

**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:	2025/44/92746/E
Site Address:	Foundry Street/Market Place/Longcauseway/Town Hall Way, Dewsbury, WF12 8EN
Description:	Discharge of details reserved by conditions 3 (vehicle mitigation), 9 (fencing) and 10 (waste management) of previous permission 2022/92308 for temporary siting of Dewsbury Market
Recommending Officer:	Victor Grayson

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: 12-Feb-2026

Officer Report

Discharge of details reserved by conditions 3 (vehicle mitigation), 9 (fencing) and 10 (waste management) of previous permission 2022/92308 for temporary siting of Dewsbury Market

Site Description

This application relates to a plot of land in Dewsbury Town Centre, comprising Longcauseway, Crackenedge Lane, Market Place, Wakefield Old Road, Town Hall Way and the piazza to the front of Dewsbury Town Hall. Planning permission has previously been granted for the temporary siting of Dewsbury Market here while the redevelopment of the market site takes place.

Relevant Planning History

Application site

2022/92308 – Permission approved 11/11/2022 for the temporary relocation of Dewsbury Market to Foundry Street / Market Place / Longcauseway / Town Hall Way, Dewsbury.

Note: On 16/05/2025, in response to a query regarding amending the approved scheme to include 24 container stalls and four storage containers, the case officer advised that the proposed changes appeared to be something that could be dealt with via a Non-Material Amendment application.

2025/91393 – Non-material amendment (to permission 2022/92308) approved 23/06/2025 for a reduction in the previously-approved number of containers.

Related site (Dewsbury Market)

2021/20453 – Pre-application advice request relating to redevelopment of Dewsbury Market. Advice letter issued 20/08/2021.

2021/93368 – Planning permission granted 09/02/2022 for the redevelopment of Dewsbury Market with the addition of a mezzanine floor.

No discharge of conditions applications (relating to conditions of the above permission) have been submitted.

2024/20417 – Pre-application advice request relating to redevelopment of the Market Hall and the Semi-covered Market to provide new retail, food and beverage, and café / bar facilities, and the redevelopment of the Outdoor Market and external area to provide a park. Meetings held 11/12/2023 and 17/07/2024. Advice letter issued 06/08/2024.

2024/92283 – Planning permission granted 13/06/2025 for redevelopment of market and creation of park.

No discharge of conditions applications (relating to conditions of the above permission) have been submitted.

Consultation

The comments of KC Waste Strategy, the West Yorkshire Police Designing Out Crime Officer and the Counter Terrorism Security Advisor are referred to below, where relevant.

Condition 3 (vehicle mitigation)

Condition 3 reads as follows:

3. Prior to commencement of development, a scheme detailing hostile vehicle mitigation measures shall be submitted to and approved in writing by the Local Planning Authority and be fully installed and retained thereafter.

Reason: *This is a pre-commencement condition as the proposed scheme is sited on the public highway. The scheme would ensure the safe use of the development and to accord with Local Plan policy LP24 and Chapters 8 and 12 of the National Planning Policy Framework.*

The applicant has submitted a document titled Dewsbury Temporary Market HVM pursuant to condition 3. This document has not been published online or otherwise placed in the public domain, and it is not appropriate to detail its contents in this officer report.

Following discussion, on 17/12/2025 the Counter Terrorism Security Advisor confirmed that condition 3 could be discharged.

Given the above assessment, it is recommended that the details submitted pursuant to condition 3 be approved, subject to the applicant being advised that condition 3 requires the implementation and retention (for as long as the temporary market operates) of the mitigation measures.

Condition 9 (fencing)

Condition 9 reads as follows:

9. Prior to the occupation of the development, details of the fencing to secure the rear of containers 23-26 and 31-35 shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be implemented in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: *As to ensure the safe occupation of the site for future traders and reduce the risk of crime, in accordance with Policies LP24e and Chapters 8 and 12 of the National Planning Policy Framework.*

The applicant's covering letter of 30/09/2025 explains that only details of fencing to containers 31 to 35 have been submitted, as containers 23 to 26 are

no longer proposed (they were deleted under NMA application 2025/91393). This is accepted.

The applicant has submitted drawing GR730141_21 pursuant to condition 9. Although this is titled “Proposed F+B Water and Sewage Connections”, it also shows (in plan) where temporary fencing is to be erected to the rear of containers 31 to 35. On 09/02/2026 the applicant confirmed that this temporary fencing would be formed from 18mm thick Class II exterior plywood with top and bottom edge protection. The applicant also referred to another drawing (GR730141_22, submitted pursuant to condition 10 and considered below) which indicates that the temporary fencing would be 2.44m in height. The colour of the temporary fencing is yet to be determined.

The gates to the enclosure would be of the same height. The exterior of the temporary fencing would be smooth, without footholds or cross members on the external face.

Condition 9 was imposed only for safety and crime prevention reasons. On 10/02/2026 the West Yorkshire Police Designing Out Crime Officer confirmed that she was satisfied with the proposed details.

Given the above assessment, it is recommended that the details submitted pursuant to condition 9 be approved, subject to the applicant being advised that condition 9 requires the implementation and retention (for as long as the temporary market operates) of the fencing.

Condition 10 (waste management)

Condition 10 reads as follows:

10. Prior to the occupation of the development, a waste management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate that suitable and sufficient waste disposal measures shall be provided and said measures will be appropriately and suitable sited within the application site. The site shall the continue to operate in full accordance with the approved waste management plan for the lifetime of the development.

Reason: *As to ensure that waste accumulated from the development hereby approved does not harm the visual amenity of the area, or impact upon highway safety within the town centre, in accordance with Policies LP21 and LP24 and Chapters 8 and 12 of the National Planning Policy Framework.*

The applicant has submitted a Gazebo Bin Store drawing (GR730141_22) and a Temporary Market Waste Strategy 2026-2027 document pursuant to condition 10. These provide details of the proposed temporary waste compound, the bins within it, its enclosure, access arrangements, and other relevant details.

In comments dated 04/11/2025, KC Waste Strategy confirmed that the proposed waste management arrangements enabled the discharge of condition 10.

Given the above assessment, it is recommended that the details submitted pursuant to condition 10 be approved, subject to the applicant being advised that condition 10 requires the implementation and operation (for as long as the temporary market operates) of the approved waste management arrangements.

Recommendation: Approve details

Report dated: 10/02/2026

Recommended Decision Notice Text

Condition 3 (vehicle mitigation)

You have submitted a document titled Dewsbury Temporary Market HVM pursuant to condition 3. Details set out in that document are considered acceptable for the purpose of condition 3, and are hereby approved. However, please be reminded that condition 3 requires the implementation and retention (for as long as the temporary market operates) of the mitigation measures, to ensure continued compliance with the condition.

Condition 9 (fencing)

You have submitted drawing GR730141_21 pursuant to condition 9. Details set out in that drawing are considered acceptable for the purpose of condition 9, and are hereby approved. However, please be reminded that condition 9 requires the implementation and retention (for as long as the temporary market operates) of the fencing, to ensure continued compliance with the condition.

Condition 10 (waste management)

You have submitted a Gazebo Bin Store drawing (GR730141_22) and a Temporary Market Waste Strategy 2026-2027 document pursuant to condition 10. Details set out in that document are considered acceptable for the purpose of condition 10, and are hereby approved. However, please be reminded that condition 10 requires the implementation and operation (for as long as the temporary market operates) of the approved waste management arrangements, to ensure continued compliance with the condition.