2	09/05/2023

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 application is a re-submission of the previously refused application 2022/92194. Under that application, officers negotiated with the applicant regarding landscape character impacts, impacts upon TPO-protected trees, indicative layout, cycle and bin storage, highway safety, site access arrangements, and impacts of existing on-street car parking around the site.

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.

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](#). Alternatively the forms and supporting guidance for submitting an application can be found online at [Kirklees Council Planning Website](#).
- 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

If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them responsibly to avoid harm to the appearance of the local 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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:**
 - i) **28 days from the date of this notice where the enforcement notice has been served,**
 - ii) **28 days of the date of service of the enforcement notice or,**
 - iii) **the specified period starting from the date of this notice,**

whichever period expires earlier.
- **If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.**
- **The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.**
- **Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1**

6PN (Tel: 0303 444 5000) or at [the Planning Inspectorates website](#). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](#)

- 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: 02-Aug-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 [Kirklees Council Planning](#), and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2023/60/91344/W .

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

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

Appendix 3: Photograph taken on Thomas St, 15th August 2023, showing a parked vehicle obstructing the intended refuse collection route.

