

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2025/44/90982/W
Site Address:	Land Adjacent, 21, Thomas Street, Lindley, Huddersfield, HD3 3JJ
Description:	Discharge of details reserved by condition 3 (parking management scheme) on previous permission 2023/91408 for erection of care home (Class C2) with sub-station, associated car parking, access, servicing, landscaping and other associated works
Recommending Officer:	William Simcock

DECISION – Discharge of Condition – Approve

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nick Hirst

AUTHORISED OFFICER

Date: 19-May-2025

Application: 2025/90982

Site: 21 Thomas St, Lindley, Huddersfield

Proposal: Discharge of condition 3 (parking management scheme) on previous permission 2023/91408 for erection of care home (Class C2) with sub-station, associated car parking, access, servicing, landscaping and other associated works.

Assessment

Condition 3 (parking management scheme)

3. Prior to any part of the development being brought into use, a scheme detailing measures to manage parking on Brian Street to either side of the site access and all associated works, together with appropriate Safety Audits, shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the approved parking management scheme has been implemented.

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

The following details have been submitted:

- An approved Traffic Regulation (No 21) Order 2023 - Brian Street, Lindley.
- Correspondence between the developer's appointed transport consultant (Chris Yarrow – VIA Solutions) and Mark Berry (Kirklees Council Highways Development Management), dated 03-Apr-2025, confirming a road safety audit (RSA) is no longer required.

This condition was imposed on the advice of KC Highways Development Management, who have viewed the submitted documents and provided their assessment within the consultation response dated 28/04/2025.

The proposed TRO is the installation of yellow lining to each side of the access.

K.C. Highways have confirmed that the submitted details are acceptable for the purposes of this condition and that, notwithstanding the wording of the condition, an RSA will not be required. This is because the access to Brian Street is an established point of access, not a new one, and the changes proposed (i.e., addition of yellow lining) is not substantial enough to warrant an RSA. It is therefore considered that failure to provide an RSA would not provide a justifiable reason to reject the application since the submission of an RSA would not fulfil any useful planning purpose.

The details are hereby recommended to be accepted, although the ongoing requirement of the condition prevents a full discharge at this time. A note of this requirement is recommended to be included on the decision notice.

Recommendation: Approve details

Report dated: 16-May-2025

Proposed Letter Text

Condition 3 (parking management scheme)

The following has been submitted pursuant to condition 3:

- An approved Traffic Regulation (No 21) Order 2023 - Brian Street, Lindley.
- Correspondence between the developer's appointed transport consultant (Chris Yarrow – VIA Solutions) and Mark Berry (Kirklees Council Highways Development Management), confirming a road safety audit is no longer required.

I can confirm that the submitted details are acceptable for the initial requirement of condition 3 and are hereby approved.

Notwithstanding the above, you are reminded that condition 3 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

No part of the development shall be brought into use until the approved parking management scheme has been implemented.