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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2026/70/91709/E

To: David Staniland
BDP
PO Box 85
11, Ducie Street
Piccadilly Basin
Manchester
M1 2JB

For: Kirklees Council

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:-

VARIATION OF CONDITION 2 (PLANS) ON PREVIOUS PERMISSION 2022/91006 FOR ALTERATIONS TO BUILDING INCLUDING NEW ENTRANCE, INSTALLATION OF LIFT CORE AND STAIRCASE AND NEW INTERNAL OPENINGS AND CHANGE OF USE FOR FLEXIBLE USES FALLING WITHIN USE CLASS E A, C, D, G(I) (LISTED BUILDING) (WITHIN A CONSERVATION AREA)

At: 18-20, CORPORATION STREET / 17, FOUNDRY STREET, DEWSBURY, WF13 1QL

In accordance with the plan(s) and applications submitted to the Council on 23-Jun-2026 [together with those plans and application(s) submitted to the Council on 23-Mar-2022 and incorporated into planning permission 2022/91006 granted on 10-Jun-2022] and subject to the condition(s) specified hereunder:-

1. DELETED – Development has commenced.

2. The development hereby permitted 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 approved and to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP7, LP13, LP18, LP24, LP35, LP52 and LP53 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. 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 and National Decision-Making Policies LP3 and P3 of the National Planning Policy Framework.

4. In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during development, 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 two working days. Groundworks in the affected area shall not recommence until either:

a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority; or
b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works 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 the National Planning Policy Framework.

NOTE: The developer is advised that separate approval is also likely to be required for the works under other legislative regimes, including Environmental Health legislation and the Building Regulations, including with regard to matters of fire safety. The approval of details as part of this planning permission does not imply compliance with other relevant regulations, including the Building Regulations, in those regards.

NOTE: All contamination reports shall be prepared in accordance with Model Procedures for the Management of Land Contamination – Contaminated Land, National Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.

NOTE: Noisy construction related activities shall not take place outside the hours of:

- 07.30 to 18.30 hours, Mondays to Fridays
- 08.00 to 13.00 hours, Saturdays
- With no noisy activities 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	**Plan Reference**	**Version**	**Date Received**
Plans approved under Section 73 application reference: 2026/91709			
Site Plan as Proposed	1705-BDP-18-SL-PL-A-00003-	P03	23/06/2026
Elevations as Proposed	1705-BDP-18-ZZ-EL-A-00002-	P05	23/06/2026
Plans as Proposed	1705-BDP-18-ZZ-PL-A-00002-	P07	23/06/2026
Sections as Proposed	1705-BDP-18-ZZ-SE-A-00002-	P03	23/06/2026
Summary of Amendments	1705-BDP-AD-XX-RG-Z-00005 Dated: 18/06/2026	P02	23/06/2026
Plans approved under original permission reference: 2022/91006			
Location Plan	1705-BDP-18-SL-PL-A-00001	P02	23/03/2022
Site Plan as Existing	1705-BDP-18-SL-PL-A-00002	P02	23/03/2022
Elevations as Existing	1705-BDP-18-ZZ-EL-A-00001	P03	23/03/2022
Plans as Existing	1705-BDP-18-ZZ-PL-A-00001	P02	23/03/2022
Sections as Existing	1705-BDP-18-ZZ-SE-A-00001	P01	23/03/2022
Ventilation and Extract Statement – For	1705-BDP-AD-ZZ-RG-M-57002	P01	23/03/2022

Planning			
Plan Type	**Plan Reference**	**Version**	**Date Received**
Structural Strategy Report: Moneypenny's, Dewsbury Arcade	1705-BDP-XX-XX-S-RG-0005	P01	29/03/2022
Structural Strategy Report – Appendix A: Structural Summary Sketchbook	Dated: March 2022		23/03/2022
Structural Strategy Report – Appendix B: Known defects	Dated: March 2022		23/03/2022
Structural Strategy Report – Appendix C: Intrusive Survey Scope	Dated: March 2022		23/03/2022
Structural Strategy Report – Appendix D: Ground Investigation Scope	Dated: March 2022		23/03/2022
Structural Strategy Report – Appendix E: Intrusive Structural Survey Report	Dated: March 2022		29/03/2022
Structural Strategy Report – Appendix F: Ground Investigation Report	Dated: March 2022		29/03/2022
Design and Access Statement	1705-BDP-18-XX-RG-Z-00003	P03	29/03/2022
Climate Change Statement	1705-BDP-18-XX-MS-Y-00001		23/03/2022
Bat Survey	1705-BDP-AD-XX-RG-Y-00001	02	23/03/2022
Planning Statement	P30001705 Dated: 22/03/2022		23/03/2022

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.

It has not been necessary to seek any further information from the applicant in this case, as the proposals were considered acceptable on the basis of the originally submitted information.

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 Telephone: (01484) 221550 for more information.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA - STANDING ADVICE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also 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 refuse permission for the proposed development or 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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:**

i) 28 days from the date of this notice where the enforcement notice has been served,
ii) 28 days of the date of service of the enforcement notice or,
iii) the specified period starting from 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: 20-Oct-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 and view existing planning applications and decisions' and by searching for application number 2026/70/91709/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
