



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/62/90655/E

To: Highstone Building Services
329, Wakefield Road
Denby Dale
Huddersfield
HD8 8RX

For: HIGHSTONE BUILDING SERVICES

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:-

DEMOLITION OF EXISTING PUB AND ERECTION OF A NEW TWO STOREY BUILDING COMPRISING 8 SELF-CONTAINED SUPPORTED LIVING FLATS WITH ANCILLARY STAFF FACILITIES, SINGLE STOREY SUMMER HOUSE AND OTHER ASSOCIATED WORKS

At: THE PRIORY, WHITECHAPEL ROAD, CLECKHEATON, BD19 6HR

In accordance with the plan(s) and applications submitted to the Council on 26-Mar-2025, 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: To ensure compliance with 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 Policies LP1, LP2, LP3, LP7, LP11, LP20, LP21, LP22, LP23, LP24, LP26, LP28, LP30, LP32, LP33, LP35, LP48, LP47, LP51, LP52 and LP53, of the Kirklees Local Plan, Chapters 2, 4, 5, 8, 9, 11, 12, 14 and 15 of the National Planning Policy Framework, and Principles 2, 5, 6, 9, 12, 13, 14, 15, 16, 17, 18 and 19 of the Housebuilders Design Guide SPD.

3. The development hereby approved shall be used solely as supporting living accommodation falling with Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose, including any other use within Class C3, without prior written consent of the Local Planning Authority.

Reason: In the interests of securing the specialist nature of the accommodation and to ensure appropriate future use of the site in accordance with Policy LP24 of the Kirklees Local Plan.

4. The development shall be carried out in full accordance with the Arboricultural Method Statement (Reference no. AWA6460AM, prepared by AWA Tree Consultants, dated February 2025, received 5th June 2025), including the tree protection measures and methodologies set out therein. The approved measures shall be retained for the duration of the construction period.

Reason: To ensure the protection of trees on and adjacent to the site, including those covered by a Tree Preservation Orders, in the interests of visual amenity and ecological value, in accordance with Policy LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

5. Prior to any roof works, demolition or other development likely to disturb potential bat roosting features, further bat emergence surveys shall be carried out during the active bat season (1st May to 31st August inclusive). If roosting bats are identified, no such works shall take place until a Natural England license has been obtained, and development shall thereafter proceed in accordance with the license conditions and any approved mitigation measures.

Reason: To safeguard protected species and ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended), Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

6. No demolition/development shall take place until a building contract for the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The contract shall include a programme and timescale for construction, demonstrating that redevelopment will follow without unreasonable delay.

Reason: To prevent premature loss of a non-designated heritage asset and avoid long-term dereliction of the site, in accordance with Paragraph 217 of the National Planning Policy Framework 2024 and Policy LP35 of the Kirklees Local Plan.

7. No demolition/development shall take place/commence within the area indicated until the applicant, or their agents or successors in title has provided a written scheme of archaeological investigation (WSI) and this has been [submitted to and] approved by the local planning authority in writing.

For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material.

This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure the significance of the non-designated heritage asset is recorded and understood before loss, in accordance with Paragraph 218 of the National Planning Policy Framework 2024 and Policy LP35 of the Kirklees Local Plan.

8. No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity and in accordance with LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

9. Development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and Paragraphs 196 and 197 of the National Planning Policy Framework 2024.

10. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 9, development shall not commence until a Remediation Strategy 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 identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and Paragraphs 196 and 197 of the National Planning Policy Framework 2024.

11. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 10. 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 works on site (save 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 identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and Paragraphs 196 and 197 of the National Planning Policy Framework 2024.

12. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy, a Validation Report 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 for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and Paragraphs 196 and 197 of the National Planning Policy Framework 2024.

13. Before any above grade works begin for the development hereby approved, an external facing materials schedule shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any such approval given.

Reason: In the interests of visual amenity and to ensure the development integrates appropriately with local historic character, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapter's 12 and 16 of the National Planning Policy Framework 2024.

14. Before any above grade work hereby authorised begins, details of security measures shall be submitted and approved in writing by the Local Planning Authority. Any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason: In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with Chapter 8 of the National Planning Policy Framework (2024), and Policies LP24 and LP47 of the Kirklees Local Plan.

15. Prior to the occupation of the development, details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and installed in full accordance with the approved scheme.

Reason: In the interests of visual amenity and the amenity of future occupants, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework 2024.

16. Prior to the occupation of the development, a detailed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details prior to first occupation.

Reason: In the interests of visual amenity and the amenity of future occupants, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework 2024.

17. The development shall not be brought into use until all areas to be hard surfaced for access and parking have been and laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. These areas shall be so retained, free of obstructions and available for access and parking.

Reason: In the interests of visual amenity, highway safety and to mitigate flood risk. To accord with Policies LP21, LP22, LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 14 of the National Planning Policy Framework 2024.

18. Prior to the first occupation of the development, details of a bin collection point for use on collection days shall be submitted to and approved in writing by the Local Planning Authority. The approved bin collection point shall be provided before any dwelling is brought into use and shall thereafter be retained free of obstruction for its intended purpose.

Reason: To ensure appropriate refuse storage and collection arrangements are in place in the interest of visual amenity, residential amenity and highway safety, in accordance with Policies LP21, LP24 and LP52 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework 2024.

19. Prior to the first occupation of the development, a soft landscaping scheme for biodiversity enhancement, including details of all areas to be planted as part of the site's amenity and communal spaces, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all areas to be planted, with species, planting densities, and details of maintenance for a minimum of 30 years. The approved scheme shall be fully implemented prior to occupation and retained and maintained thereafter in accordance with the approved details.

Reason: To ensure the delivery of appropriate landscape design and measurable biodiversity net gain across the site, in accordance with Policies LP24, LP30 and LP31 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

NOTE: The applicant is advised that any works to create or alter vehicular access to the public highways, including the installation or alteration of dropped kerbs, will require a separate application to the Council as the Local Highways Authority. Approval under the Highways Act 1980 must be obtained prior to any such works commencing.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. 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: Please note that the granting of planning permission does not override any private rights of ownership, and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk/)

NOTE: The applicant is advised that any works affecting a Public Right of Way including resurfacing, boundary treatment or temporary closure, must be carried out in accordance with relevant legislation. Early engagement with the Councils Public Rights of Way Team is strongly recommended to ensure appropriate procedures are followed and any necessary consents are obtained. Please contact: highways.ross@kirklees.gov.uk or call 01484 221 000 and ask for public rights of way.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	H24-WC-001	Rev B	20/03/2025
Site Plan	H24-WC-002	Rev B	12/05/2025
Proposed Site Plan	H24-WC-003	Rev C	12/05/2025
Existing Pub – Plans & Elevations	H24-WC-013	-	25/04/2025
Elevations (Sheet 1)	H24-WC-006	Rev A	11/03/2025
Elevations (Sheet 2)	H24-WC-007	Rev A	11/03/2025
Ground Floor	H24-WC-004	Rev A	11/03/2025
First Floor	H24-WC-005	Rev A	11/03/2025
Summer House	H24-WC-012	-	11/03/2025
Landscape Plan	H24-WC-010	Rev C	12/05/2025
Draft Sections	H24-WC-009	Rev C	12/05/2025
Phase 1 Environmental Desk Study & Coal Mining Risk Assessment Report	C4800/24/E/7331	-	11/03/2025
Noise Impact Assessment	NIA-11824-24-12050-v2	-	11/03/2025
Design & Access Statement	-	-	11/03/2025
Planning Statement	-	-	11/03/2025
Preliminary Ecological Appraisal Report	CW20-2543 RPT 002	-	29/05/2025
Arboricultural Method Statement	AWA6460AM	-	05/06/2025
Building Heritage Statement	P24-2888	-	11/03/2025
Heritage Note	P24-2888	-	30/05/2025
Designing Out Crime Scheme	-	-	04/06/2025

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 Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. During the course of the application, the development description was updated to reflect the schemes supported living function. Minor revisions to the plans were made to address matters raised by consultees, including PROW works.

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.

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.

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 an area that has been defined by the Mining Remediation 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 Mining Remediation 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 a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [Building on or within the influencing distance of mine entries - GOV.UK](http://www.gov.uk)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: <http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](http://www.gov.uk/what-is-a-permit-and-how-to-get-one)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://www.gov.uk/mining-remediation-authority)

Where 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: 02-Jul-2025

Signed:



**David Shepherd
Executive Director for Place**

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 2025/62/90655/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
