



**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: 2021/62/93305/W

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

For: S A ASSOCIATES

**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:-**

CHANGE OF USE AND CONVERSION OF EXISTING BUILDINGS, FORMING
SPLIT-LEVEL SIX STOREY DEVELOPMENT COMPRISING FOUR-STOREY
STAIRWELL, FOUR-STOREY ROOF-TOP TOWER BLOCK AND ENCLOSED
COURTYARD TO CREATE 19 STUDENT APARTMENTS AND 6 DWELLINGS
FOR GENERAL OCCUPANCY, SUB-DIVISION OF THE RETAIL UNIT
FORMING 61-63 NEW STREET (FULL APPLICATION)

At: 61-65, NEW STREET, HUDDERSFIELD, HD1 2BQ

**In accordance with the plan(s) and applications submitted to the Council on
27-Oct-2021, 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 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 with Policies LP1, LP2, LP21, LP24, LP28, LP30, LP35, LP52 and LP53 of the Kirklees Local Plan and guidance within the National Planning Policy Framework.

3. All apartments except those annotated as "General Residential" on the proposed floorplans shall only be occupied by students, defined as persons whose main residence is elsewhere and who are enrolled on recognised full-time courses at one of the higher educational establishments in the borough of Kirklees only, and for no other purpose (including those in Classes C3 and C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any instrument revoking and re-enacting that order with or without modification.

Reason: To accord with the terms of the application, given the standard of residential accommodation hereby approved, and due to the off-site contribution to open space provision (secured by Section 106 Agreement) being calculated on this basis in accordance with the Council's Open Space SPD.

4. Notwithstanding the details on the approved plans, a set of detailed shop front plans, elevations and sections (including, if applicable, security measures such as shutters) shall be submitted to and approved in writing by the Local Planning Authority before any alterations to the shop fronts commences, and the works shall be implemented in full accordance with the details thereby approved.

Reason: In the interests of visual amenity, to ensure that the development conserves the character, appearance and significance of the Huddersfield Town Centre Conservation Area, the listed building and the settings of nearby listed buildings, and to accord with the aims of Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. Samples or details of all new external materials to be used, including render type, colour and texture (which shall be in the form of a sample panel) shall be submitted to or made available for inspection on site by, and approved in writing by, the Local Planning Authority, and the development shall be implemented in full accordance with the approved materials.

Reason: In the interests of visual amenity, to ensure that the development conserves the character, appearance and significance of the Huddersfield Town Centre Conservation Area, the listed building and the settings of nearby listed buildings, and to accord with the aims of Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

6. No apartments within the new building hereby approved shall be occupied until the restoration of 61-63 New Street and the warehouse to the rear is substantially complete.

Reason: To ensure that the development contributes to the restoration and regeneration of the listed building and other buildings of heritage value that contribute to the character of the Huddersfield Town Centre Conservation Area, and to accord with the aims of Policies LP24 and LP35 of the Kirklees Local Plan, and Chapter 16 of the National Planning Policy Framework.

7. Before any new dwelling is first brought into use, all works which form part of the sound attenuation scheme as specified in the Environmental Noise Survey, Noise Break-in Assessment and Sound Insulation Scheme authored by NOVA Acoustics dated 13/04/2023 Ref 7856SA v002 shall be completed, and written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority. If it cannot be demonstrated that the noise levels specified in the aforementioned noise report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before any new dwelling is first brought into use. All of the approved measures shall thereafter be retained.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

8. Before any new dwelling is first brought into use, the developer shall provide written evidence to the Local Planning Authority to demonstrate that the airborne sound insulation performance of the party floors, walls and ceilings of the development is of a minimum of 55dB DnT,w + Ctr. If it cannot be demonstrated that the aforementioned airborne sound insulation performance has been achieved, a scheme incorporating further measures to achieve the sound insulation performance shall be submitted for the written approval of the Local Planning Authority. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned sound insulation performance level has been achieved shall be submitted to and approved in writing by the Local Planning Authority before any new dwelling is first brought into use, and the works thereafter retained as such.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise-generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

9. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been 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 the National Planning Policy Framework. This information is required pre-commencement to ensure that contamination risk is assessed before any groundworks commence.

10. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 9, groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been 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 the National Planning Policy Framework. This information is required pre-commencement to ensure that contamination risk is assessed before any groundworks commence.

11. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 10 further groundworks shall not commence until a Remediation Strategy by a suitably competent person 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 the National Planning Policy Framework. This information is required pre-commencement to ensure that any necessary remedial measures are incorporated into the development at any appropriate stage.

12. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 11. 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 two 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 the National Planning Policy Framework.

13. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation 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 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.

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.

14. The commercial use hereby permitted shall not be open to customers outside the hours of 09:00 to 18:00 daily and there shall be no deliveries to or dispatches from the premises outside these hours. No deliveries shall take place on Sundays or Bank Holidays.

Reason: To ensure that the proposed use(s) do(es) not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

15. 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 and vibration arising from all construction related activities. This shall include suitable restrictions on the hours of working on the site including times of deliveries.
- Dust arising from all construction related activities, including measures to monitor and record the emissions of dust during construction.
- Artificial lighting used in connection with all construction related activities and security of the construction site.
- A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Authority.

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

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and Policy LP52 of the Kirklees Local Plan.

16. Before food cooking commences within any of the commercial units, details of a kitchen extract system 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 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.
- Details showing the proposed location of all the major components of the extract system.
- The noise mitigation measures that will be incorporated in the extract system and details of the likely resulting noise levels that will be caused by operation of the extract system, in particular how loud it will be 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 commercial 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 and Chapters 12 and 15 of the National Planning Policy Framework.

17. Before food cooking commences within any of the commercial units, a scheme to prevent fats, oils, and grease entering the drainage network serving commercial food preparation and dish-washing areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to commercial food cooking commences and shall be retained thereafter.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policy LP28 of the Kirklees Local Plan and the NPPF.

18. Prior to the commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These shall include planting plans, plant schedules noting species, plant sizes and proposed numbers/densities where appropriate, and an implementation, management and maintenance programme. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or plant shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the implementation programme agreed with the local planning authority.

Reason: To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

19. Before any new dwelling is brought into use, notwithstanding the details on the approved plans, a plan detailing the positioning, location and specification of four Swift nest and two bat boxes shall be submitted to and approved in writing to the local authority. The boxes shall be installed and retained as detailed in the approved plans before any new dwelling is brought into use and thereafter retained as such.

Reason: To provide an enhancement to biodiversity in line with Policy LP30 of the Kirklees Local Plan and the requirements of section 15 of the National Planning Policy Framework.

20. Before any new dwelling is brought into use, details of safe and secure storage and access for cycles should be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation of any new dwelling and shall be so retained thereafter.

Reason: In the interests of promoting the use of means of transport with a low environmental impact, to promote active and healthy lifestyles, and to accord with the aims of Policies LP24(d and e) and LP47 of the Kirklees Local Plan.

21. Before any new dwelling is brought into use, details shall be submitted to and approved in writing by the Local Planning Authority of measures to protect future residents from crime and the fear of crime. The approved measures shall be implemented before any new dwelling is first brought into use and thereafter retained.

Reason: In the interests of minimising the risk of crime for the development and its users, and to accord with the aims of LP24(e) of the Local Plan.

22. Before work commences on the proposed rooftop tower block extension to the building, details of solar panels or other on-site micro-generation to be incorporated into the development to reduce carbon emissions associated with it shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the development before any part of the rooftop extension is brought into use and shall thereafter be retained as such.

Reason: To ensure that the proposed development contributes to the council's target of achieving 'net zero' carbon emissions by 2038 and thereby reducing the causes of climate change, and to accord with the aims of Policies LP24 and LP26 of the Kirklees Local Plan.

Note – Contamination reports

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance -

- *Land Contamination Risk Management (LCRM)*
- *BS 10175:2011+ A2:2017 Investigation 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.

Note – Construction site working times

It is recommended that noisy construction related activities should not take place outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00hours Saturdays

With no noisy activities on Sundays or Public Holidays

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 notices served using the above mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Note – kitchen extract system

Detailed advice is available in “Control of Odour and Noise from Commercial Kitchen Exhaust Systems” by EMAQ May 2022 which is an update of “Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems” by DEFRA 2005.

Note – food safety

It is recommended that prior to development commencing, the applicant should contact the Food Safety Team of Environmental Services to arrange an advice visit to discuss food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 22100 (ask for food safety) or by email at food.safety@kirklees.gov.uk.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			19/08/2021
Location plan	LOC		27/10/2021
Fire service access plan	(100)50		29/09/2021
Existing basement plan	INT-B-FP-M2-B-001-1 – Basement		20/10/2021
Existing ground floor plan	INT-G-FP-M2-B-001-1 – Ground floor		20/10/2021
Existing first floor plan	INT-01-FP-M2-B-001-1 – First floor		20/10/2021
Existing second floor plan	INT-02-FP-M2-B-001-1 – Second floor		20/10/2021
Existing roof plan	EXT-RFP-M2-B-001 – Roof		20/10/2021
Proposed basement plan	(100)10	D	13/02/2023
Proposed ground floor plan	(100)11	D	16/05/2023
Proposed first floor plan	(100)12	B	16/05/2023
Proposed second floor plan	(100)13	C	16/05/2023
Proposed third floor plan	(100)14	C	16/05/2023
Proposed fourth floor plan	(100)15	D	16/05/2023
Proposed fifth floor plan	(100)16	A	18/05/2023
Proposed elevations 1	(100)20	F	13/08/2023
Proposed elevations 2	(100)21	E	19/06/2023
Planning Statement			27/10/2021
Vacant Building Credit	(100)51	1	10/07/2023

Plan Type	Reference	Version	Date Received
schedule			
Fire Statement	2655	A	08/12/2021
Visual impact assessment	2655		16/05/2023
Materials schedule	2655	A	16/05/2023
Historic photographs of Albert Yard and New Street			17/04/2023
Residential noise assessment	7856SA Nova Acoustics	2	14/04/2023
Drainage Strategy	21-002-GLM-00-XX-RP-C-9000		27/10/2021
Travel Plan	1974 Paragon Highways		27/10/2021
Transport Statement	1974 Paragon Highways		27/10/2021
Climate Change Statement			27/10/2021
Coal Mining Risk Assessment	RGS Ltd		07/09/2021
Phase I Report	P3422 Avie Consulting		03/09/2021
Heritage Statement	The Urban Glow		23/08/2021
Structural Report	P3422		23/08/2021

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 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 case officer engaged in extensive negotiation with the applicant to deliver a scheme reduced in scale which would conserve the character of Huddersfield Town Centre Conservation Area.

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 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: 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.

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: 21-Mar-2025

Signed:



David Shepherd
Executive Director for Place

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:

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL