



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2024/62/91383/W

To: Stuart Beaumont,
One 17 Architects & Interior Designers
The Dyehouse
35 Armitage Road
Armitage Bridge
Huddersfield
HD4 7PD

For: SUSAN LEE-RICHARDS, THE NEWSOME CENTRE 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 EXTENSION AND EXTERNAL ALTERATIONS

At: ST JOHNS CHURCH, JACKROYD LANE, NEWSOME, HUDDERSFIELD, HD4 6QU

In accordance with the plan(s) and applications submitted to the Council on 03-Jun-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: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.

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 with Policies LP1, LP2, LP3, LP13, LP21, LP22, LP24, LP30, LP31, LP33, LP48, LP51, LP52 and LP61 of the Kirklees Local Plan and Chapters 2, 4, 7, 8, 9, 12, 14, and 15 of the National Planning Policy Framework.

3. Development shall be carried out strictly in accordance with the Arboricultural Impact Assessment, Ref: WC-258.1a, authored by Woodsage Consulting, dated 15/03/2024, received 09/10/2025.

Reason: To safeguard protected trees, in accordance with Policy LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

4. The external materials used in the construction of the walls of the extension hereby approved shall consist of natural stone which in all respects match that of the existing building. The external materials used to the roof as part of works relating to the removal of the existing chimney shall in all respects match those of the existing building. The materials of construction approved by this condition shall thereafter be retained for the lifetime of the development.

Reason: To ensure the satisfactory appearance of the development upon completion, and to accord with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

5. No above ground development shall commence until;

- a) A scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
- a) Any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.

Reason: This pre-commencement condition is required to ensure the site is safe for occupation, and if not, remediated prior to works commencing on the development proposals, in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

6. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the site is safe for occupation, in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

7. 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 biodiversity and in accordance with Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework. This pre-commencement condition is required to ensure that a suitable lighting scheme is agreed at appropriate stage of the development.

8. Prior to the commencement of development, a detailed Precautionary Working Method Statement (PWMS) in respect of bats shall be submitted to and approved by the Local Planning Authority. In order to minimise risk and avoid harm to bats, the PWMS shall include (but not be limited to) toolbox talks provided by a suitably qualified ecologist, attendance of an Ecological Clerk of Works (ECoW) as required, and careful hand stripping around potential bat roosting features. In the event of encountering a bat, all work must cease until the ECoW and Natural England are contacted for advice on the best way to proceed lawfully. All contractors working on site should be made aware of this advice and provided with the contact details of ECoW.

Reason: In the interests of biodiversity and in accordance with Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework. This pre-commencement condition is required to ensure that the protection of any bats on site is agreed at an appropriate stage of the development.

NOTE: All works should be timed to occur outside nesting bird season (typically March to August, inclusive). If this is not possible all potential bird nesting opportunities must be checked by a suitably experienced ecologist within 24 hours prior to works. If any active nests are found, the ecologist should advise on suitable species-specific works exclusion zones. The exclusion zones should be regularly monitored by the ecologist and remain in place until the young have fledged the nest, or the nests are otherwise deserted.

NOTE: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) **development may not be begun unless:**

- a) a biodiversity gain plan has been submitted to the planning authority; and
- b) The planning authority has approved the plan.

The biodiversity gain plan must include:

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) The pre-development biodiversity value of the onsite habitat;
- c) The post-development biodiversity value of the onsite habitat;
- d) Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) Any biodiversity credits purchased for the development; and
- f) any such matters as the Secretary of State may by regulations specify.

NOTE: Coal

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Mining Remediation Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Mining Remediation Authority permission and further guidance can be obtained from: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-you-property.

NOTE: Requirements for Incidental Coal Agreements

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an incidental Coal Agreement will be required from the Mining Remediation Authority. Further information regarding Incidental Coal Agreements can be found at: www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.

NOTE: Shallow Coal Seams

In areas where shallow coal seams are present caution should be taken when carrying out any site burning or heat focused activities.

Plans and specifications schedule:-

| Plan Type | Reference | Revision | Date Received |
|---|---------------------|-----------------|----------------------|
| Site Location Plan | 3390(LP)01 | - | 16/05/2024 |
| Existing First Floor Plan and Section | 3390(0-)02 | - | 16/05/2024 |
| Existing Site Layout | 3390(0-)03A | A | 16/05/2024 |
| Existing Elevations | 3390(0-)04 | - | 16/05/2024 |
| Proposed Ground Floor Plan | 3390(0-)05 | - | 16/05/2024 |
| Proposed First Floor Plan | 3390(0-)06 | - | 16/05/2024 |
| Proposed Elevations | 3390(0-)07 | - | 16/05/2024 |
| Proposed Site Layout | 3390(0-)08 | - | 16/05/2024 |
| Coal Map – Supporting Information | - | - | 30/05/2024 |
| Climate Change Statement – Supporting Information | - | - | 04/06/2024 |
| Design & Access Statement – Supporting Information | 3390 | - | 16/05/2024 |
| Consultants Coal Mining Report – Supporting Information | 51003426298001/2325 | - | 30/05/2024 |
| Coal Mining Risk Assessment Letter – Supporting Information | 25-075.01L | - | 04/08/2025 |
| Arboricultural Impact Assessment – Supporting Information | WC-258.1 | A | 30/05/2024 |
| Preliminary Roost Assessment – Supporting Information | MBE/BAT/2025/091/01 | - | 09/10/2025 |
| Biodiversity Net Gain Report – Supporting Information | MBE/ECO/2025/017/01 | - | 09/12/2025 |
| The Statutory Biodiversity Metric – Supporting Information | - | - | 09/12/2025 |

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Following receipt of comments from the Council's Ecology Officer a Preliminary Roost Assessment and details in relation to Biodiversity Net Gain have been requested from the applicant.

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.

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: 12-Feb-2026

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 2024/62/91383/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
