Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2022/62/92459/W

To: Freddie Garside
One17 Architect & Interior Design
The Dyehouse
35, Armitage Road
Armitage Bridge
Huddersfield
HD4 7PD

For: GARSIDE DEVELOPMENTS

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:-

CONVERSION OF FORMER MILL TO FORM 5 APARTMENTS INCLUDING EXTENSION AND ALTERATIONS, DEMOLITION OF OUTBUILDING, CONSTRUCTION OF 4 NO. OPEN SIDED CAR PORT STRUCTURES AND ASSOCIATED WORKS

At: BANKGATE MILLS, BANK GATE, SLAITHWAITE, HUDDERSFIELD, HD7 5DL

In accordance with the plan(s) and applications submitted to the Council on 17-Aug-2022, 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 (as amended).

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 to accord with Policies LP1, LP2, LP3, LP7, LP11, LP21, LP22, LP24, LP27, LP28, LP30, LP31, LP33, LP35, LP51, LP52 and LP53 of the Kirklees Local Plan, Principles within the Housebuilders Design Guide and policies within Chapters 2, 9, 12, 14, 15 & 16 of the National Planning Policy Framework

3. Development above slab/foundation level shall not commence until details of all external materials including walls, roofing materials, solar panels, doors, surfacing, rainwater goods and colour finishes to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme has been completed. No materials and colour finishes other than those approved in accordance with this condition shall be used which shall thereafter be retained and maintained for the lifetime of the development.
Reason: In the interests of visual amenity and to ensure the development has an acceptable impact upon a Grade II listed building to accord with policies LP2, LP24 and LP35 of the Kirklees Local Plan, principles 2 and 13 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

4. In the event that contamination not previously identified by the developer is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with LP53 of the Kirklees Local Plan and policies contained within Chapter 15 of the National Planning Policy Framework.

5. No demolition/development to take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme archaeological and architectural recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure the impact of the development with regard to archaeological importance is satisfactorily recorded to accord with policies within Chapter 16 of the National Planning Policy Framework and part 2 of policy LP35 of the Kirklees Local Plan.

6. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall demonstrate conformance with established guidance document Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night. The submitted scheme shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. No external artificial lighting shall be erected within the site other than that which has been approved by this condition which shall be retained thereafter.
Reason: In the interests of visual amenity, preserving the setting of a listed building, residential amenity and biodiversity and in accordance with Policies LP24, LP30 & LP35 of the Kirklees Local Plan and policies within Chapters 12, 15 and 16 of the National Planning Policy Framework.

7. Prior to the development being brought into use, the vehicle turning and parking areas upon submitted drawing 12revJ shall be provided for vehicular turning and parking, used for no other purpose and thereafter retained throughout the lifetime of the development.
Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 12 and 19 of the Councils adopted House Builders Design Guide, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework.

8. Notwithstanding the plans submitted, the development shall not be brought into use until secure, covered, cycle parking facilities have been provided in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall thereafter be retained.
Reason: To ensure adequate cycle storage is provided for occupiers of the development hereby approved to accord with Policies LP21 and LP22 of the Kirklees Local Plan, the Council's adopted Highways Design Guide and policies contained in chapter 9 of the National Planning Policy Framework.

9. Notwithstanding the plans submitted, the development shall not be brought into use until a scheme detailing:

i. the location, design and materials of all bin storage areas/enclosures and recycling storage areas for the residential and commercial aspects of the scheme and
ii. bin presentations points for collection of wastes has been submitted to and approved inwriting by the Local Planning Authority.

The development shall not be brought into use until the works required have been completed/provided, which shall thereafter be retained.
Reason: To ensure adequate waste storage facilities are provided in the interests of visual and residential amenity and highway safety to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan, Kirklees Waste Management Design Guide for New Developments and policies contained within chapters 12 and 15 of the National Planning Policy Framework.

10. Prior to the development being brought into use, 5.no vehicle spaces shall have dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles provided of at least the following minimum standard for numbers and power output:

- A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of residential parking spaces that are not allocated to specific dwellings.

The development shall not be brought into use until the charging points are installed and operational and which shall be retained as such thereafter.
Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with policy LP51 of the Kirklees Local Plan, principle 18 of the Housebuilders Design Guide and policies within Chapters 2, 9 and 15 of the National Planning Policy Framework.

11. The development hereby approved shall be undertaken in accordance with the works to stabilise the slope to the South West of the site as detailed upon submitted drawing 250722Rev0, the Structural Survey by TJ Booth Associates received 23/09/2025 and the Structural Calculations by TJ Booth Associates received 23/10/2025. The development shall not be brought into use until a verification report by a suitably qualified practitioner has been submitted to, and approved in writing by the Local Planning Authority to confirm satisfactory completion of the stabilisation works which shall thereafter be retained for the lifetime of the development.
Reason: to ensure land stability is ensured as a result of the development to accord with policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework.

12. Prior to the commencement of the works to stabilise the slope to the South West of the site pursuant to condition no.11, a statement of works shall be submitted to, and approved in writing by, the Local Planning Authority which details how the stabilisation works will be carried out. The submitted statement shall include:

- A written specification to detail the sequencing of excavation works on site;
- Measures that will be employed to prevent the runoff of silt-laden water or debris towards the spillway to Slaithwaite Reservoir; and
- The location of stockpiles and fuels to be stored on site.

Following the issuing of the written approval of the statement of works by the Local Planning Authority the development shall be undertaken in accordance with the approved statement of works.
Reason: to ensure land stability is ensured as a result of the development to accord with policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework

13. The development shall be carried out in accordance with the submitted flood risk assessment by TJ Booth Associates referenced rep-tjba-garside-bankgate mills-FRA-151025, Revision 2 and dated October 2025, and the following mitigation measures it details:

a) Finished floor levels shall be set no lower than 160.905 metres above Ordnance Datum (AOD)

b) The bank stability works shall not encroach into the watercourse beyond the existing line of the bank, as shown in the drawing titled “earthworks stability – external works plans & sections A1, B1 & C1” dated Sept 25.

The development shall not be brought into use until it has been completed in accordance with measures a) and b) of this condition which shall be retained thereafter.

Reason: to reduce the risk of flooding to the proposed development and future occupies as well as to prevent flooding elsewhere to accord with policies LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

NOTE Paragraph 197 of the National Planning Policy Framework states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner

NOTE: The applicant/developer is advised to contact the Canal & River Trust’s Works Engineering Team via switchboard on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works would comply with the Trust’s “Code of Practice for Works affecting the Canal & River Trust

NOTE: All noise assessments should be carried out by a competent person. Developers may wish to contact the Association of Noise Consultants http://www.association-of-noiseconsultants.co.uk/ (020 8253 4518) or the Institute of Acoustics http://www.ioa.org.uk (0300 999 9675) for a list of members.

NOTE: 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: The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

• any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
• any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
• any activity within 16 metres of a sea defence structure
• activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-gency.gov.uk. A permit will not be automatically forthcoming even when planning permission has been granted, and it is advised the Environment Agency is contacted with at the earliest opportunity.

NOTE: The works are in the immediate vicinity of a reservoir structure. Guidance and final approval must be obtained from the Qualified Reservoir Panel Engineer (also known as the Reservoir's Supervising Engineer) for the reservoir before any construction can be approved. They may dictate a Reservoir Construction Engineer needs to be appointed for the duration of the works. The current Supervising Engineer will have been appointed by the reservoir owner and therefore contact needs to be sought through them to ensure the correct engineer is identified. The Flood Risk and Drainage Teams at the Council and Canal and Rivers Trust (CRT) (the reservoir owners) will hold further information on the reservoir spillway and any other culverts / privately owned assets within this area in relation to the development.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Plans and specifications schedule:-

Plan Type	**Reference**	**Date Received**
Location Plan	3486 (LP) 01	21/07/2022
Existing topographical plan	8415/1	21/07/2022
Existing Elevations	3486 (0-) 01	21/07/2022
Existing Outbuilding Elevations	3486 (0-) 02	21/07/2022
Existing site plan	3486 (0-) 03	21/07/2022
Proposed Elevation Plan	3486(0-)16revJ	10/06/2025
Proposed Floor Plan	3486 (0-) 15 Rev J	10/06/2025
Proposed Floor Plan	3486 (0-) 14 Rev J	10/06/2025

Plan Type	Reference	Date Received
Proposed Floor Plan	3486 (0-) 13 Rev I	10/06/2025
Proposed Floor / Site Plan	3486 (0-) 12 Rev J	10/06/2025
Proposed Elevation Plan	3486 (0-) 18 Rev I	10/06/2025
Swept Path drawing	04RevA	10/06/2025
Swept Path drawing	03RevC	10/06/2025
Swept Path drawing	02RevC	10/06/2025
Swept Path drawing	01Rev D	10/06/2025
Land stability plan	250722Rev0	23/09/2025
Design and Access Statement	3486	21/07/2022
Bat Survey	MBE/BAT/2022/66/2	9/08/2022
Arboricultural Impact Assessment	WC-118.1b	18/08/2022
Transport Note		20/02/2023
Balustrade Detail photograph		12/05/2023
Slope Stability Assessment dated Sept 25		23/09/2025
Slope stability calculations dated 23rd October 2025		27/10/2025
Flood Risk Assessment rev 2 dated October 2025		3/11/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local 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.

Extensive discussions took place over several years with subsequent amendments, to achieve a scheme which could be deemed supportable by the Local Planning Authority.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- **This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "*submitted to and approved in writing by the Local Planning Authority*".**

- **You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.**

- **This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.**

- **You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.**

- **It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.**

- **If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.**

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA - STANDING ADVICE

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

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Where the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- **If you are aggrieved by the decision of your Local Planning Authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.**
- **If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:**

  i) 28 days of the date of service of the enforcement notice, or
  ii) within the specified period, starting on the date of this notice,

  whichever period expires earlier.

- **If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.**

- **The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.**

- **Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://www.gov.uk/appeal-planning-decision. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website https://www.gov.uk/government/organisations/planning-inspectorate.**
- **You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.**
- **The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.**
- **The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.**
- **In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.**

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- **If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.**

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 09-Dec-2025

Signed:



David Shepherd
Executive Director for Place

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search planning applications and decisions' and by searching for application number 2022/62/92459/W.

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

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

E-mail: **dc.admin@kirklees.gov.uk**

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