



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

PLANNING PERMISSION FOR DEVELOPMENT

**NOTE: This approval should be read in conjunction with an Agreement made
under Section 106 of the Town and Country Planning Act 1990**

Application Number: 2019/62/94099/E

To: A Hall,
Brewster Bye Architects
5, North Hill Road
Leeds
LS6 2EN

For: Connect Housing Association

**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:-**

DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A TWO-STOREY
SUPPORTED LIVING APARTMENT BLOCK (13 APARTMENTS) WITH
ASSOCIATED OFFICES, GARDENS AND PARKING SPACES

At: KIRKLEES COUNCIL DEPOT, 1-3, ST PAUL'S ROAD, MIRFIELD, WF14 8AX

**In accordance with the plan(s) and applications submitted to the Council on
18-Dec-2019, 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 carried out only by Connect Housing Association and shall be occupied only by adults with a social care and/or housing support need (whereby "housing support" is defined as per the definitions of "support" and "supported housing" set out in the Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016) and who require affordable housing.

Reason: To ensure the residential accommodation hereby approved is retained for the intended user group and to prevent the development being occupied by a different, specified user group or as general needs housing without a further planning application being submitted and without the planning implications of such a change being formally considered.

4. The ground floor office of the development hereby approved shall be used only by support staff and residents for administration work, case conferences, staff breaks and other uses ancillary to the residential use hereby approved, and shall not be put to a separate Class E use (as defined in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or used by any external organisation or for functions.

Reason: To ensure the ground floor office space remains ancillary to the residential use hereby approved, in the interests of amenity and to ensure additional parking demand is not introduced.

5. Prior to superstructure works commencing, details and samples of all external materials (including window materials) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved. No external materials other than those approved in accordance with this condition shall be used.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

6. Other than where indicated on the drawings hereby approved, and other than in relation to elevations not facing a highway, no cables, plumbing, foul pipes, vents, burglar alarm boxes, satellite dishes and/or CCTV cameras or related equipment and installations shall be located or fixed to any external elevation(s) of the development hereby approved. Should any such equipment or installations be considered necessary, details of these shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the details so approved.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

7. Notwithstanding what is shown on drawing 501/01(02)012 rev B, prior to the commencement of development, details (including sections and details of levels) of all

boundary treatments, and any boundary retaining walls, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved and shall be retained thereafter.

Reason: In the interests of visual amenity, highways safety and biodiversity, to minimise flood risk, to ensure the amenities of existing neighbouring residential units and the residential accommodation hereby approved are protected, and to accord with Policies LP21, LP24, LP27 and LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure an appropriate scheme for boundary treatment (including, where possible, the retention of existing boundary treatments that are of amenity value) is devised and agreed at an appropriate stage of the development process.

8. Prior to occupation of the development hereby approved, details of measures to prevent and deter crime and anti-social behaviour shall be submitted to and approved in writing by the Local Planning Authority. These shall include details of lighting, boundary treatments and landscaping corresponding with details to be provided pursuant to conditions 7 and 9.

Reason: In the interests of preventing crime and anti-social behaviour and to accord with Policy LP24 of the Kirklees Local Plan.

9. Prior to the commencement of superstructure works, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These shall include:

- a) Details of existing and proposed levels, and regrading;
- b) Species schedule and planting plans;
- c) Details of initial aftercare and long-term maintenance;
- d) Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fails, dies, is removed or becomes diseased within the first five years from completion; and
- e) Details (including samples, if requested), of paving and other hard surface materials.

No part of the development hereby approved shall be occupied until all hard and soft landscaping has been implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of local ecological value and visual amenity, and to accord with Policies LP24, LP30, LP32, LP33, LP47 and LP63 of the Kirklees Local Plan, and chapters 12 and 15 of the National Planning Policy Framework.

10. The development hereby approved shall be completed in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement (ref: JCA, 14607-F/AJB). These shall be implemented and maintained throughout the construction phase and retained thereafter.

Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policies LP24 and LP33 of the Kirklees Local Plan.

11. Details of any additional tree works required during the construction process, that are not identified within the submitted information, shall be submitted to and approved in writing by the Local Planning Authority prior to the work being carried out. The works shall thereafter be carried out in complete accordance with the approved details.

Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policies LP24 and LP33 of the Kirklees Local Plan.

12. Prior to the occupation of any part of the development hereby approved, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government and Environment Agency's "Guidance on the permeable surfacing of front gardens (parking areas)" published 13/05/2009 (ISBN 9781409804864) as amended or superseded, and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

13. Prior to development commencing on the superstructure of the development hereby approved, the design and construction details of all permanent highway retaining structures (and any temporary highway retaining structures that may be deemed necessary) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a design statement, all necessary ground investigations on which design assumptions are based, method statements for both temporary and permanent works and removal of any bulk excavations, together with structural calculations and all associated safety measures for the protection of adjacent public highways, footpaths, culverts, adjoining land and areas of public access. The development shall be completed in accordance with the approved details before any of the dwellings are occupied and shall be retained as such thereafter.

Reason: To ensure that any new 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.

14. The development hereby approved shall not be occupied prior to the provision of the cycle parking shown on drawing 501/01(02)011 rev D. The cycle parking shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, to encourage the use of sustainable transport modes, and to accord with Policies LP20, LP21, LP22 and LP24 of the Kirklees Local Plan.

15. Prior to the installation of the electrical system of the development hereby approved a scheme detailing the dedicated facilities to be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- One Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each residential unit that has a dedicated parking space; and
- One Standard Electric Vehicle Charging Point (of a minimum output of 16A/3.5kW) for every 10 unallocated residential parking spaces

Dwellings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. The charging points installed shall be retained thereafter.

Reason: To ensure residents of the development are encouraged to use low-carbon and more sustainable forms of transport and to mitigate the air quality impacts of the development in accordance with Policies LP20, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

16. Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include a timetable of all works and details of:

- point(s) of access for construction traffic
- construction vehicle sizes and routes;
- times of construction vehicle movements;
- parking for construction workers;
- signage;
- pre-development road condition surveys;
- wheel washing facilities within the site;
- road sweeping in the event that debris from the site are spread onto the highway;
- artificial lighting to be used during construction works;
- hours of working;
- dust suppression measures; and
- measures to control noise and vibration from construction-related activities.

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

Reason: In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, and to accord with Policies LP21, LP24, LP27 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, to avoid increased flood risk, and to prevent or minimise amenity impacts are devised and agreed at an appropriate stage of the development process.

17. Prior to the commencement of development, details of temporary surface water drainage for the construction phase (after soil and vegetation strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and shall demonstrate how flooding of adjacent land shall be prevented. The temporary works shall be implemented in accordance with the approved details prior to the commencement of development. The approved temporary drainage scheme shall be retained until the permanent surface water drainage system (to be approved pursuant to condition 18) is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during the construction phase, to limit the siltation of any on- or off-site surface water features, and to accord with Policy LP27 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid increased flood risk are devised and agreed at an appropriate stage of the development process.

18. Prior to the commencement of development, a scheme restricting the rate of surface water discharge from the site to a maximum of 19.5 litres per second shall be submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Volumes of water generated in exceedance of the critical 1 in 30 year return event, up to and including the critical 1 in 100 year storm event with a 30% allowance for climate change, shall be stored on site in areas to be approved in writing by the Local Planning Authority. Under CDM regulations 2015, the scheme shall include a detailed maintenance and management regime for the storage facility including safe access, cleansing and inspection of the attenuation, the flow control device and other ancillaries. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.

Reason: To ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk and so as to accord with Policies LP27 and LP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that details of drainage are agreed at an appropriate stage of the development process.

19. The development hereby approved shall be provided with separate systems of drainage for foul and surface water and these systems shall be completed prior to any piped discharge of surface water from the development.

Reason: In the interests of satisfactory and sustainable drainage and so as to accord with Policies LP27, LP28 and LP34 of the Kirklees Local Plan.

20. Prior to the commencement of development, an Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the Local Planning Authority. The EDS shall demonstrate that a net biodiversity gain will be achieved, and shall include the following details:

- 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;
- Seasonal timings of works with regards to roosting bats and nesting birds;
- Replacement bat roosts and/or protection of roost sites, including the roost within the adjacent tree in Ings Grove Park;
- An appropriate lighting design illustrating how impacts to existing and replacement bat roosts will be minimised;
- Location (shown on appropriate scale plans) of specific make and model, or design, of habitat boxes, such as bat boxes, bird boxes and hedgehog refuges (habitat boxes to be integral to new structures where such opportunities exist);
- A planting schedule and planting plan showing the inclusion of native species of tree and shrub to be included within/at the boundary of the application area, and how this achieves the stated purpose;
- Persons responsible for implementing the works;
- Details of initial aftercare and long-term maintenance; and
- Details of monitoring and remedial measures.

The EDS shall set out (where the results from monitoring show that conservation aims and objectives of the EDS are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully-functioning biodiversity objectives of the originally approved scheme. The development shall be implemented in accordance with the approved EDS.

Reason: In the interests of local ecological value and visual amenity, and to accord with Policies LP24, LP30, LP32 and LP33, of the Kirklees Local Plan, and chapters 12 and 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that details relevant to ecological impact and biodiversity net gain are agreed at an appropriate stage of the development process.

21. Prior to the commencement of development (including ground works), a Phase II Intrusive Site Investigation Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

22. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 21 development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the local planning authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

23. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 22. 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 works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Unless otherwise agreed in writing with the Local Planning Authority, 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

24. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

25. Prior to the occupation of the development hereby approved, all windows shall be fitted with a sound reduction performance of 25dB Rw and acoustic trickle vents.

Reason: In the interests of amenity and to accord with Policies LP24 and LP52 of the Kirklees Local Plan.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of building, structures or roads shall not take place outside the hours of:

07:30 and 18:30 hours Mondays to Fridays

08:00 and 13:00 hours Saturdays

With no working on Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974 (Section 60), Kirklees Council can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: For the avoidance of doubt regarding condition 3, the definitions of “support” and “supported housing” set out in the Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016) are:

“support” includes—

- (a) sheltered accommodation,*
- (b) extra care housing,*
- (c) domestic violence refuges,*
- (d) hostels for the homeless,*
- (e) support for people with drug or alcohol problems,*
- (f) support for people with mental health problems,*
- (g) support for people with learning disabilities,*
- (h) support for people with disabilities,*
- (i) support for offenders and people at risk of offending,*
- (j) support for young people leaving care,*
- (k) support for teenage parents,*
- (l) support for refugees*

“supported housing” means low cost rental accommodation provided by a registered provider which—

- (a) is made available only in conjunction with the supply of support,*
- (b) is made available exclusively to residents who have been identified as needing support, and*
- (c) falls into one or both of the following categories—*
 - (i) accommodation that has been designed, structurally altered or refurbished in order to enable residents to live independently,*
 - (ii) accommodation that has been designated as being available only to individuals within an identified group with specific support needs.*

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing site location plan	501/01(02)001	rev A	19/12/2019
Proposed site plan	501/01(02)011	rev D	04/09/2020
Proposed elevations	501/01(02)050	rev B	04/09/2020
Proposed ground floor plan	501/01(02)020	rev D	19/12/2019
Proposed first floor plan	501/01(02)021	rev E	04/09/2020
Proposed roof plan	501/01(02)022	rev C	04/09/2020
Apartment type A internal layout	501/01(02)030	rev A	19/12/2019
Apartment type B internal layout	501/01(02)031	rev D	04/09/2020
Apartment type C internal layout	501/01(02)032	rev B	19/12/2019
Apartment type D internal layout	501/01(02)033	rev B	19/12/2019
Apartment type E internal layout	501/01(02)034	rev A	19/12/2019
Apartment type F internal layout	501/01(02)035	rev B	19/12/2019
Apartment type H internal layout	501/01(02)037	rev B	04/09/2020
Apartment type J internal layout	501/01(02)038	rev A	19/12/2019
Apartment type K internal layout	501/01(02)039	rev A	19/12/2019
Apartment type L internal layout	501/01(02)040	rev B	19/12/2019
Apartment type M internal layout	501/01(02)041	rev B	19/12/2019
Proposed building site sections	501/01(02)051	rev B	04/09/2020
Proposed sections and street scenes	501/01(02)052	rev B	04/09/2020
Proposed building site sections	501/01(02)053		04/06/2020
Proposed boundary treatments	501/01(02)012	rev B	04/09/2020
Proposed external bin store layout	501/01(90)001		04/09/2020
Proposed drainage layout	110	rev P1	17/07/2020
Drainage details sheet 1	125	rev P1	16/07/2020
Drainage details	126	rev P1	16/07/2020

Plan Type	Reference	Version	Date Received
Existing site location plan	501/01(02)001	rev A	19/12/2019
sheet 2			
Proposed tree constraints plan	501/01(02)013	rev A	19/12/2019
Planning Statement	Brewster Bye, November 2019		19/12/2019
Design and Access Statement	Brewster Bye, December 2019		19/12/2019
Transport Statement	TPS, P1384_20191128, 28/11/2019	Issue 1	24/12/2019
Flood Risk Assessment	ARP, 2071/01r1, 23/01/2020		03/02/2020
Drainage calculations	Dudleys, CAL01(A), July 2020		16/07/2020
Project Sustainability Appraisal	Brewster Bye		18/02/2020
Preliminary Ecological Appraisal and Bat Scoping Report	JCA, 14607b/JB, 15/04/2019		19/12/2019
Ecological Impact Assessment Report	JCA, 14607c/JB, 30/10/2019		19/12/2019
Bat Survey and Report	JCA, 14607d/JB, 19/07/2019		08/01/2020
Arboricultural Report	JCA, 14607/AJB, 21/12/2018		19/12/2019
Arboricultural Impact Assessment	JCA, 14607-A/AJB, 22/11/2019		19/12/2019
Arboricultural Method Statement	JCA, 14607-F/AJB, 03/06/2020		04/06/2020
Stage 1 Desk Study Report	ARP, CNN/01r1, 22/11/2019	V1 FINAL	24/12/2019
Assessment of Potential Noise Impact	Hepworth Acoustics, P19-503-R01v1	v1	24/12/2019

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and 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. The Council engaged with the applicant at pre-application stage to ensure relevant planning considerations were appropriately addressed prior to the submission of applications for planning permission. Amendments were also negotiated during the life of the application.

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.

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 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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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.

To discuss the benefits that FTTP may have for your development, please contact Carl Tinson in Kirklees Council's Digital Team at carl.tinson@kirklees.gov.uk.

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.

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/planning-inspectorate>. 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: 10-Sep-2021

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Planning, Strategic Investment Service,
PO Box B93, Civic Centre 3, Off Market Street, Huddersfield, HD1 2JR
