



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2023/62/91345/E

To: Lindsey Sproule,
Berrys
Beech House
Anchorage Avenue
Shrewsbury Business Park
Shrewsbury
SY2 6FG

For: MID YORKSHIRE HOSPITALS NHS TRUST

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

**ERECTION OF SINGLE STOREY BUILDING WITH ROOF TOP PLANT AREA
TO PROVIDE OUTPATIENT THEATRES, TREATMENT ROOMS AND
CONSULTANT ROOMS WITH LINK TO BOOTHROYD BUILDING, INCLUDING
DEMOLITION AND REMODELLING OF EXISTING RAMP AND ASSOCIATED
LANDSCAPING AND DRAINAGE**

At: DEWSBURY AND DISTRICT HOSPITAL, HALIFAX ROAD, DEWSBURY,
WF13 4HS

In accordance with the plan(s) and applications submitted to the Council on 16-May-2023, subject to the condition(s) specified hereunder:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. Prior to their use, details of all external facing materials, to include buff brick with vertically textured panels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.

Reason: In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the submitted plans, prior to works associated with the provision of hard and/or soft landscaping commencing, a landscaping strategy shall be submitted to, and approved in writing by, the Local Planning Authority. This should include:

- Details of materials to be used for all hard surfaced areas including linking paths, vehicle and other circulation areas;
- Planting plans; plant schedules noting species, plant sizes and proposed numbers/densities; and an implementation, management, and maintenance programme; and
- A Landscape Management Plan including details of initial aftercare and long-term maintenance for minimum of five years. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation. 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, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

5. Prior to development commencing, an Arboricultural Method Statement, in accordance with British BS 5837, shall be submitted to, and approved in writing by the Local Planning Authority. The method statement shall include details on how the construction work will be undertaken with minimal damage of the Birch tree (T2) identified in Tree Constraints Survey and Arboricultural Impact Assessment dated 28/03/2023 and its roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Reason: So as to protect to viability of the protected mature trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan. This is a pre-commencement condition, given the need for adequate consideration of mitigation measures (against harm to trees) prior to works commencing on site.

6. Before the development is first brought into use, the additional/compensatory car parking spaces and pedestrian footpath to be provided (unreferenced plan by the NHS Trust) shall be completed in accordance with the details shown on the approved plans and retained thereafter.

Reason: To maximise the efficiency of parking for staff and visitors to the site, in the interests of highway safety and to achieve a satisfactory layout, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

7. Before the development is first brought into use, turning facilities at the proposed drop-off point shall be provided in accordance with drawing 0700 rev P04 hereby approved. The turning facilities shall thereafter be made available for use at all times by vehicles and shall be kept free from obstruction for the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

8. The construction arrangements shall be carried out in complete accordance with drawing A-1170 Rev P2 Site Logistics Plan, hereby approved, throughout the period of construction.

Reason: Due to the nature of the site and local road network, so as to ensure adequate arrangements are approved which allow heavy vehicles to safely access the site, in the interest of the safe and efficient operation of the highway in accordance with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition, given the need to ensure safe access to the site and on-site arrangements, prior to construction traffic attending the site.

9. Development shall be carried out in strict accordance with the Construction Environmental Management Plan, reference 180598 hereby approved for the full period of construction.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.

10. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

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 how flooding of adjacent land is prevented.

The strategy 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: To ensure the effective disposal of surface water from the development (including its internal roads) so as to avoid an increase in flood risk and so as to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure adequate temporary drainage is agreed and implemented before works commence.

11. Before the building is first brought into use, the drainage strategy as detailed in the hereby approved documents 10060-D4S-XX-XX-DR-C-1000 (Sheet 1) P5 (dated 21/09/2023), 10060-D4S-XX-XX-DR-C-1010 (Sheet 2) P5 (dated 21/09/2023) and 10060-D4S-XX-XX-DR-C-1020 (Sheet 3) P2 (dated 21/09/2023) shall be implemented and made operational. Thereafter the drainage system shall be retained in accordance with approved scheme.

Reason: ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental wellbeing, in accordance with Policy LP28 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.

12. Before the building is first brought into use, a management and maintenance scheme for the drainage strategy hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The drainage system shall thereafter be operated in accordance with the approved management and maintenance scheme.

Reason: To deliver effective sustainable drainage systems that will be operated, maintained and managed for the lifetime of the development that it will serve, in accordance with Policy LP28 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.

13. Prior to the hereby approved development being brought into use, a scheme detailing the dedicated facilities that will be provided 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 at least the following minimum standard for numbers and power output:

- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces.

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained 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 and Chapters 2, 9 and 15 of the National Planning Policy Framework.

14. No site clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the site for active birds' nests immediately before the site 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 LP 30 of the Kirklees Local Plan and the requirements of Chapter 15 of the National Planning Policy Framework.

15. Prior to the commencement of superstructure works, a plan detailing the positioning, location and specification of a bat box (Schwegler 3FE Bat Box or similar) and one Swift nesting box shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented before the building is first brought into use and retained thereafter.

Reason: To provide an enhancement to biodiversity in line with policy LP 30 of the Kirklees Local Plan and the requirements of Chapter 15 of the National Planning Policy Framework.

16. Where site remediation is recommended in the Combined Phase 1 and 2 report authored by KGS (ref: 9202-001-R-01 revision 2), the Gas Monitoring Summary Report authored by Key GeoSolutions Ltd, dated August 2023 (ref: 9202-002-R-01-0), and the Response to Comments Raised by Kirklees Environmental Health authored by Key GeoSolutions Ltd, dated October 2023 (ref: 9202-003-R-01-0), further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and the aims of Chapter 15 of the National Planning Policy Framework.

17. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (16). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the approved Preliminary Risk Assessment or the approved Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and the aims of Chapter 15 of the National Planning Policy Framework.

18. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures 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 the aims of Chapter 15 of the National Planning Policy Framework.

19. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment is at least 5dB below the background sound level at any time. 'Rating level' and 'background sound level' are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, 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.

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.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: Monday to Friday: 0730 – 1830 Saturday: 0800 – 1300 With no working Sundays or Public Holidays In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: A Standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) is however more likely to be futureproof. Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 sockets would be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. The installation must comply with all applicable electrical requirements in force at the time of installation.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Combustible materials (coal)	9202-001-L-001	-	04/04/2024
Additional/compensatory car parking plan	Unreferenced by the NHS Trust	-	27/03/2024
Pick up and drop off point	304130-SWH-ZZ-XX-DR-C-0700 P04	-	27/03/2024
Site location plan	180598 DGL 01 XX DR A 1100	P3	26/03/2024
Car parking surveys	Various documents	-	11/12/2023
Proposed drainage diversion works	10060-D4S-XX-ZZ-DR-C-2200	P1	25/09/2023
Proposed drainage diversion works (sheet 2)	10060-D4S-XX-ZZ-DR-C-2010	P1	25/09/2023
Typical external details (sheet 1)	10060-D4S-XX-XX-DR-C-5000	P1	25/09/2023
Proposed drainage diversion works	10060-D4S-XX-ZZ-DR-C-2000	P2	25/09/2023
Typical drainage details	10060-D4S-XX-XX-DR-C-4000	P1	25/09/2023
Typical drainage details (sheet 3)	10060-D4S-XX-XX-DR-C-4002	P1	25/09/2023
Typical drainage details (sheet 2)	10060-D4S-XX-XX-DR-C-4001	P1	25/09/2023
Proposed drainage layout (sheet 3)	10060-D4S-XX-XX-DR-C-1020	P2	25/09/2023
Proposed manhole schedule	10060-D4S-XX-XX-DR-C-1200	P5	25/09/2023
Proposed drainage layout (sheet 2)	10060-D4S-XX-XX-DR-C-1010	P5	25/09/2023
Surface water long sections	10060-D4S-XX-XX-DR-C-1500	P2	25/09/2023
Proposed drainage layout (sheet 1)	10060-D4S-XX-XX-DR-C-1000	P5	25/09/2023
Exceedance flow plan	10060-D4S-XX-XX-DR-C-3000	P1	14/09/2023
Proposed drainage diversion	10060-D4S-XX-ZZ-SK-C-1000	P1	14/09/2023
Glazing specification	180598 DGL 01 XX DR A 600	P2	04/08/2023
Site logistics plan	180598 DGL 01 00 DR A 1170	P2	09/05/2023
Fire strategy plan	180598 DGL 01 ZZ	P2	09/05/2023

	DR A 3000		
Proposed landscaping plan	180598 DGL 01 XX DR A 1400	P3	09/05/2023
Proposed elevations	180598 DGL 01 XX DR A 2100	P4	09/05/2023
Proposed sections	180598 DGL 01 XX DR A 2300	P1	09/05/2023
Demolition plan	180598 DGL 01 XX DR A 1176	-	09/05/2023
Existing topographical survey GRP overlay	180598 DGL 01 XX DR A 1156	-	09/05/2023
Ground floor plan	180598 DGL 01 00 DR A 2001	P1	09/05/2023
Roof plan	180598 DGL 01 RF DR A 2020	P2	09/05/2023
Existing topographical survey	180598 DGL 01 XX DR A 1155	-	09/05/2023
Existing site plan	180598 DGL 01 00 DR A 1150	P1	09/05/2023
Proposed site plan	180598 DGL 01 00 DR A 1160	P4	09/05/2023
Combined phase 1 and phase 2 ground investigation	9202-001-R-01-2	2	26/10/2023
Service penetration detail	GEO104074.07b	-	26/10/2023
Pipe penetration detail	GEO104074.07a	-	26/10/2023
External corner detail	GEO104074.06b	-	26/10/2023
Internal corner detail	GEO104074.06a	-	26/10/2023
Concrete column detail	GEO104074.05	-	26/10/2023
Perimeter detail part 4	GEO104074.03d	-	26/10/2023
Perimeter detail part 3	GEO104074.03c		26/10/2023
Perimeter detail part 2	GEO104074.03b	-	26/10/2023
Perimeter detail part 1	GEO104074.03a	-	26/10/2023
Plinth spanning pipe detail	GEO104074.02b	-	26/10/2023
Typical plinth detail	GEO104074.02a	-	26/10/2023
Typical perimeter detail between plinths	GEO104074.01b	-	26/10/2023
Typical perimeter detail at plinths	GEO104074.01a	-	26/10/2023
Contamination strategy index	306706643_1_1	-	26/10/2023
Historic maps (contamination)	306706643_1_1	-	26/10/2023
Soil geochemistry	306706643_1_1	-	26/10/2023
Site checks (contamination)	306706643_1_1	-	26/10/2023

Site checks (contamination)	306706643_1_1		26/10/2023
Historical mapping (contamination)	306706643_1_1	-	26/10/2023
Datasheet (contamination)	306706643_1_1	-	26/10/2023
Bedrock information (contamination)	306706643_1_1	-	26/10/2023
Geology information (contamination)	306706643_1_1	-	26/10/2023
Gas monitoring summary report	9202-002-R-01-0	-	05/10/2023
Response to comments raised by KC Environmental Health	9202-003-R-01-0	-	05/10/2023
Coal Authority permit	-	-	05/10/2023
Travel plan	304130	1	14/09/2023
Transport statement	304130	1	14/09/2023
Site logistics plan 1	180598 DGL 01 00 DR A 1171	P3	04/07/2023
Development and planning letter	By Darwin Group	-	04/07/2023
Ecological Impact Assessment	CE-DH-2254- RP01-FINAL	-	16/05/2023
Design and Access statement	Dated April 2023	-	16/05/2023
Supporting statement	SA47052	-	16/05/2023
Drainage statement	10060-D4S-XX- XX-C-RP-0001	P01	16/05/2023
Flood risk assessment	9202-001-R-02-0	0	16/05/2023
Rapid Health Impact Assessment	-	-	16/05/2023
Climate change statement	-	-	16/05/2023
Environmental noise assessment	22418-1	-	16/05/2023
Archaeological desk based assessment	23/4666C	-	16/05/2023
Tree constraints survey Arboricultural Impact Assessment	CE-DH2247-RP01- Final	-	16/05/2023
Air quality impact assessment	6468r1	-	16/05/2023
Construction Environmental Management Plan	180598-DGL-MS- W-CLMP	P01	16/05/2023

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 have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. In this instance, a number of concerns have been raised throughout the application process and therefore amendments and additional information has been sought to address these.

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

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

Details Reserved by Condition

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

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

Digital Infrastructure: Fibre To The Property (FTTP)

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

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

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

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

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

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

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

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

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 19-Apr-2024

Signed:



**David Shepherd
Strategic Director Growth and Regeneration**

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search planning applications and decisions' and by searching for application number 2023/62/91345/E .

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