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Date: 12-Dec-2023
Our Ref: 2023/91342

Dear Madam

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015
NOTIFICATION OF PROPOSED CHANGE OF USE AND BUILDING OPERATIONS
APPLICATION NUMBER: 2023/91342
AT: Moss Edge Farm, Moss Edge Road, Holmbridge, Holmfirth, HD9 2SD**

I refer to your submission of details relative to the proposed change of use and any building operations as described below which was received by the Local Planning Authority on 04-May-2023.

Prior notification for change of use from agricultural building to three dwellings with associated works

The proposal as submitted is acceptable and, subject to all works being carried out in accordance with the description contained in the notification, prior approval is hereby granted.

The development shall begin within a period of three years beginning with the date of this letter.

Conditions and reasons

1. 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, LP22 and LP24, of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

2. All parking spaces to serve the new dwellings as shown on the approved plan 166-23-PL102 Revision A shall be laid out with a hardened and drained surface before the dwelling to which they relate is first occupied, and shall be so retained thereafter.

Reason: To ensure that sufficient parking space is provided to serve the development in the interests of highway safety, and to accord with the aims of Policy LP21-22 of the Kirklees Local Plan and Highway Design Guide Supplementary Planning Document.

3. All of the areas designated as passing places on the approved plan 166-23-PL101 Revision E shall be cleared of obstructions to their use before any new dwelling is occupied, and shall thereafter be so retained at all times.

Reason: In the interests of ensuring a safe and convenient means of access for future occupants and visitors, and to accord with the aims of Policy LP21 of the Kirklees Local Plan.

4. A minimum of one electric vehicle recharging point shall be installed within the parking space to serve each dwelling before the dwelling to which it relates is first occupied. Cable and circuitry ratings shall be provided to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle recharging points provided shall be retained thereafter.

Reason: In the interests of promoting modes of transport with ultra-low emissions and to accord with the aims of Policy LP24(d) of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

5. 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: This information is required pre-commencement to ascertain the presence or otherwise of contamination on site and so ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework.

6. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (CLC1), 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: This information is required pre-commencement to ascertain the presence or otherwise of contamination on site and so ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework.

7. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2), 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: This information is required pre-commencement to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework.

8. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). 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 paragraph nos. 183 and 184 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority.

NOTE: The proposed development is in a rural location and relies on alternative sources of water for its drinking water supply. It is therefore important that it does not have an adverse impact on existing private water supplies and/or the collection grounds of private water supplies which could constitute a potential risk to human health. The applicant must ensure a suitable, sufficient and wholesome drinking water supply can be provided for the proposed development and that the use of the proposed supply will not adversely impact on other private water supplies in the vicinity. The drinking water must comply with drinking water quality standards so as not to constitute a potential danger to human health, and it must be acceptable to consumers in appearance, odour and taste. Wholesome is defined in Part 2 Regulation 4 of the Private Water Supplies (England) Regulations 2016 or in any new legislation that supersedes this. For further information regarding Private Water Supplies contact: watersampling@kirklees.gov.uk.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application plan			09-May-2023
Location Plan	PL101	C	09-May-2023
Existing site / block layout	02	A	09-May-2023
Existing floor plans – ground	04		09-May-2023
Existing floor plans – first	05		09-May-2023
Existing elevations	07		09-May-2023
Existing elevations	08		09-May-2023
Proposed site / block layout	166-23-PL102	A	28-Jul-2023
Proposed floor plans	166-23-PL103 P3		09-May-2023
Proposed elevations	166-23-PL104 P3		09-May-2023
Location plan with details of gradients and passing places	166-23-PL101	E	28-Jul-2023
Structural appraisal	MDL-8338		09-May-2023
Methodology statement	166-23-R1		09-May-2023
Supporting statement			09-May-2023

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

The case officer expressed concerns about the access and parking arrangements. In response, the applicant submitted amended / additional plans which informed the final assessment.

Customer Feedback

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.

Yours faithfully

Mathias Franklin
Head of Planning and Development