



Kirklees Council
Planning and Development Service
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HD1 9EL

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Jim Granger,
jg-d
The Studio, Stepside
Coal Pit Lane
Brighouse
HD6 4HW

Date: 04-Jul-2024
Our Ref: 2024/91290

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 (as amended), SCHEDULE 2, PART 3, PART MA
NOTIFICATION OF PROPOSED CHANGE OF USE CLASS MA – COMMERCIAL,
BUSINESS AND SERVICE USES TO DWELLINGHOUSES
APPLICATION NUMBER: 2024/91290
AT: Aura Hairdressing, 5a, Railway Street, Cleckheaton, BD19 3HR**

I refer to your submission of details relative to the proposed change of use as described below which was received by the Local Planning Authority on 07-May-2024.

Prior approval of proposed change of use of a building from commercial, business and service uses to dwellinghouses.

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.

Prior approval granted subject to the following additional conditions:-

1. The proposed external refuse storage areas as stated in the Planning Statement reference 23260 - Transport and Highways Impacts of the Development shall be provided and made available for use by the occupiers of the proposed dwellinghouses before first occupation. The external refuse areas shall thereafter be retained and made available for use by the occupiers of the proposed dwellinghouses. In the event external refuse storage areas are not available for use, the corresponding dwellinghouse shall not be further occupied until an alternative scheme for the storage of refuse facilities has been submitted to and approved by the Local Planning Authority. Any alternative scheme for the storage of refuse facilities shall be retained thereafter.

Reason: To ensure adequate refuse storage areas are provided in the interest of highway and transport safety.

2. Before the development is 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 floor/ ceiling of the development is of a minimum of 55 dB Dntw + 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 before occupation. 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 the development is first brought into use. The approved insulation measures shall be thereafter retained.

Reason: To protect the amenity of future occupiers of the residential accommodation from noise disturbance.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	(23260)1	-	07/05/2024
Scheme as Existing	(23260)2	-	07/05/2024
Block Plan	(23260)3	-	07/05/2024
Scheme as Proposed	(23260)4	-	07/05/2024
Planning Statement	23260	-	07/05/2024

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.

Development within a Coal Mining Area

The proposed development lies within an area that has been defined by the Coal 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 Coal 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 that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal 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. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is 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.



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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