



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

**PLANNING PERMISSION FOR DEVELOPMENT**

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**Application Number: 2023/70/92163/W**

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**To:** Stuart Beaumont,  
One17 Architect & Interior Design  
The Dyehouse  
35, Armitage Road  
Armitage Bridge  
Huddersfield  
HD4 7PD

**For:** M Roberts

**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 CONDITION 2 (PLANS AND SPECIFICATIONS) ON PREVIOUS  
PERMISSION 2010/93437 CHANGE OF USE OF BARN TO DWELLING WITH  
ALTERATIONS AND EXTENSION TO LISTED BUILDING, REPLACEMENT OF  
STABLE BLOCK WITH GARAGE/HOME OFFICE TO AMEND THE HEIGHT OF  
THE DEVELOPMENT

**At:** HOLMROYD NOOK FARM, KNOLL LANE, NETHERTHONG, HOLMFIRTH,  
HD9 3UR

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**In accordance with the plan(s) and applications submitted to the Council on  
18-Jul-2023 [together with those plans and application(s) submitted to the Council  
on 29-Dec-2010 and incorporated into planning permission ref no.  
2010/62/93437/W1 granted on 12-Sep-2011] and subject to the condition(s)  
specified hereunder:-**

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 to accord with Policies LP01, LP02, LP7, LP11, LP21, LP22, LP24, LP31, LP35, LP51, PL57 and LP60 of the Kirklees Local Plan, principles 4, 6, 7, 13, 14, 16, 17, 18 and 19 of the Housebuilders Design Guide SPD, Policies 1, 2, 6, 11, 12, and 13 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 5, 11, 12, 13, 15 and 16 of the National Planning Policy Framework.

2. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

**Reason:** In the interests of visual amenity and to accord with Policies LP11 and LP24 of the Kirklees Local Plan, Principle 13 of the Council's adopted Housebuilders Design Guide SPD, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and policies contained within Chapter 12 of the National Planning Policy Framework.

3. One bat box and one bird box shall be incorporated into the dwelling hereby approved; the boxes shall be long-lasting Schwegler 'woodcrete' type or similar and shall be located away from sources of light. The bat and bird boxes shall be provided prior to first occupation of the dwelling hereby approved and thereafter be retained.

**Reason:** To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan, Principle 9 of the Kirklees Housebuilders Design Guide Supplementary Planning Document, Policy 13 of the Holme Valley Neighbourhood Development Plan and Chapter 15 of the National Planning Policy Framework.

4. The proposed home office shall be used for purposes ancillary to the residential use of the property known as Holmroyd Nook Farm and for no other purpose.

**Reason:** In the interests of highway safety and to avoid a detrimental intensification in traffic generation and to accord with Policies LP20 and LP21 of the Kirklees Local Plan, the Council's adopted Highways Design Guide and policies within Chapter 9 of the National Planning Policy Framework.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed Plans and Elevations	3429(0-) 07		19th July 2023
<b>Plans Submitted as part of application 2010/93437</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Design & Access Statement	09096T-001-P01		29.12.10
Site Location	09096D-00-P03		29.12.10
General Arrangement As Existing	09096D-01-P02		29.12.10
General Arrangement As Existing	09096D-02-P01		29.12.10
Outline Proposals Site Layout	09096D-05-P03		06.04.11
Outline Proposals Garage/Home Office Building	09096D-20-P01		29.12.10
Dusk Emergence Bat Survey	100907		29.12.10
Additional Dusk Emergency Bat Survey	110519		19.05.11

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

**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 a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](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/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](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

**Dated:** 06-Sep-2023

**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 2023/70/92163/W .

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

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