Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/62/93438/E

To: Stephen Morris,
Homewood Design
The Coach House, Burleigh Lodge
Burleigh Drive, off Sutton Road
Mile Oak
Tamworth
B78 3PE

For: ROGER WILLIAMS, HORIZON HEALTHCARE HOMES LTD

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:-

ERECTION OF 10-UNIT (CLASS C2) SPECIAL NEEDS CARE HOME, DAY CENTRE (CLASS E(F)), ADMINISTRATION AND TRAINING BUILDING (CLASS E(G)(I))

At: ARENA YOUNG PEOPLES CENTRE, MOORLANDS ROAD, DEWSBURY, WF13 2LF

In accordance with the plan(s) and applications submitted to the Council on 18-Dec-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: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved 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 in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

3. The development hereby approved shall be undertaken in strict accordance with the Arboricultural Method Statement Ref: AWA7409AMS. For the avoidance of doubt, all works proposed shall be undertaken with full Arboricultural supervision.
Reason: To protect to viability of the retained trees and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

Prior to development commencing

4. Prior to the commencement of development (including ground works), a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include the following details:

- A timetable of all works;
- Hours of works;
- Point(s) of access for construction traffic;
- Construction vehicle sizes and routes;
- Numbers and times of construction vehicle movements;
- Locations of HGV waiting areas and details of their management;
- Parking for construction workers;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Signage;
- Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;
- Street sweeping;
- Measures to control and monitor the emission of dust and dirt during construction:
- Site waste management, including details of recycling/disposing of waste resulting from construction works;
- Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
- Artificial lighting used in connection with all construction-related activities and security of the construction site;
- Site manager and resident liaison officer contacts, including details of their remit and responsibilities;
- Engagement with local residents and occupants or their representatives; and
- Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the

prior written consent of the Local Planning Authority.
Reason: In the interests of amenity, in the interests of highway safety, to ensure the highway is not obstructed, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30, LP35 and LP52 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity and biodiversity impacts are devised and agreed at an appropriate stage of the development process.

5. Prior to the commencement of development (including vegetation clearance and ground works) a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following.

- Risk assessment of potentially damaging construction activities that refers to the most up-to-date site-specific survey information and specifically to nesting birds and invasive plant species;
- Identification of “biodiversity protection zones” where appropriate;
- 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);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works where appropriate;
- Responsible persons and lines of communication; and
- Use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP: Biodiversity shall be implemented and adhered to throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
Reason. To protect biodiversity during construction by avoiding impacts to protected species and preventing the spread of non-native plants, and to accord with Policy LP30 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures to prevent or minimise biodiversity impacts are devised and agreed at an appropriate stage of the development process.

6. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including the agreed surface water discharge rate with the LLFA of 11.9l/s indirectly or directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.
Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This pre-

commencement condition is necessary to ensure adequate provisions are in place at the appropriate stage.

7. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed, and such approved scheme shall be retained thereafter.
Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure adequate provisions are in place at the appropriate stage.

8. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- Phasing of the development and phasing of temporary drainage provision;
- Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented; and
- The strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100%. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per hectare, unless otherwise agreed with the Lead Local Flood Authority.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.
Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure adequate provisions are in place at the appropriate stage.

9. No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation and enhancement has been submitted to and agreed in writing by the Local Planning Authority. The EDS shall include the following:

- Purpose and conservation objectives for the proposed works;
- Review of site potential and constraints;
- Detailed design(s) and/or working method(s) to achieve stated objectives;

- Extent and location/area of proposed works on appropriate scale maps and plans;
- Details of the establishment of mixed scrub and introduced shrub planting on the site;
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- Persons responsible for implementing the works;
- Details of initial aftercare and long-term maintenance;
- Details for monitoring and remedial measures;
- Details for disposal of any wastes arising from works; and

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.
Reason: To ensure a scheme that provides ecological enhancement and habitat creation in line with Policy LP30 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure ecological measures are capable of being fully integrated into the construction phase.

10. The development shall not commence until a highway condition survey of the existing condition of the highway on Boothroyd Lane has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway on Boothroyd Lane shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before any part of the development is first brought into use.
Reason: In the interests of highway safety and to ensure the maintenance of the highway, in accordance with Policy LP21 of the Kirklees Local Plan and the National Planning Policy Framework. This is a pre-commencement condition to ensure appropriate investigation prior to potential impacts being caused.

11. Before the development commences, the design of proposed retaining walls adjacent to the existing highway including any modification to the existing retaining wall adjacent to Boothroyd Lane, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved development shall be undertaken in accordance with the approved details.
Reason: To ensure that any retaining structures do not compromise the stability of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details of highway retaining structures are agreed at an appropriate stage of the development process.

<u>Prior to above ground works commencing</u>

12. Prior to above ground works commencing, unless otherwise agreed in writing by the Local Planning Authority via an application for the approval of details reserved by condition 11), details of a scheme to manage parking on Boothroyd Lane between its junction with Moorlands Road and the site access, to include lining and signage works and the

timescales for implementation, shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented and retained in accordance with the approved timescales.
Reason: In order that the development should not prejudice highway safety or efficiency, in accordance with Policy LP21 of the Kirklees Local Plan.

13. Prior to above ground works commencing, notwithstanding the approved plans, full details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

a. Planting plans
b. Written specifications of soil depths, cultivation and other operations associated with plant and grass establishment
c. Schedules of plants noting species, planting sizes and proposed numbers/densities.
d. Details of street trees, to include tree pit details
e. Assessment of landscaping impact on new and public sewer infrastructure
f. Details of an implementation and maintenance programme for a minimum 5-year period.
g. Details of phasing of soft landscaping works.

All soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme, phasing and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policy LP24 and LP63 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

14. Prior to above ground works commencing, a Crime Mitigation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall detail the development's measures to mitigate and protect from crime, having due regard to boundary treatment, lighting, glazing specification, means of locking and alarms. Thereafter the development shall be undertaken in accordance with the approved details, prior to the occupation of the approved dwellings.
Reason: To mitigate the harmful impacts of crime, and the perception of crime, in the interest of residential amenity and to comply with Policy LP24 of the Kirklees Local Plan

Prior to specific trigger

15. Prior to the installation of any external artificial lighting, a 'lighting design strategy for biodiversity' shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
Reason: To avoid indirect impacts to bats and other local species in the interest of ecological mitigation, to comply with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

16. Prior to their use, details and samples of all the external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be built in accordance with the approved materials and retained thereafter.
Reason: In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

17. Prior to works associated with the construction of the bin store commencing, details of all the external facing materials and their colour finish of the bin store shall be submitted to and approved in writing by the Local Planning Authority. Prior to the hereby approved development being brought into use, the bin store shall be erected in accordance with the approved details and thereafter retained.
Reason: In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

Prior to the development being brought into use

18. Prior to the development being brought into use, details of the kitchen extract systems shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide the following information:

- A risk assessment for odour which considers the amount and type of food that will be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours.
- Based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours. The effective stack height (discharge height plus

plume rise) must be high enough to ensure that adequate dilution takes place before the plume interacts with the nearest sensitive receptor.
- Details showing the proposed location of all the major components of the extract system.
- The noise mitigation measures that will be incorporated into the extract system and details of the likely resulting noise levels that will be caused by the operation of the extract system, in particular the noise level at nearby noise sensitive locations.
- The proposed ongoing maintenance schedule that will be carried out to ensure that the extract system continues to effectively control odours and not cause excessive noise.

Before food cooking commences, the approved extract system shall be installed and thereafter retained and maintained in accordance with the approved details.
Reason: To ensure the proposed development does not cause harmful odour pollution within either a public area or at neighbouring premises in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan.

19. Before the development is first brought into use, details of the management and maintenance of communal refuse storage areas by a designated private management company shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.
Reason: To ensure satisfactory arrangements are implemented in relation to waste, to accord with Policies LP21 and LP43 of the Kirklees Local Plan, Kirklees Waste Management Design Guide for New Developments and the National Planning Policy Framework.

20. Prior to occupation of the development hereby approved, all areas shown on the approved plans to be used by vehicles and pedestrians, including roads, footways/paths, cycle tracks, loading, servicing and parking areas shall be laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway, and shall thereafter be retained and maintained for the lifetime of the development.
Reason: In the interests of highway safety and amenity, and to achieve a satisfactory layout in accordance with Policies LP20, LP21 and LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

21. The development shall not be brought in to use until a footway approximately 2m wide has been provided along the frontage of the site on Boothroyd Lane as shown on drawing no. 1362_01 Rev F in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The footway so approved shall thereafter be retained.
Reason: In the interests of highway safety and to allow for safe pedestrian access to and from the site, in accordance with Policy LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

22. Notwithstanding the submitted plans, prior to the site being first brought into use, details of all new boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The details shall include material details, typical elevations, and the proposed colour. The boundary treatment shall be installed in accordance with the approved details and retained thereafter.
Reason: To ensure an appropriate appearance and design, in the interest of visual and residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan.

23. Prior to the development being brought into use, a minimum of four electric vehicle recharging points shall be installed within the parking area as shown on plan ref. 1362 01 rev E. The cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point so installed shall thereafter be retained.
Reason: In the interest of supporting low emission vehicles, to accord with the guidance contained in Policies LP24 and LP51 of the Kirklees Local Plan.

Ongoing requirements

24. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. 'Rating level' and 'background sound level' are as defined in BS 4142:2014+A1:2019.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan.

25. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy ref: G25193c, dated May 2026. 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 groundworks in the affected area (except 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 ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

26. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person 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 have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created at first floor within the rear (eastern) elevation of the Day Centre, as identified on plan ref. 1362 – 01 Rev. E, hereby approved.
Reason: So as not to detract from the amenities of nearby residential properties by reason of loss of privacy, to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

28. All new windows and doors shall be set back in the reveal by 100-150mm and shall not be fitted flush with the external wall.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

29. The Care Home, as shown on plan ref. 1352 – 01 Rev. E, shall be used as a C2 Residential Care Home only, and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
Reason: To accord with the assessment undertaken, in the interests of making an effective and efficient use of land, preserving the amenity of the future occupiers, and ensuring the safe and effective operation of the highway, in accordance with Policies LP21, LP24, and LP68 of the Kirklees Local Plan.

NOTE: Pursuant to condition 13

A landscaping plan has been submitted with this application, which is broadly acceptable, however, Landscape Officers have noted that the proposed planting schedule includes several species with poisonous fruits and/or thorny growth (for example Ligustrum, Skimmia, etc). Given the intended use as a care home, the applicant should either demonstrate that the proposed species are appropriate for the anticipated resident group, particularly where residents may have cognitive impairment, or provide suitable alternative species of lower risk.

NOTE: This permission is subject to conditions requiring the submission of further and/or amended information prior to commencement of development or at other points during the development process. To assist in the prompt discharge of conditions, you may wish to submit separate Discharge of Conditions applications for each of those conditions that require submissions. This may be particularly advisable where your submissions are likely to require extensive consultation, consideration of complex technical matters, and/or negotiation. Alternatively, grouping submissions relevant to a specific topic, or interrelated topics (for example, pursuant to highways-related conditions) under a single application, and/or grouping submissions pursuant to pre-commencement, pre-superstructure and pre-occupation conditions, may assist prompt discharge. For further advice on conditions-stage submissions, please contact the case officer.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required. You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es). This process will involve entering into a Section 38 or 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: 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: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof. Standard charging points for single residential properties that meet the requirements specified in the latest version of “Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)” by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.

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+ A2:2017Investigation 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

NOTE: No construction related noise shall be audible beyond the site boundary outside the hours of:

- Mondays to Fridays: 07.30 to 18.30 hours
- Saturday: 08.00 to 13.00 hours

With no construction related noise audible beyond the site boundary on Sundays or Public Holidays.

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Site layout	1362 01	Rev E	19/05/2026
Care Home Proposed Plans and Elevations	1362 02	Rev E	07/01/2026
Day Centre Proposed Elevations	1362 07	-	07/01/2026
Dewsbury CGI	-	-	18/12/2025
Site Sections	1362 04	Rev B	18/12/2025
Landscaping proposal	2B	-	18/12/2025
Topographical survey	OGL	Rev 0	18/12/2025
Bin store	1362 05	-	18/12/2025
Day Centre Proposed Plans and Elevations	1362 03	Rev D	18/12/2025
Location plan	-	-	18/12/2025
Stage 1 Road Safety Audit	LTP 6071	-	20/07/2026
Arboricultural Method Statement	AWA7409AMS	-	05/06/2026
Arboricultural Report and Impact Assessment	AWA7409	-	05/06/2026
Phase 2 Intrusive Site Investigation Report	G25193b (Revised May 2026)	-	14/05/2026
Remediation Strategy Report	G25193c	-	14/05/2026
BNG Metric	-	-	11/02/2026
Biodiversity Net Gain Report	P2833_01	V2	11/02/2026
Letter of support from Environment Bank	Dated 10/02/2026	-	11/02/2026
Response to Arboricultural Holding Objection	-	-	10/02/2026

Existing trees – supplementary details	SK1	-	10/02/2026
Rapid Health Impact Assessment	-	-	13/01/2026
Design and Access Statement	990/25	-	07/01/2026
Crime Prevention Statement	990/25	-	07/01/2026
Climate Change Statement	-	-	18/12/2025
Transport Statement	LTP/25/6695	-	18/12/2025
Phase 1 Desk Study Site Investigation Report	G25193	-	18/12/2025
ESG Report	Dated December 2024	-	18/12/2025
Tree survey	1B (Dated April 25)	-	18/12/2025
Drainage Strategy	DR-C-0100	P1	18/12/2025
Drainage calculations	25156-CAL-001	-	18/12/2025
Preliminary Ecological Appraisal	P2833_01	V1	18/12/2025
Planning supporting statement Kirklees Local Plan Open Space and Recreation Policy	990/25	-	18/12/2025
Support statement	-	-	18/12/2025

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

In this instance, officers have entered into discussions with the applicant/agent as part of the application process and additional information in relation to highway safety, trees and contaminated land have been sought. The applicant has also confirmed in writing (on the 23/07/26) their agreement to the conditions proposed.

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

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)

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

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 speeder 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.

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: 24-Jul-2026

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 2025/62/93438/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