



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

**PLANNING PERMISSION FOR DEVELOPMENT**

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**Application Number: 2021/70/90644/E**

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**To:** Hamish Gledhill,  
Acumen Designers & Architects Ltd  
Headrow House  
Old Leeds Road  
Huddersfield  
HD1 1SG

**For:** Acumen

**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 CONDITIONS 9 & 10 ON PREVIOUS PERMISSION NO. 2019/94003 FOR ERECTION OF PETROL FILLING STATION, KIOSK/CONVENIENCE STORE, COMMERCIAL RETAIL UNITS AND ASSOCIATED WORKS

**At:** SWAN INN, 962, HUDDERSFIELD ROAD, MIRFIELD, WF14 9HS

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**In accordance with the plan(s) and applications submitted to the Council on 18-Feb-2021 [together with those plans and application(s) submitted to the Council on 17-Dec-2019 and incorporated into planning permission ref no. 2019/62/94003/E granted on 23-Apr-2020] and subject to the condition(s) specified hereunder:-**

1. The development hereby permitted shall be begun before 22-Apr-2023.

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

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 permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord Policies LP1, LP2, LP3, LP21, LP22, LP24, LP27, LP28, LP30, LP33 and LP53 of the Kirklees Local Plan and Chapters 5, 9, 12, 14 and 15 of the National Planning Policy Framework.

3. The petrol filling station shall be constructed from brick for the external walls and aluminium sheeting for the roof. The three A1 retail units shall be constructed from vertical panel cladding for the external walls and composite protected panel for the roof. Samples of all facing and roofing materials for the petrol filling station and the A1 Retail Units hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on the superstructure of the buildings.

**Reason:** To ensure the satisfactory appearance of the development on completion and to accord with Policy LP24 of the Kirklees Local Plan as well as the aims of Chapter 12 of the National Planning Policy Framework

4. The development shall not be brought into use until all areas indicated to be used for paving have been marked out in accordance with the submitted block plan, and laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. 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) these areas shall be so retained, free of obstructions and available for the use(s) specified on the site plan (190766\_003\_D).

**Reason:** In the interests of satisfactory and sustainable drainage and to comply with Policy LP27 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

5. Prior to development first being brought into use, one standard electric vehicle charging point for every 10 unallocated commercial parking spaces shall be installed and made operational. Electric vehicle charging points shall thereafter be retained.

**Reason:** To promote the use of ultra-low emission forms of transport in the interests of achieving sustainable development, complying with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

6. No activities associated with the petrol filling station and retail uses hereby approved shall be carried out on the premises, including deliveries to or dispatches from the premises, outside the hours of 0600 and 2300 Monday to Friday and 0700 to 2130 Saturdays, or at any time on Sundays and Bank Holidays.

**Reason:** To ensure an acceptable level of residential amenity and to comply with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework

7. The development shall be completed in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement, reference James Royston Ref 190809 MS. These shall be implemented and maintained throughout the construction phase and retained thereafter.

**Reason:** To protect mature trees in the interests of visual amenity and to accord with the requirements of Policies LP24 and LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

8. Details of any additional tree works required during the construction process, that is 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 and Chapter 15 of the National Planning Policy Framework.

9. No substructure works shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance. The existing dwelling on the site can be demolished and the site cleared to facilitate the intrusive site investigations

**Reason:** To identify and remove unacceptable risks to human health and the environment regarding historic coal mining legacy and in accordance with guidance contained within Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that appropriate measures are incorporated into the development at the relevant stage.

10. Where the findings of the intrusive site investigations (required by condition 9 above) identify that coal mining legacy on the site poses a risk to surface stability, further ground works in the area(s) identified in the report shall not commence until a detailed remediation scheme to protect the development from effects of such land instability has been submitted to and approved in writing by the Local Planning Authority. Following approval, the remedial works shall be implemented details in the area(s) identified on site in complete accordance with the approved details.

**Reason:** To identify and remove unacceptable risks to human health and the environment regarding historic coal mining legacy and in accordance with guidance contained within Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that appropriate measures are incorporated into the development at the relevant stage.

11. Following implementation and completion of the approved remediation scheme (if required by condition 10 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with the approved details.

**Reason:** To identify and remove unacceptable risks to human health and the environment with regard to historic coal mining legacy and in accordance with guidance contained within Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

12. Site remediation has been recommended in the Phase II Intrusive Site Investigation Report approved submitted under application 2020/92988, further groundworks 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 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. This is a pre-commencement condition to ensure that, should mitigation measures be required, they are implemented at the appropriate stage of the development.

13. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 12. 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. This is a pre-commencement condition to ensure that, should mitigation measures be required, they are implemented at the appropriate stage of the development.

14. 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. 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 Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and 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. This is a pre-commencement condition to ensure that, should mitigation measures be required, they are implemented at the appropriate stage of the development.

15. Before the development is first brought into use, the sightlines of 2.4 x 43m shall be cleared of all obstructions to visibility exceeding 0.6 m in height and these shall be retained free of any such obstruction.

**Reason:** To ensure adequate visibility in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

16. Prior to the development being brought into use, a detailed scheme as shown on plan number 190766-003-d by Jennings Design Ltd for the provision of a right turn lane from Huddersfield Road into the site and the relocation and upgrading of the existing traffic island with associated signing and white lining shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, drainage, kerbing, white lining, signing, surface finishes and street lighting together with an independent Safety Audit covering all aspects of the work. All of the agreed works shall be implemented before any part of the development is first brought into use

**Reason:** In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

17. Prior to the development being brought into use, the scheme detailing measures to manage parking on both sides of Huddersfield Road between the eastern side of 891 Huddersfield Road and the western side 970 Huddersfield Road and all associated works, together with appropriate Safety Audits as approved under application 2020/44/92988/E shall be implemented.

**Reason:** In the interests of highway safety and to achieve a satisfactory layout to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

18. The development hereby approved shall be carried out in complete accordance with the recommendations set out in the approved Bat Roost Assessment prepared by Bagshaw Ecology referenced BE-1137.1a, with particular reference to Section 6 which requires bird boxes to be incorporated into the development. The proposed measures shall thereafter be retained.

**Reason:** So as to ensure that any existing habitats of protected species are not harmed and that appropriate mitigation is in place in accordance with the aims of Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

19. Before the installation of external artificial lighting commences a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:-

- a) The proposed hours of operation of the lighting
- b) The location and specification of all of the luminaires
- c) The proposed design level of maintained average horizontal illuminance for the areas that need to be illuminated.
- d) The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity.
- e) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site.
- f) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme.

**Reason:** In the interests of residential amenity to ensure that any artificial lighting does not cause disturbance to neighbouring properties, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

20. The development shall not be brought into use until all works comprised within the measures specified in the approved report 'Environmental Noise Survey dated 8 June 2020 authored by Paul Horsley Acoustics Limited Ref J2940' and approved under application 2020/44/92988/E have been carried out in full and such works shall thereafter be retained.

**Reason:** To safeguard the amenities of neighbouring occupiers in accordance with Policy LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

21. The use hereby permitted shall not begin until details of the installation and/or erection of any extract ventilation system and refrigeration, including details of the methods of treatments of emissions and filters to remove odours and control noise emissions have been submitted to and approved in writing by the Local Planning Authority and the works specified in the approved scheme have been installed. Such works shall thereafter be retained, operated at all times when the development is in use and maintained in accordance with the manufacturer's instructions.

**Reason:** To safeguard the amenities of neighbouring occupiers in accordance with Policy LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

22. Prior to development commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:-

- Noise & vibration arising from all construction related activities
- Hours of working on the site including times of deliveries.
- Dust arising from all construction related activities.
- Artificial lighting used in connection with all construction related activities and security of the construction site.

The agreed plan shall be adhered to throughout the construction of the development

**Reason:** To safeguard the amenity of the occupiers of nearby neighbouring properties and to comply with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

23. None of the dwellings shall be occupied until the details as set out within the drainage scheme approved under application 2020/44/92988/E has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and thereafter retained.

**Reason:** To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental wellbeing and to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

24. There shall be no discharge of foul or contaminated drainage from the site to any part of the groundwater or surface water network, whether directly or via soakaway.

**Reason:** To prevent pollution of the water environment and in accordance with Chapter 14 of the National Planning Policy Framework.

25. The use of the parking areas/hardstandings shall not commence until the works comprising the approved treatment scheme approved under application 2020/44/92988/E has been completed. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout its use. Roof water shall not pass through the interceptor.

**Reason:** To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental wellbeing and to accord with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 12 and 14 of the National Planning Policy Framework.

**NOTE:** The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. 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:** Due to its location, Bats may be present on or near to the application site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

**NOTE:**

- A Standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) is however more likely to be futureproof
- At non-residential developments, the requirement for one electric vehicle charging point for every 10 parking spaces may initially be reduced to one charging point for every 20 parking spaces with the remainder provided at an agreed trigger point.
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

**NOTE:** All contamination reports shall be prepared in accordance with *Model Procedures for the Management of Land Contamination – Contaminated Land report 11* (CLR11), National Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.

**NOTE:** This planning permission does not permit any external extract ventilation systems or air conditioning units. This would require a separate planning application should it be needed.

**NOTE:** Given the sensitivity of the site in relation to crime and safety, it is advised that the applicant contacts Richard Thornton, K.C Police Architectural Liaison Officer, on 01484 221000 for advice on recommended crime prevention measures that should be incorporated into the design of the shopping centre.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed A1 units layout	190766_008	A	16.3.2020
Proposed site layout	190766_003	D	16.3.2020
Existing site layout	190766_001	-	16.3.2020
Existing site elevation	190766_002	-	16.3.2020
Proposed A1 units elevation	190766_007	A	16.3.2020
Proposed site elevation	190766_004	A	16.3.2020
Proposed pfs elevations	190766_005	-	16.3.2020
Proposed pfs layout	190766_006	-	16.3.2020
Proposed tracking layout	190766_009	D	16.3.2020
Proposed drainage layout	190766_010	C	16.3.2020
Drainage calculations	CAL01 (A)	-	30.1.2020
Road Safety Audit-designer's response	1693	-	16.12.2019
Coal Mining Risk Assessment	B20095/CMRA	-	16.12.2019
Coal Mining Search Report	-	-	16.12.2019
Retail Planning Statement	2622	-	11.12.2019
Transport Statement	1693	-	11.12.2019
Arboricultural Impact Assessment	Ref 190809 AIA	-	11.12.2019
Arboricultural Method Statement	190809MS	-	11.12.2019
Tree Survey	190809	-	11.12.2019
Bat Roost Assessment	BE1137.1	A	11.12.2019
Acoustic report	J2165	-	11.12.2019
Addendum to retail planning statement	-	-	04.03.2020
Information in the application form	-	-	18.02.2021
Section 278 Construction	1693-278-101	A	09.12.2020

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Section 278 Kerbing	1693-278-102	A	09.12.2020
Section 278 White Lining	1693-278-103	A	09.12.2020
Section 278 Typical	1693-278-104	A	09.12.2020
Section DR Rev 0 Road Safety Audit Stage 2	2020-06 Mirfield RSA2	-	09.12.2020
Environmental Noise Survey	Paul Horsley Acoustics Limited Ref J2940 (dated 8th June 2020)	-	09.09.2020
Drainage Maintenance Schedule	20229	-	09.09.2020
Drainage Maintenance Schedule	20229	A	09.02.2021
Source Control 5.0ls	20229	-	06.10.2020
Drainage Design	20229-DR-C-0100-P3	-	09.09.2020
Drainage Design	20229-DR-C-0100-P4	-	06.10.2020
Drainage Design Plan	20229-DR-C-0100-P5	-	10.11.2020
Drainage Details	20229-DR-C-0101-P1	-	09.09.2020
Private Levels	20229-DR-C-0102-P2	-	09.09.2020
Manhole Schedule	20229-DR-C-0103-P3	-	09.09.2020
Micro Drainage	20229 – Source	-	10.11.2020
Bba_polystorm_r		-	09.12.2020

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 has, 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. No negotiations have been undertaken during the lifespan of this application. However, prior to the application being submitted, officers recommended that the applicant apply to vary conditions 9 and 10 to overcome issues surrounding site investigation and the necessary demolition of the building on site.

**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**

**The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.**

**It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).**

**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 Coal 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 that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:**

**[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)**

**Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal 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. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.**

**If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.**

**Further information is available on the Coal Authority website at:**

**[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)**

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/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](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

Dated: 08-Apr-2021

Signed:



David Shepherd  
Strategic Director Growth and Regeneration

## 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](http://www.kirklees.gov.uk/planning), and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2021/70/90644/E .

If a paper copy of the decision notice or decided plans are required please email [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) or telephone 01484 414746 with the application number. There may be a charge for this service.

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All communications should be sent to one of the following address:

**E-mail:** [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

**Write to:** Planning Services  
Investment and Regeneration  
PO Box B93  
Civic Centre III  
Off Market Street  
Huddersfield  
HD1 2JR

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