



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

PLANNING PERMISSION FOR DEVELOPMENT SUBJECT TO REGULATION 3

Application Number: 2023/48/90024/W

To: James Ross,
Bowman Riley
Toronto Square
Toronto Street
Leeds
LS1 2HJ

For: Kirklees Council, Growth & Regeneration

Description and location of development:

PARTIAL DEMOLITION OF LISTED BUILDING TO FACILITATE REFURBISHMENT AND EXTENSION OF THE GEORGE HOTEL TO FORM 90+ ROOM C1 HOTEL WITH ASSOCIATED ANCILLARY USES (INCLUDING BAR, RESTAURANT, GYM, CONFERENCE ROOM) (WITHIN A CONSERVATION AREA)

At: GEORGE HOTEL, ST GEORGE'S SQUARE, HUDDERSFIELD, HD1 1JA

Date of submission: 16-Jan-2023

In pursuance of its powers under the above mentioned Act and Regulations KIRKLEES COUNCIL (hereinafter called "The Council") hereby grants planning permission for the above development subject to the following condition(s):-

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason: As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted, including the phasing of development, 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 and to ensure the development is carried out to an appropriate quality standard of design and does not detrimentally affect the surrounding landscape, in accordance with Policies LP24 and LP32 of the adopted Kirklees Local Plan.

3. Samples of each externally facing material shall be provided on site before each material is used in the construction of the development, unless otherwise agreed by the Local Planning Authority. The development shall then only use the approved materials and these materials shall be retained thereafter.

Reason: In the interests of securing a high quality development with regard to urban design and the character of the townscape, as well as to protected the heritage of the building and conservation area as to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

4. Notwithstanding the submitted plans, prior to the commencement of works to the canopy on block A, full details for the proposed canopy as shown on the 'Proposed South Elevation' on dwg 8662-BOW-ZZ-ZZ-DR-A-P230 shall be submitted to and agreed in writing by the Local Planning Authority. Drawings shall be submitted to a scale of 1:10 - 1:20. The works shall then be carried out in complete accordance with the details approved.

Reason: In order to ensure that materials of an appropriate standard and quality of are used, in order to result in a high-quality development in the interests of the significance of the heritage asset and to accord with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. There shall be no occupation of the development hereby approved until a waste management plan containing details of suitable storage, bin presentation points and access for collection of wastes from the premises has first been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be provided before first occupation and shall be retained as such thereafter for the lifetime of the development.

Reason: In the interests of amenity and highway safety, in accordance with Policy LP24(d)(vi) of the Kirklees Local Plan.

6. There shall be no commencement of the development hereby approved (excluding enabling works) until a schedule of the means of access to the site for construction traffic has first been submitted to and approved in writing by the Local Planning Authority.

The schedule shall include:

- the point of access for construction traffic
- details of the times of use of the access
- the numbers and size of vehicles expected to access the site
- the routing of construction traffic to and from the site
- construction workers and delivery parking facilities
- the location of materials storage and site facilities
- the use of traffic management/banksman for large deliveries and
- the provision, use and retention of adequate wheel washing facilities within the site and the means of removal of mud and debris from the highway/footway

Unless otherwise having first been agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in strict accordance with the approved schedule throughout the period of construction.

Reason: In the interests of highway safety in accordance with Policy LP21 of the adopted Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

7. Prior to the hereby approved development being brought into use, a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include proposals for enabling and encouraging the use of active and sustainable modes of transport, monitoring, review and timings for delivery. The approved Travel Plan and measures shall be implemented prior to occupation or in accordance with the agreed timescales, or as otherwise agreed with the Local Planning Authority.

Reason: In the interests of enabling and encouraging the use of active and sustainable transport modes, to mitigate the air quality impacts of the development and to accord with policies LP20, LP21, LP22, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

8. There shall be no commencement of the development hereby permitted until details of the proposed demolition/modification of existing retaining walls abutting the highway together with the design of any new retaining walls adjacent to the highway has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include an Approval in Principle (AiP) document drawn up in liaison with the Local Highway Authority.

The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.

Reason: In the interest of highway safety and to ensure the stability of the highway network is not detrimentally affected by the development, in accordance with Policy LP21 of the adopted Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

9. There shall be no commencement of the development hereby permitted (except for demolition works, reduction of levels of basement, temporary works including underpinning to all basement areas and temp works to John William St façade retention) until a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rates with the Lead Local Flood Authority indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision has first been 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 and foul water drainage strategy in accordance with Policy LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

10. Following demolition, no works (other than those required for a site investigation report) shall commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has first been submitted to and 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 National Planning Policy Framework (Chapter 15) Paragraphs 183 and 184.

11. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to Condition 12 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 National Planning Policy Framework (Chapter 15) Paragraphs 183 and 184.

12. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to Condition 13.

In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the 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 first been submitted to and approved in writing by the Local Planning Authority.

Remediation of the site shall thereafter be carried out in full 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 National Planning Policy Framework (Chapter 15) Paragraphs 183 and 184.

13. 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 first been completed for the site in full 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 National Planning Policy Framework (Chapter 15) Paragraphs 183 and 184.

14. There shall be no commencement of the new build elements of the development hereby permitted until;

- a) a scheme of intrusive site investigations has first been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have first been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in strict accordance with authoritative UK guidance.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Policy LP53 of the adopted Kirklees Local Plan and National Planning Policy Framework (Chapter 15) Paragraphs 183 and 184.

15. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall first be submitted to and approved in writing by Local Planning Authority.

This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Policy LP53 of the adopted Kirklees Local Plan and National Planning Policy Framework (Chapter 15) Paragraphs 183 and 184.

16. There shall be no commencement of the development hereby permitted until a Construction Environmental Management Plan (CEMP) has first been submitted to and agreed in writing with the Local Planning Authority.

The CEMP shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should 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.
- Arboricultural Method Statement for the protection of existing trees in close proximity to the site.

A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local 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 Policy LP52 of the adopted Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

17. Prior to occupation of the development hereby approved, details of internal storage within the building for the storage of a minimum of six bicycles has been submitted to and approved by the Local Planning Authority, unless agreed otherwise in writing by the Local Planning Authority. The submitted details shall include the time of implementation for the cycle storage. The bicycle storage shall then be implemented in accordance with the approved details and be retained thereafter.

Reason: In the interests of encouraging sustainable travel, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

18. 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 in areas likely to host 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, in accordance with Policy LP30 of the adopted Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

19. There shall be no operational use of the doors on John William Street outside the hours of –

- 0700hrs and 2300hrs Monday to Saturday and
- 0900hrs to 2300hrs Sunday

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

20. 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 does not exceed the background sound levels from the planning report to give rating limits of LArTr 56 dB during the day and LArTr 42 at night . “Rating level” and “background sound level” are as defined in BS4142:2014+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: Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

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: 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

NOTE: 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.

NOTE: 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 Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application in order to secure a policy compliant proposal.

Plans and Specifications Table:-

Plan Type	Plan Reference	Version	Date Received
Design & access statement (including appendices)	8662-BOW-A0-XX-RP-A-0001	P2	25/04/2023
Location Plan	8662-BOW-A0-ZZ-DR-A-P001	P1	16/01/2023
Block Plan	8662-BOW-A0-ZZ-DR-A-P002	P1	16/01/2023
LBC Level -01 GA & RCP	8662-BOW-AA-ZZ-DR-A-P300	P1	16/01/2023
LBC Level 00 GA & RCP	8662-BOW-AA-ZZ-DR-A-P301	P1	16/01/2023
LBC Level(s) 01 02 GA & RCP	8662-BOW-AA-ZZ-DR-A-P302	P2	30/05/2023
LBC Level(s) 03 04 GA & RCP	8662-BOW-AA-ZZ-DR-A-P303	P2	25/04/2023
LBC Details Wall, Floor & Ceiling	8662-BOW-AA-ZZ-DR-A-P310	P2	16/05/2023
Existing GEA	8662-BOW-DR-ZZ-ZZ-A-P400	P1	16/01/2023
Existing Level 00 Plan	8662-BOW-ZZ-00-DR-A-P00S	P1	16/01/2023
Level 00 Phasing	8662-BOW-ZZ-00-DR-A-P061	P1	16/01/2023
Level 00 Significance	8662-BOW-ZZ-00-DR-A-P067	P1	16/01/2023
Plan Type	Plan Reference	Version	Date Received
Level 00 Demolition	8662-BOW-ZZ-00-DR-A-P105	P1	16/01/2023

Proposed Level 00 Plan	8662-BOW-ZZ-00-DR-A-P205	P4	25/04/2023
Existing Level 01 & Block B Mezzanine Plans	8662-BOW-ZZ-01-DR-A-P006	P1	16/01/2023
Level 01 Phasing	8662-BOW-ZZ-01-DR-A-P062	P1	16/01/2023
Level 01 Significance	8662-BOW-ZZ-01-DR-A-P068	P1	16/01/2023
Level 00/01 & 01 Demolition	8662-BOW-ZZ-01-DR-A-P106	P1	16/01/2023
Proposed Level 01 Plan	8662-BOW-ZZ-01-DR-A-P206	P4	25/04/2023
LBC Details Significance Moderate Low A	8662-BOW-ZZ-01-DR-I-P340	P2	16/01/2023
LBC Details Significance Moderate Low B	8662-BOW-ZZ-01-DR-I-P341	P2	16/01/2023
LBC Details Significance Moderate High A	8662-BOW-ZZ-01-DR-I-P343	P2	16/01/2023
LBC Details Significance Considerable	8662-BOW-ZZ-01-DR-I-P345	P1	16/01/2023
Existing Level 02 Plan	8662-BOW-ZZ-02-DR-A-P007	P1	16/01/2023
Level 02 Phasing	8662-BOW-ZZ-02-DR-A-P063	P1	16/01/2023
Level 02 Significance	8662-BOW-ZZ-02-DR-A-P069	P1	16/01/2023
Level 02 Demolition	8662-BOW-ZZ-02-DR-A-P107	P1	16/01/2023
Proposed Level 02 Plan	8662-BOW-ZZ-02-DR-A-P207	P4	25/04/2023
LBC Details Significance Moderate	8662-BOW-ZZ-02-DR-I-P342	P2	16/01/2023
LBC Details Significance High B	8662-BOW-ZZ-02-DR-I-P344	P2	16/01/2023
Existing Level 03 Plan	8662-BOW-ZZ-03-DR-A-P00S	P1	16/01/2023
Level 03 Significance	8662-BOW-ZZ-03-DR-A-P070	P1	16/01/2023
Level 03 Phasing	8662-BOW-ZZ-03-DR-A-P064	P1	16/01/2023
Proposed Level 03 Plan	8662-BOW-ZZ-03-DR-A-P208	P4	25/04/2023
Existing Level 04 Plan	8662-BOW-ZZ-04-DR-A-P009	P1	16/01/2023
Level 04 Phasing	8662-BOW-ZZ-04-DR-A-P065	P1	16/01/2023
Level 04 Significance	8662-BOW-ZZ-04-DR-A-P071	P1	16/01/2023
Level 04 Demolition	8662-BOW-ZZ-04-DR-A-P109	P1	16/01/2023
LBC Details Level 04Demo	8662-BOW-ZZ-04-DR-A-P154	P1	16/01/2023
Proposed Level 04 Plan	8662-BOW-ZZ-04-DR-A-P209	P4	25/04/2023
Plan Type	Plan Reference	Version	Date Received
Existing Level -01 Plan	8662-BOW-ZZ-B 1-DR-A-P004	P1	16/01/2023
Level -01 Phasing	8662-BOW-ZZ-B 1-DR-A-P060	P1	16/01/2023

Level -01 Significance	8662-BOW-ZZ-B 1-DR-A-P066	P1	16/01/2023
Level -01 Demolition	8662-BOW-ZZ-B 1-DR-A-P104	P1	16/01/2023
Proposed Level -01 Plan	8662-BOW-ZZ-B 1-DR-A-P204	P4	25/04/2023
Site Layout Existing	8662-BOW-ZZ-ZZ-DR-A-P003	P2	16/01/2023
Existing Roof Plan	8662-BOW-ZZ-ZZ-DR-A-P010	P1	16/01/2023
Elevations Sheet 1 of 2 Existing	8662-BOW-ZZ-ZZ-DR-A-P030	P1	16/01/2023
Elevations Sheet 2 of 2 Existing	8662-BOW-ZZ-ZZ-DR-A-P031	P1	16/01/2023
Elevations Courtyard Existing	8662-BOW-ZZ-ZZ-DR-A-P032	P1	16/01/2023
Sections Sheet 1 of 2 Existing	8662-BOW-ZZ-ZZ-DR-A-P040	P1	16/01/2023
Sections Sheet 2 of 2 Existing	8662-BOW-ZZ-ZZ-DR-A-P041	P1	16/01/2023
Sections Site Existing	8662-BOW-ZZ-ZZ-DR-A-P042	P1	16/01/2023
Roof Plan Demolition	8662-BOW-ZZ-ZZ-DR-A-P110	P1	16/01/2023
Elevations Sheet 1 of 2 Demolition	8662-BOW-ZZ-ZZ-DR-A-P130	P1	16/01/2023
Elevations Sheet 2 of 2 Demolition	8662-BOW-ZZ-ZZ-DR-A-P131	P1	16/01/2023
Elevations Courtyard Demolition	8662-BOW-ZZ-ZZ-DR-A-P132	P1	16/01/2023
LBC RCP 00 01 02 Demo	8662-BOW-ZZ-ZZ-DR-A-P145	P2	16/01/2023
LBC RCP 02 03 04 Demo	8662-BOW-ZZ-ZZ-DR-A-P146	P1	16/01/2023
LBC Details Level -01 Demo	8662-BOW-ZZ-ZZ-DR-A-P150	P1	16/01/2023
LBC Details Level 00 Demo	8662-BOW-ZZ-ZZ-DR-A-P151	P1	16/01/2023
LBC Details Level 01 Demo	8662-BOW-ZZ-ZZ-DR-A-P152	P1	16/01/2023
LBC Details Level 02 & 03 Demo	8662-BOW-ZZ-ZZ-DR-A-P153	P1	16/01/2023
LBC Details Doors Demo	8662-BOW-ZZ-ZZ-DR-A-P155	P1	16/01/2023
Site Layout Proposed	8662-BOW-ZZ-ZZ-DR-A-P202	P2	16/01/2023
Proposed Roof Plan	8662-BOW-ZZ-ZZ-DR-A-P210	P2	25/04/2023

Plan Type	Plan Reference	Version	Date Received
Proposed Elevations Sheet 1 of 2	8662-BOW-ZZ-ZZ-DR-A-P230	PS	16/05/2023
Noise impact Assessment	100108576	P01	16/01/2023
Proposed Elevations Sheet 2 of 2	8662-BOW-ZZ-ZZ-DR-A-P231	PS	16/05/2023
Proposed Sections Sheet 1 of 2	8662-BOW-ZZ-ZZ-DR-A-P240	P3	25/04/2023
Proposed Sections Site	8662-BOW-ZZ-ZZ-DR-A-P242	P4	25/04/2023
LBC Details Block A Connection(s)	8662-BOW-ZZ-ZZ-DR-A-P320	P1	16/01/2023
LBC Details Stair(s)	8662-BOW-ZZ-ZZ-DR-A-P330	P1	16/01/2023
LBC Doors Internal	8662-BOW-ZZ-ZZ-DR-A-P335	P1	16/01/2023
Existing GIA	8662-BOW-ZZ-ZZ-DR-A-P401	P1	16/01/2023
Proposed GEA	8662-BOW-ZZ-ZZ-DR-A-P402	P1	16/01/2023
Proposed GIA	8662-BOW-ZZ-ZZ-DR-A-P403	P1	16/01/2023
Heritage Statement	H4036-BOW-AO-XX-RP-A-0001	P1	16/01/2023
Ground Floor GA Plan Block A	1176-BOW-ZZ-B 1-DR-1-2000	P1	16/01/2023
First Floor Function Room	1176-BOW-ZZ-B1-DR-1-2104	P1	16/01/2023
Basement GA Plan Block A	1176-BOW-ZZ-B 1-DR-1-2900	P1	16/01/2023
Response to Historic England comments	H4026-BOW-A 1-XX-RP-A-0004	P1	15/05/2023
Transport Statement	22-397-001	02	16/01/2023
Travel Plan	22-397-002	02	16/01/2023
Statement of Community Involvement	-	-	16/01/2023
Drainage Strategy Note	4217-RAM-ZZ-ZZ-RP-DR-00001	1	16/01/2023

Plan Type	Plan Reference	Version	Date Received
Phase I Contaminated Land Desk Study	1620014217	01	16/01/2023
Flood Risk Assessment	GRG-RAM-XX-XX-RP-D-1001	1.0	16/01/2023
Air Quality Assessment	1620014217	1	16/01/2023
Sustainability Statement	RUK2022N00434-RAM-RP-00006	1	16/01/2023
EclA BNG Report	R1620014217_1	1	16/01/2023
Ventilation Strategy	RUK2022N00434-RAM-RP-00005	1	16/01/2023

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. Officers negotiated with the applicant to: Amend the description of the proposal to better reflect the proposed development, including partial demolition of the existing building; Consider internal and external refuse and waste storage and collection; Re-assess the external design and amend the new-build elevations to be sensitive to the historic host building; Provide additional detailed assessment of the historic fabric and structures to be removed from the site; Provide viability information to justify the proposed quantum of C1- use hotel rooms; Provide viability information to justify the loss of the building's historic fabric on the scale proposed to facilitate a 91 room C1-use hotel; Undertake additional modelling/justification for the loss of historic floorplates from Block A; Consider the provision of cycle storage associated with the proposal; and, alterations/retention of internal floor plates at 1st and 2nd floor.

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](#). 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 an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is 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 refuse permission for the proposed development or 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 you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- 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 [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: 10-Aug-2023

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

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

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

[Kirklees Council Planning Website](#)

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

planning.contactcentre@kirklees.gov.uk

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

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