Application Number	
Date Logged	
Receipt No	Fee Received
Card	Other
KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL
E-mail: planning.portal@kirklees.gov.uk **Tel:** 01484 414746

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 193

Suffix:

Property Name: Abc Childrens Day Nursery

Address Line 1: Newsome Road South

Address Line 2: Newsome

Address Line 3: Kirklees

Town/city: Huddersfield

Postcode: HD4 6JH

Description of site location must be completed if postcode is not known:

Easting (x): 414353

Northing (y): 414677

Description

Applicant Details

Name/Company

Title

ms

First name

Dianne

Surname

Bangali

Company Name

Address

Address line 1

65 Dean Brook Road

Address line 2

Netherthong

Address line 3

Town/City

HOLMFIRTH

County

Country

United Kingdom

Postcode

HD9 3UF

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

CHANGE OF USE FROM NURSING HOME TO CHILDRENS NURSERY WITH
ASSOCIATED PARKING
At: 193 Newsome Road South, Newsome, Huddersfield HD4 6JH

Application for the Removal/Variation of Conditions below
(5) Unless otherwise agreed in writing by the Local Planning Authority no more than 50 children shall be accommodated on the site at any one time.
(6) The premises shall be used as a Nursery (Class D1 b of the Schedule to the Town and Country Planning (Use Classes) Order 1987) and for no other purpose. (including any other purpose in Class D of the Schedule to the Town and Country Planning (Use Classes) Order 1987) (particularly retail sales).

Reference number

Planning Ref: 2001/62/90921/W3

Date of decision (date must be pre-application submission)

29/08/2001

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 5) and 6)

Has the development already started?

- [x] Yes
- [ ] No

If Yes, please state when the development was started (date must be pre-application submission)

25/03/2002

Has the development been completed?

- [x] Yes
- [ ] No

If Yes, please state when the development was completed (date must be pre-application submission)

16/08/2002

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

The original application was made following Ofsted registration rules at the time, stipulating the maximum number of children of a certain age to be cared for and a maximum number in a care room. To satisfy demand then, we had a care room for 12 babies under 12 mths, another for 12 under 24mths and another for 26 over 24mths.
Many changes in the local demographics and government legislation have affected the nursery since, including the increase in duration of paid maternity leave, the opening of the local Surestart centre and subsequent closing, the increase in our responsibilities regarding safeguarding and social care adding further to our running costs, along with the reduction in demand for full day care and the uptake in part-time funded sessions only since the pandemic, at a rate which does not cover our costs to deliver, in real terms.
Over the last twenty years we have had to adapt and change to remain sustainable, while providing the valuable level of care and support we provide to families in the local community.
In 2012 Ofsted removed the stipulation to register the maximum number of childen in a certain age group and per care room. Leaving it to the provision to decide the safe number within the EYFS Framework. Consequently, in 2013 we invested in the reconfiguration of our care rooms to provide more flexibility in our provision and to care for the larger proportion of over two year old's we had increasing demand for.
As the impact of the new NMW and utility bills tariff looms in April, we need to change again, to remain sustainable. We currently rent the Scout Hall for our After School Club, but some days we do not have enough children to justify the rent and the two staff required to keep children safe. Consequently, we would like our provision to be more flexible in the affordable care we offer, by increasing the maximum number of children we have on site and to use our Foundation Class Room in the nursery building on those days, when only a single member of staff would be required and we can't justify renting a large hall.
We currently have 17 car parking spaces, more than adequate for our current children numbers and more than provided by any other nursery of our size. We operate a 'Walking Bus' for our Out of School Club children and envisage minimum impact on neighbours.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Condition 5) to be changed from a maximum of 50 children to be accommodated on the site, to 62.
(This number can be adequately provided for following the Ofsted Framework and the ample safe parking already provided)

Condition 6) to be changed to be used as a Nursery & Out of School Club

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [ ] The agent
- [x] The applicant
- [ ] Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- [ ] Yes
- [x] No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- [x] Yes
- [ ] No

Is any of the land to which the application relates part of an Agricultural Holding?

- [ ] Yes
- [x] No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- [x] The Applicant
- [ ] The Agent

Title

ms

First Name

Dianne

Surname

Bangali

Declaration Date

16/01/2023

- [x] Declaration made

Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

- [x] I / We agree to the outlined declaration

Signed

Dianne Bangali

Date

16/01/2023