

**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:	2025/44/92836/E
Site Address:	The Priory, Whitechapel Road, Cleckheaton, BD19 6HR
Description:	Discharge of details reserved by conditions 5 (bat roosting), 6 (building contract), 7 (WSI), 8 (CEMP: Biodiversity), 9 (Phase II Intrusive Site Investigation Report), 13 (materials), 14 (security measures), 15 (boundary treatments), 16 (lighting), 18 (bin collection) on previous permission 2025/90655 for demolition of existing pub and erection of two storey building comprising 8 self-contained supported living flats with ancillary staff facilities, single storey summer house and other associated works
Recommending Officer:	Kerri Simpson

DECISION – Discharge of Conditions - Approved

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 01-Apr-2026

Officer Report

2025/92836- The Priory, Whitechapel Road, Cleckheaton, BD19 6HR

Proposal Description

Discharge of details reserved by conditions 5 (bat roosting), 6 (building contract), 7 (WSI), 8 (CEMP: Biodiversity), 9 (Phase II Intrusive Site Investigation Report), 13 (materials), 14 (security measures), 15 (boundary treatments), 16 (lighting), 18 (bin collection) on previous permission 2025/90655 for demolition of existing pub and erection of two storey building comprising 8 self-contained supported living flats with ancillary staff facilities, single storey summer house and other associated works.

Condition 5 – Bat Roosting

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.

Condition 6 – Building Contract

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.

Condition 7 – Written Scheme of Investigation

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.

Condition 8 – CEMP: Biodiversity

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
- a) Identification of "biodiversity protection zones"
- b) 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)
- c) The location and timing of sensitive works to avoid harm to biodiversity features.
- d) The times during construction when specialist ecologists need to be present on site to oversee works.
- e) Responsible persons and lines of communication.
- f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- g) 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.

Condition 9 – Phase II Investigation

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.

Condition 13 – Materials

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.

Condition 14 – Security Measures

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.

Condition 15 – Boundary Treatment

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.

Condition 16 – Lighting

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.

Condition 18 – Bin Collection

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.

Assessment

The following documents have been submitted to support this discharge of condition application:

- Highstone Construction Environmental Method Statement & Management Plan, prepared by Highstone Construction (dated July 2025) (Received 11th July 2025)
- BMCL confirmation of site registration: RC207-12195A, The Priory, BD19 6HQ (email from Natural England Wildlife Licensing Service, dated 6th August 2025)
- Lighting Strategy (prepared by Highstone Building Services, received on 25th November 2025)
- ER-8126-01 -Bat Emergence Survey Report (Prepared by Brooks Ecological, dated 29th July 2025)
- MS - 7667 - 02 - Bats Mitigation Class License Method Statement
- WML-CL21 Licence Return Form (Bats)
- C4800/24/E/7331 - Phase 2 Geo-environmental Report (Prepared by RGS, dated 31st January 2025)
- C4800/24/E/GM - Gas Monitoring at The Priory, Whitechapel Road. (Prepared by RGS, dated 7th March 2025)
- Highstone Group Building Contract – The Priory
- P24-2888 - Written Scheme of Investigation: Archaeological Watching Brief (prepared by Pegasus Group, dated 29/08/2025)
- Crime Prevention Statement (prepared by Highstone Building Services, received on 25th November 2025)
- Drawing number H24-WC-010 Rev D – Landscape Plan
- H24-WC -015 Rev A Bin Store
- H24-WC – 003 Rev G Proposed Site Plan
- H24-WC-014C-Elevations Materials

Assessment

Condition 5 (Bat Roosting) – Discharged

The Councils Ecology Officer has reviewed the submitted Bat Emergence Survey, noting that three emergence surveys were carried out in the peak season, which identified a single day roost, occupied by a maximum of four common pipistrelle bats. A Natural England ESP bat licence is required prior to works. Evidence of a Bat Mitigation Class Licence has been provided under Christopher Shaw RC207. The submitted details in relation to this condition are considered sufficient for the discharge of Condition 5 (Bat Roosting).

Condition 6 (Building Contract) - Discharged

A signed building contract between Highstone Group and Highstone Building Services (Highstone Group Building Contract – The Priory) has been submitted. The contract identifies the approved development and includes a programme for the construction. The Conservation Officer raises no objection. The information submitted is considered sufficient to discharge Condition 6 (Coiling Contract).

Condition 7 (Written Scheme of Investigation) – Partial Discharge

A scheme of investigation has been agreed between the West Yorkshire Archaeological Advisory Service and there is no objection to the commencement of the development works (including preliminary works) in the areas covered by the WSI. As such, it is considered that Condition 7 regarding the requirement to submit and have approved a scheme of works is considered to be discharged.

It should be noted that Condition 7 cannot be fully discharged until the archaeological fieldwork has been completed and the final report (including post-excavation assessment and publication proposals) has been submitted to and approved by the Local Planning Authority.

Condition 8 (CEMP:Biodiversity) - Discharged

The submitted details have been reviewed by the Councils Ecology Officer and are considered to satisfy the requirements of Condition 8 (CEMP:Biodiversity), demonstrating measures to safeguard protected habitats and species, including temporary fencing and controlled access arrangements.

The use of temporary vehicle gates is understood to support biodiversity protection and construction logistics. This discharge does not confer any planning approval for access arrangements or structures beyond their role in biodiversity management.

Condition 9 (Phase II Investigation) - Discharged

The applicant has submitted a Phase 1 Desk Study in addition to the required a Phase 2 Geoenvironmental Report. The Phase 1 Desk Study confirmed potential sources of contamination on the site and in the surrounding area and advised that an investigation of the site should include a contamination assessment with gas monitoring. The Phase 2 Geoenvironmental Report concluded that the site is contaminated with respect to lead and arsenic. As a result, remediation will be required to ensure the site is suitable for the proposed end use. The additional details provided in the Gas Monitoring at The Priory, Whitechapel Road, Report Ref: C4800/24/E/GM, dated 7th March 2025 confirmed that:

- *a total of 6 monitoring visits were undertaken over a 3-month period - it is considered that with respect to gas monitoring, the site is fully characterised.*
- *no specific remediation will be required to protect against bulk ground gases.*

The Phase 2 Geoenvironmental Report reiterated that remediation will be required at the site. The submitted reports satisfy the requirements of conditions 9 (Phase II Intrusive Site Investigation Report), which can now be discharged.

The site will now require remediation (condition 11), and a validation report (condition 12) is required to be submitted to the Local Planning Authority.

Condition 13 (Materials) - Discharged

The Conservation Officer provided comments based on an earlier version of the materials drawing (H24-WC-014 Rev A), which showed a mix of artificial stone, red brick and Marley Modern roof tiles. The revised drawing (Rev C) now proposes artificial stone throughout, removing the earlier contrast with brick and presenting a more unified and coherent external finish.

It is acknowledged that the site lies within the setting of the Grade II Listed Whitechapel Church and that the use of natural stone and slate would reflect the traditional materials of the church itself. However, the immediate northern and eastern context is characterised by recent residential development at Wandsworth Gardens, which utilises a mixture of materials including artificial stone and interlocking roof tiles. These materials form a significant part of the contemporary setting of the Listed Building.

In this context, the proposed artificial stone would reflect the now prevailing material palette of surrounding development and would not appear out of place. Similarly, the use of Marley Modern roof tiles, whilst not natural slate, would be consistent with the character of the area, read in the context of the residential development rather than as competing with the historic church fabric.

Having regard to the altered and mixed character of the Church's wider setting, it is considered that the materials would integrate 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, as such Condition 13 is considered discharged.

Condition 14 (Security Measures) - Discharged

The Designing Out Crime Officer initially raised concerns regarding compliance with current security standards, noting that the submitted specification referenced outdated standards, advising that easily accessible doors and windows should meet the most up-to-date certifications standards.

A revised Crime Prevention Statement was submitted confirming upgraded specifications for windows and doors. The Designing Out Crime Officer has

reviewed the updated information and confirms the condition is now satisfied. As such, it is recommended that Condition 14 is discharged.

Condition 15 – Boundary Treatment – Discharged

The proposed Landscape Plan confirms 1.8m high close boarded fencing to the northern, eastern and western sides of the site, between private gardens and adjacent the PROW, together with a 1.8m high stone wall to the front of the ground floor garden areas.

The wall would sit adjacent to the internal parking court and would read as an internal site treatment rather than a boundary to the wider street scene. Given the two storey scale of the building and the site layout, the height would not be considered excessive in this context. The arrangement would clearly define private space, from semi-public space as intended.

The Designing Out Crime Officer has confirmed the boundary treatments are acceptable in providing secure and defensible private space, particularly in relation of the adjacent PROW and parking area. The Ecology Officer has no objections. While the use of natural stone for the wall would be preferable in heritage terms, the applicant has confirmed that the front boundary wall would be constructed of artificial stone to match that of the resultant building.

The boundary treatment details are considered acceptable in isolation. Notwithstanding minor inconsistencies between submitted plans (i.e. parking/bin collection point), these do not materially affect the siting or specification of the proposed boundary treatments.

In all, it is considered that the information submitted would meet the requirements of the condition and therefore it is recommended that it is discharged.

Condition 16 – Lighting – Discharged

Initial concerns were raised regarding the use of PIR-controlled lighting and bollard lighting, with advice from the Designing Out Crime Officer that such arrangement may result in inconsistent illumination and reduced surveillance, and that constant ambient lighting would be preferable.

A revised Lighting Strategy was submitted confirming the removal of bollard lighting and the provision of solar streetlights that will provide constant ambient illumination increasing in brightness when motion is detected.

These details have been reviewed by the Councils Ecologist, who considered that the details would not conflict with ecological matters and the West Yorkshire Police Designing Out Crime Officer who confirmed that the condition is now satisfied. As such, it is recommended that Condition 18 is discharged.

Condition 18 (Bin Collection) – Discharged

The applicant has submitted drawing no's H24-WC -015 Rev A Bin Store and H24-WC – 003 Rev G Proposed Site Plan. It is proposed that refuse collection would be undertaken within the site by Kirklees Council, having regard to the vulnerability and needs of future occupiers.

The Waste Strategy Team have confirmed that, in principle, on-site collection would be acceptable, noting that there is sufficient space within the site to allow a refuse vehicle to enter and exit.

Comments were raised in respect of the size, layout and orientation of the bin store, including the requirement to accommodate 4 x 1100L bins and to ensure bins are positioned appropriately to facilitate ease of use and collection. Revised details have subsequently been submitted which demonstrate that the bin store would be of sufficient size and appropriately configured to accommodate the required bins with suitable access arrangements.

The bin storage arrangement would result in a minor alteration to the adjacent parking layout. However, the number of parking spaces is retained, and the layout continues to provide satisfactory access and manoeuvrability. The changes are not considered to materially depart from the approved scheme.

The submitted details therefore provide an acceptable waste storage and collection arrangement and comply with the requirements of the condition. As such, it is recommended that condition 18 is discharged.

Conclusion

The submitted details are considered acceptable and satisfy the requirements of Conditions 5 (bat roosting), 6 (building contract), 8 (CEMP: Biodiversity), 9 (Phase II Intrusive Site Investigation Report), 13 (materials), 14 (security measures), 15 (boundary treatments), 16 (lighting), 18 (bin collection) as such these can be discharged in full accordingly. Condition 7 (WSI) can only be partially discharged; it should be noted that Condition 7 cannot be fully discharged until the archaeological fieldwork has been completed and the final report (including post-excavation assessment and publication proposals) has been submitted to and approved by the Local Planning Authority.

Decision Notice Text

Condition 5 – Bat Roosting

The following has been submitted:

- ER-8126-01 - Bat Emergence Survey Report (Prepared by Brooks Ecological, dated 29th July 2025)
- MS - 7667 - 02 - Bats Mitigation Class License Method Statement
- WML-CL21 Licence Return Form (Bats)

- BMCL confirmation of site registration: RC207-12195A, The Priory, BD19 6HQ (email from Natural England Wildlife Licensing Service, dated 6th August 2025)

The details provided are considered acceptable and condition 5 can therefore be discharged.

Condition 6 – Building Contract

The following has been submitted:

- Highstone Group Building Contract – The Priory

The details provided are considered acceptable and condition 6 can therefore be discharged.

Condition 7 – Written Scheme of Investigation

The following has been submitted:

- P24-2888 - Written Scheme of Investigation: Archaeological Watching Brief (prepared by Pegasus Group, dated 29/08/2025)

The details provided are considered acceptable and condition 7 can therefore be partially discharged. Condition 7 cannot be fully discharged until the archaeological fieldwork has been completed and the final report (including post-excavation assessment and publication proposals) has been submitted to and approved by the Local Planning Authority.

Condition 8 – CEMP: Biodiversity

The following has been submitted:

- Highstone Construction Environmental Method Statement & Management Plan, prepared by Highstone Construction (dated July 2025) (Received 11th July 2025)

The details provided are considered acceptable and condition 8 can therefore be discharged.

Condition 9 – Phase II Investigation

The following has been submitted:

- C4800/24/E/7331 - Phase 2 Geo-environmental Report (Prepared by RGS, dated 31st January 2025)
- C4800/24/E/GM - Gas Monitoring at The Priory, Whitechapel Road. (Prepared by RGS, dated 7th March 2025)

The details provided are considered acceptable and condition 9 can therefore be discharged.

Condition 13 – Materials

The following has been submitted:

- H24-WC-014C-Elevations Materials

The details provided are considered acceptable and condition 13 can therefore be discharged.

Condition 14 – Security Measures

The following has been submitted:

- Crime Prevention Statement (prepared by Highstone Building Services, received on 25th November 2025)

The details provided are considered acceptable and condition 14 can therefore be discharged.

Condition 15 – Boundary Treatment

The following has been submitted:

- H24-WC-010 Rev D – Landscape Plan

The details provided are considered acceptable and condition 15 can therefore be discharged.

Condition 16 – Lighting

The following has been submitted:

- Lighting Strategy (prepared by Highstone Building Services, received on 25th November 2025)

The details provided are considered acceptable and condition 16 can therefore be discharged.

Condition 18 – Bin Collection

The following has been submitted:

- H24-WC -015 Rev A Bin Store
- H24-WC – 003 Rev G Proposed Site Plan

The details provided are considered acceptable and condition 18 can therefore be discharged.