



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2024/62/90839/W

To: Alan Davies,
Northern Design (Oldham)
17, Station Lane
Grotton
Oldham OL4 5QY

For: SAMIR MAQBOOL, SOVEREIGN DEVELOPMENT GROUP LTD

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:-

**ERECTION OF 7 DWELLINGS AND ASSOCIATED INFRASTRUCTURE
FOLLOWING PARTIAL DEMOLITION OF EXISTING PUBLIC HOUSE (WITHIN
A CONSERVATION AREA)**

At: ROSE AND CROWN INN, 132, KNOWL ROAD, GOLCAR, HUDDERSFIELD,
HD7 4AN

In accordance with the plan(s) and applications submitted to the Council on 26-Mar-2024, 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 so as to ensure the satisfactory appearance of the development on completion, and to accord Policies LP1, LP2, LP3, LP4, LP7, LP11, LP20, LP21, LP22, LP24, LP26, LP27, LP28, LP30, LP32, LP33, LP34, LP35, LP43, LP48, LP51, LP52 and LP53 of the Kirklees Local Plan and the aims of the Council's Housebuilders Design Guide and the National Planning Policy Framework.

3. 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 aims of Chapter 15 of the National Planning Policy Framework. This is a pre commencement condition to ensure that contaminated land matters are fully addressed before works commence.

4. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (3). 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 the aims of Chapter 15 of the National Planning Policy Framework.

5. 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 (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 the aims of Chapter 15 of the National Planning Policy Framework.

6 No part of the development hereby approved shall be brought into use a scheme which details bin storage and collection points for the development has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include height and materials of the bin stores and the hard surfaced areas provided for the storage and collection of bins. Thereafter, the bin stores, storage areas and collection points shall be constructed in accordance with the approved scheme, made operational before the dwelling to which they relate is first occupied and shall be retained thereafter.

Reason: To ensure satisfactory arrangements are implemented in relation to waste, in the interests of visual and residential amenity and highway safety and to accord with Policies LP21 and LP24 of the Kirklees Local Plan, Kirklees Waste Management Design Guide for New Developments and the National Planning Policy Framework.

7. No part of the development hereby approved shall be brought into use until a scheme which sets out details of temporary waste collection arrangements to serve the occupants of the completed dwellings whilst the remaining site is under construction has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be retained until the development is completed.

Reason: In the interests of highway safety, to accord with Policy LP24 part d (vi) of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

8. Prior to the commencement of development (including ground works) a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include pre-development road condition surveys (covering an area which has previously been agreed in writing with Local Planning Authority), a timetable of all works, and details of:

- point(s) of access for construction traffic;
- construction vehicle sizes and routes;
- times of construction vehicle movements;
- parking for construction workers;
- signage;
- wheel washing facilities within the site;
- street sweeping;
- dust suppression measures;
- measures to control noise and vibration from construction-related activities;
- any artificial lighting to be used during construction; and
- hours of works
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The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon substantial completion of the development and before occupation of the 6th dwelling on site, post-development road condition surveys and a schedule of remedial works, including a timetable for the works to be undertaken, shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out shall be carried out in accordance with the approved timetable thereafter.

Reason: In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, and to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity impacts are devised and agreed at an appropriate stage of the development process.

9. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge method, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and an itinerary of maintenance tasks with schedules. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Reason: To ensure the effective disposal of surface water from the development (including its internal roads) so as to avoid an increase in flood risk and so as to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details of drainage are agreed at an appropriate stage of the development process.

10. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.

Reason: To ensure the effective disposal of surface water from the development (including its internal roads) so as to avoid an increase in flood risk and so as to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details of drainage are agreed at an appropriate stage of the development process.

11. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall detail: - phasing of the development and phasing of temporary drainage provision. - include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented. - the strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %.

The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed in writing with the LPA. The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: To ensure the effective disposal of surface water from the development (including its internal roads) so as to avoid an increase in flood risk and so as to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details of drainage are agreed at an appropriate stage of the development process.

12. Before the development commences a scheme detailing the location and cross sectional information together with the proposed design and construction details for all new retaining walls and building retaining walls adjacent to the proposed/ existing highway including any modifications to the existing retaining wall supporting Knowl Road shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.

Reason: This is a pre-commencement condition to ensure that any new retaining structures do not compromise the stability of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

13. Prior to the commencement of development (including ground works), a scheme detailing all new surface water attenuation tanks, pipes and manholes located within the proposed highway footprint shall be submitted to and approved in writing by the Local Planning Authority. The details shall specify locations of the features and shall include cross-sectional information together with the proposed designs and construction details. The development shall be completed in accordance with the approved details before any of the dwellings are occupied and shall be retained as such thereafter.

Reason: To ensure that any new retaining structures do not compromise the stability of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details of drainage are agreed at an appropriate stage of the development process.

14. Prior to the commencement of development (including ground works), a scheme detailing the proposed internal adoptable roads shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage details, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of this work. No part of the development shall be brought into use until the internal adoptable roads for that part of the development have been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that details of internal adoptable roads are agreed at an appropriate stage of the development process.

15. No part of the development hereby approved shall be brought into use until all works which form part of the sound attenuation scheme as specified in the Noise Assessment authored by Druk Limited dated 25 March 2024 Ref DRUK/ACC/RS/RCPHRD/3272 relating to that part have been completed.

Reason: In the interests of residential amenity of future occupiers, to protect the continued operational flexibility of nearby commercial uses and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and Policy within Chapter 15 of the National Planning Policy Framework.

16. Development shall not commence until a scheme of measures to promote carbon reduction and enhance resilience to climate change as part of the fabric and design of dwellings and energy sources has been submitted to and approved in writing by the Local Planning Authority. This shall include, but not limited to, the provision of one electric vehicle recharging point within the dedicated parking space for each dwelling. The development shall be constructed in accordance with the approved scheme and retained thereafter.

Reason: This is a pre commencement condition to ensure measures to promote carbon reduction and enhance resilience to climate change and accord with the Council's adopted target for achieving 'net zero' carbon emissions by 2038, Policies LP24 and LP51 of the Kirklees Local Plan, Principle 18 of the Housebuilders Design Guide SPD and Chapter 14 of the National Planning Policy Framework.

17. Development shall not commence until a detailed scheme for the provision of a minimum 2.0m wide footway to the full site frontage and the re-siting of the existing bus shelter to the rear of the visibility splay with associated signing and white lining has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, white lining, signing, surface finishes together with an independent Safety Audits covering all aspects of the work. The approved scheme shall be completed before the occupation of the first dwelling on site.

Reason: This is a pre-commencement condition in the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

18. Development shall not commence until a scheme which details measures to prevent and deter crime and anti-social behaviour within the site and individual dwellings has been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include details of windows overlooking publicly-accessible areas, details of boundary treatments, external lighting, landscaping and the security measures for any garages or sheds. No part of the development shall be brought into use until the development has been implemented in accordance with the details so approved.

Reason: This is a pre commencement condition required to minimise the risk of crime and anti-social behaviour and creating a safer, more secure and sustainable neighbourhood, and to accord with Policies LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

19. The development shall not be brought into use until a scheme which details the positioning and location of a Bat box (Schwegler 1WI Bat Box or similar) has been submitted to, and approved in writing by, the local authority. The development shall not be brought into use until the approved scheme has been completed to the relevant part to which it relates and which shall be retained thereafter.

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 and Chapter 15 of the National Planning Policy Framework.

20. The development shall not be brought into use until a scheme detailing hard and soft landscaping, tree/shrub planting, including the indication of all existing trees and hedgerows on and adjoining the site, details of any to be retained has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate the planting of native trees and hedgerows. The scheme shall detail the phasing of the landscaping and planting. The development and the works comprising the approved scheme shall be implemented in accordance with the approved phasing. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation. The areas indicated for use as soft landscaping shall be retained as soft landscaped areas for the lifetime of the development and used for no other purpose.

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 and Chapter 15 of the National Planning Policy Framework.

21. No vegetation clearance shall take place between the period 1st March to 31st August.

Reason. To protect nesting and breeding birds during construction by avoiding direct impacts to protected species, and to accord with Kirklees Local Plan Policy LP30.

22. The development shall not be brought into use until a scheme which details arrangements for the future management and maintenance of the green amenity spaces (outside of private gardens) and the use of any private management company for this purpose. No part of the development shall be brought into use until the arrangements for the future management and maintenance of green amenity spaces has been secured.

Reason: In the interest of visual amenity and highway safety and to conserve the setting of Golcar Conservation Area and the nearby listed building, to accord with Policies LP21, LP24 and LP35 of the Kirklees Local Plan and aims of the National Planning Policy Framework.

23. Notwithstanding the annotation upon submitted drawing 04revB there shall be no solar panels installed upon plots 1 and/or 2 of the development hereby approved.

Reason: In the interest of visual amenity and the setting of the Conservation Area in accordance with policies LP24 and LP35 of the Kirklees Local Plan and policies contained within Chapters 12 and 16 of the National Planning Policy Framework.

24. The garages serving plots 5 and plot 6 shall be used for vehicular storage only.

Reason: In the interests of highway safety and to achieve a satisfactory parking provision in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the Council's adopted Street Design Guide.

25. Development shall not commence until a scheme which details all external materials of construction has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include i) gutter and downpipe profiles, design and colour; ii) details of stone materials to be used in the construction of the dwellings; iii) details of pointing material, design and colour finish; iv) details of materials of construction to the roof; v) materials of construction and treatment of all external hard surfaced areas and vi) materials of construction of all boundary treatments. No dwelling shall be brought into use until completed in accordance with the details approved by this condition in relation to that dwelling. The external materials of construction approved by this condition shall be thereafter retained.

Reason: This is a pre commencement condition required to preserve the setting of the Conservation Area and in the interests of Visual Amenity to accord with policies LP24 and LP35 of the Kirklees Local Plan, principles within the Housebuilders Design Guide and policies within Chapters 12 and 15 of the National Planning Policy Framework.

26. Development shall not commence until a scheme which details all windows and doors has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include 1:20 window and door elevations and 1:5 joinery details as well as materials of construction and colour finish. No dwelling shall be brought into use until completed in accordance with the details approved by this condition in relation to that dwelling. The window and door details approved by this condition shall be thereafter retained.

Reason: This is a pre commencement condition required to preserve the setting of the Conservation Area and in the interests of Visual Amenity to accord with policies LP24 and LP35 of the Kirklees Local Plan, principles within the Housebuilders Design Guide and policies within Chapters 12 and 15 of the National Planning Policy Framework.

27. Notwithstanding the plans submitted, the development shall not be brought into use until a scheme detailing the boundary treatment of the site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be brought into use until completed in accordance with the details approved by this condition in relation to that dwelling. The scheme shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of residential amenity of neighbouring occupiers, visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, principles 5 and 6 of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapter 12 of the National Planning Policy Framework.

28. Development of plots 3, 4, 5, 6 and/or 7 shall not commence until a scheme detailing the finished slab and floor levels of the dwelling relating to that plot together with corresponding existing and finished ground levels related to Ordnance Datum or an identifiable temporary datum has been submitted to and approved in writing by the Local Planning Authority. The construction of the dwelling shall thereafter be carried out in accordance with the details so approved before that dwelling is first occupied and shall be retained thereafter.

Reason: In the interests of visual amenity and the amenity of neighbouring occupiers to accord with Policy LP24 of the Kirklees Local Plan, principle 6 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework. This is a pre-commencement condition to ensure the ensuing development is undertaken in the interests of residential amenity of adjacent land and buildings and visual amenity.

NOTE: Noisy construction related activities shall not take place outside the hours of: 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours, 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 notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: • A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof • Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would 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 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 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: It is brought to the Applicants' notice that the Highway Development, Investment & Regeneration, Civic Centre 3, Market Street, Huddersfield HD1 2JR (Kirklees Street Care: 0800 7318765 or 'Highways.Section38@kirklees.gov.uk') must be contacted to discuss road adoption arrangements under Section 38 of the Highways Act 1980.

NOTE: The re siting of infrastructure within the street (street lights / BT box etc) would need to be undertaken in agreement with the relevant statutory undertaker.

Plans and specifications schedule:-

Plan / Document Type	Reference	Version	Date Received
Location Plan			26th March 2024
Existing Elevations	12		9th August 2024
Plots 1 and 2 Floor Plans	03RevB		9th August 2024
Plots 1 and 2 Elevations	04RevB		9th August 2024
Proposed Site Plan	01RevA		6th June 2024
Plot 6 Plans and Elevations	06RevA		6th June 2024
Plot 7 Plans and Elevations	07RevA		6th June 2024
Plot 5 Plans and Elevations	05RevA		6th June 2024
Plots 3 – 4 Plans and Elevations	08RevB		16th September 2024
Application Form			21st March 2024
Bat Survey	MBE/BAT/2024/033/01		10th June 2024
Heritage Assessment			13th May 2024
Noise Assessment	DRUK/ACC/RS/RCPH RD/3272		1st May 2024
Climate Change Statement			26th March 2024
Design and			21st March 2024

Plan / Document Type	Reference	Version	Date Received
Access Statement			
Bat, and Breeding Bird Scoping Survey			21st March 2024
Phase I Desk Study	SDG 3534		25thMarch 2024

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. Discussions have taken place relating to concerns relating to the design of plots 1 and 2 and the subsequent redesign of the development as well as matters relating to ecology and the accommodation provided for plots 3 and 4.

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

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 speedier 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.

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.

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: 25-Sep-2024

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 2024/62/90839/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
