

**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**

<b>Reference No:</b>	2025/44/92682/W
<b>Site Address:</b>	Land adj, 21, Thomas Street, Lindley, Huddersfield, HD3 3JJ
<b>Description:</b>	Discharge of details reserved by condition 4 (Construction Management Plan) 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
<b>Recommending Officer:</b>	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: 07-Jan-2026**

## **Officer Report**

**Application:** 2025/92682

**Site:** Land adjacent to 21 Thomas Street, Lindley, Huddersfield

**Proposal:** Discharge of details reserved by condition 4 (Construction Management Plan) 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

## **Background**

An application was made, reference 2024/90341, for the approval of details reserved by conditions 4, 5, 6, 11, 20, 22 on previous permission 2023/91408.

A split decision was issued 22/03/2024 giving approval for details submitted in respect of conditions 5, 20 and 22. A subsequent letter, dated 18/04/2024, was issued giving partial approval in respect of condition 4 (and approval of 6 and 11).

Regarding condition 4 being a partial approval, in the letter dated 18/04/2024 the applicant was however advised that to fully discharge condition 4:

- (i) The development must be carried out strictly in accordance with the CMP so approved throughout the period of construction;
- (i) Upon completion of the development, post-development road condition surveys and a schedule of remedial works would need to be submitted to and approved in writing by the Local Planning Authority; and
- (ii) Following the completion of all construction works related to the development, the approved remedial works must be carried out.

The development has been completed. The purpose of the present application is to seek discharge of the outstanding matters (ii) and (iii).

## **Assessment**

### Condition 4 (Construction Management Plan)

*4. Prior to the commencement of development (including demolition and ground works) a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include:*

- *A timetable of all works;*
- *Details of point(s) of access for construction traffic;*
- *Details of construction vehicle sizes and routes;*

- *Details of times of construction vehicle movements;*
- *Details of parking for construction workers;*
- *Details of signage;*
- *Pre-development road condition surveys; and*
- *Details of wheel washing facilities within the site.*

*The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.*

**Reason:** *In the interests of highway safety, and to accord with the aims of Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures to protect amenity and maintain highways safety are agreed at an appropriate stage of the development process.*

The following has been submitted:

- Four sets of completion photographs showing the state of the highway (Thornccliffe Street, Thomas Street, Brian Street and Field Tops) submitted 07/10/25;
- Dilapidation comparison statement with annotated photographs including description of proposed remedial works, Revision C, submitted 07/01/2026.

KC Highway Asset Management have confirmed, via email dated 05/01/2025, that the submitted photographs are acceptable as a road completion survey, and that the proposed remedial works indicated in red text on the statement are also acceptable.

Officers' support this assessment and recommended that the details are approved.

However, (iii) has ongoing requirements that the approved remedial works be undertaken within the timescale specified within the dilapidation comparison statement (no later than 05/04/26). Subject to this taking place, the condition will be fully discharged, for which a fresh DOC submission is not considered necessary. A note to this effect is recommended to be included on the decision notice.

**Recommendation:** Approve details

**Report Dated:** 07/01/2026

**Proposed Letter Text**

#### Condition 4 (Construction Management Plan)

This decision should be read in conjunction with the letter dated 18/04/2024 pursuant to discharge of condition application ref. 2024/90341. In summary, that letter partially discharged condition 4, with full and final discharge subject to the following ongoing requirements:

- (i) The development must be carried out strictly in accordance with the CMP so approved throughout the period of construction;
- (ii) Upon completion of the development, post-development road condition surveys and a schedule of remedial works would need to be submitted to and approved in writing by the Local Planning Authority; and
- (iii) Following the completion of all construction works related to the development, the approved remedial works must be carried out.

To address the above outstanding matters pursuant to condition 4, you have submitted:

- Four sets of completion photographs showing the state of the highway (Thornclyffe Street, Thomas Street, Brian Street and Field Tops) submitted 07/10/25;
- Dilapidation comparison statement with annotated photographs including description of proposed remedial works, Revision C, submitted 07/01/26.

Planning officers, in conjunction with colleagues from K.C. Highway (Asset Management) can confirm that the submitted photographs are acceptable as a road completion survey, and that the proposed remedial works indicated in red text on the statement are also acceptable. The details are therefore hereby approved.

The condition will be discharged in full by the carrying out of the approved remedial works within the timescale specified in the dilapidation comparison statement, i.e. by 05/04/2026.

Should the approved works not take place, in the approved timeframe, be aware that you would be in breach of condition 4.