



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2024/62/91658/W

**To: James Roberts,
JR Planning
Velocity Point
Wreakes Lane
Dronfield
S18 1PN**

For: J TURNER, OLDFIELD CONSTRUCTION

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:-

CONVERSION AND EXTENSION OF EXISTING BUILDINGS TO PROVIDE THREE DWELLINGS INCLUDING REFURBISHMENT OF EXISTING FARMHOUSE AND DEMOLITION OF MODERN FARM BUILDINGS WITH ASSOCIATED ACCESS AND PARKING ARRANGEMENTS (LISTED BUILDING WITHIN A CONSERVATION AREA).

At: OLDFIELD ROAD FARM, OLDFIELD ROAD, HONLEY, HOLMFIRTH, HD9 6RL

In accordance with the plan(s) and applications submitted to the Council on 25-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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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, LP7, LP11, LP20, LP21, LP22, LP24, LP26, LP28, LP30, LP32, LP33, LP35, LP51, LP52, LP53, LP57 and LP60 of the Kirklees Local Plan, Policies 1, 2, 11, 12 and 13 of the Holme Valley Neighbourhood Development Plan, Chapters 2, 4, 5, 9, 11, 12, 13, 14, 15 and 16 of the National Planning Policy Framework and Principles 2, 5, 6, 7, 8, 12, 13, 14, 15, 16, 17, 18 and 19 of the Housebuilders Design Guide SPD.

3. Notwithstanding the submitted plans, where the external walls and roof of the hereby approved dwellings are to use natural stone and stone slate roof tiles, these shall be reclaimed from the existing buildings where possible. If additional natural stone or stone slate roof tiles are required, these materials shall in all respects match those used in the construction of the existing buildings.

Reason: In the interests of visual amenity and to preserve and enhance the setting and significance of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Chapters 12 and 13 of the National Planning Policy Framework, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Principles 2 and 13 of the Housebuilders Design Guide SPD.

4. The window within the western side elevation of House 1 hereby approved, to serve bedroom 3 at first floor level, shall be first fitted with obscure glass minimum grade 4. Notwithstanding the provisions of Section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the window shall thereafter be so retained obscurely glazed.

Reason: To protect the amenity of the neighbouring property, in accordance with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework, Policy 2 of the Holme Valley Neighbourhood Development Plan and Principle 6 of the Housebuilders Design Guide SPD.

5. Prior to the development being brought into use, the external parking areas and accesses to serve the hereby approved dwellings shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) (with or without modification) these areas shall be so retained, free of obstructions and available for access, parking and turning at all times.

Reason: In the interests of highway safety and to ensure adequate space within the site for vehicle movements and parking and to mitigate the impact of the development on flood risk, to accord with LP21 and LP22 of the Kirklees Local Plan, Chapters 9 and 14 of the National Planning Policy Framework and Principle 12 of the Housebuilders Design Guide.

6. Prior to occupation of the first dwellinghouse, details of all hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. These shall include:

- Details (including samples, if requested) of paving and other hard surface materials;
- Details of existing and proposed levels, and regrading.

Thereafter, the development shall be undertaken in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of visual amenity, to protect and to enhance the setting of the Conservation Area and adjacent heritage assets, and to accord with Policies LP24, LP32 and LP35 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Chapters 12, 15 and 16 of the National Planning Policy Framework.

7. Development shall be carried out in accordance with the hereby approved Arboricultural Impact Assessment ref: AWA6031, and Arboricultural Method Statement ref: AWA6031AMS, both authored by AWA Tree Consultants, dated June 2024, received 12th June 2024.

Reason: So as to ensure an acceptable level of protection of the protected mature trees within and adjacent to the application site and to accord with Policies LP24(i) and LP33 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan, Principle 7 of the Housebuilders Design Guide SPD and Chapter 15 of the National Planning Policy Framework.

8. The new dwellings shall not be occupied until the stone boundary walls and/or any hedging or planting have been reduced to 1m in height along the site frontage and within the site entrance in order to achieve the sightlines as shown on drawing no. 315 'Boundary Wall Details Details 1 of 2', received 21st June 2024. The boundary walls shall thereafter be retained at this height.

Reason: To ensure adequate visibility in the interests of highway safety, to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

9. Prior to occupation of the first dwelling house hereby approved, the modern agricultural building to the north-west of the site, as shown on the 'Site Masterplan' drawing no. 001, received 14th August 2024, shall be demolished and the land restored as grassland.

Reason: To enhance the setting of the Listed Building and curtilage Listed Buildings and Conservation Area, and to enhance the openness of the Green Belt in accordance with Policies LP24 and LP35 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Chapters 12, 13 and 16 of the National Planning Policy Framework.

10. The recessed bin collection point outlined on the approved plan ref: 300 Rev EA 'Site Masterplan', received 21st June 2024, shall be constructed and be made operational prior to the occupation of the first dwelling. Once constructed the bin collection point shall be retained thereafter.

Reason: In the interests of amenity and highway safety and to meet the requirements set out in Local Plan Policy LP24 part d(vi), Chapter 9 of the National Planning Policy Framework and Principle 19 of the Housebuilders Design Guide SPD.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking and re-enacting that Order) no development included within Classes A, AA, B, C, D and E of Part 1 of the Schedule 2 to that Order shall be carried out within the site outlined in red on the hereby approved Site Location Plan, received 25th June 2024, without the prior written consent of the Local Planning Authority.

Reason: To ensure that the openness of the Green Belt and the significance of the heritage assets are not impacted upon further in the future from unsympathetic additions and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Chapters 12 and 13 of the National Planning Policy Framework, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Principle 2 of the Housebuilders Design Guide SPD.

12. Development shall be carried out strictly in accordance with the Written Scheme of Investigation (Project Design) for Archaeological Monitoring, document no. TJC2024.55 v1.0, received 4th July 2024.

Reason: To ensure that an appropriate level of archaeological investigation has been carried out at the site in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

13. Remediation of the site shall be carried out and completed in accordance with the hereby approved Remediation Strategy dated May 2024, ref RBG406, received 12th June 2024, but shall also extend and encompass all soft landscaped areas within the red line boundary shown on the hereby approved Site Location Plan, received 25th June 2024. 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. 189 and 190 of the National Planning Policy Framework.

14. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification 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 Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification 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 paragraph nos. 189 and 190 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. 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. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

NOTE: Electric Vehicle Charging Point

- Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.
- To futureproof the development, we would encourage the applicant to provide these in accordance with the current *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy (WYLES) Group

NOTE: Noisy construction related activities shall not take place outside the hours of:

- 07:30 to 18:30 hours Monday to Friday
- 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.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Site Location Plan	-	-	25th June 2024
Door Data Sheet Location: House 1 Door No: D01-01	254-24	01	11th July 2024
House 1 Window Ref Plans	254-24-PL02	-	11th July 2024
House 2, House 4 & House 4 Window Ref Plans	254-24-PL03	-	11th July 2024
Proposed Window Details for Box Sash Windows House 1	254-24-PL04	-	11th July 2024
Proposed Window, Door and Rooflight & Gutter Details	254-24-PL05	-	11th July 2024
Window Schedule 1 of 4	254-24-PL06	-	11th July 2024
Window Schedule 2 of 4	254-24-PL07	-	11th July 2024
Window Schedule	254-24-PL08	-	11th July 2024
Window Schedule 4 of 4	254-24-PL09	-	11th July 2024
Site Masterplan	001	-	14th August 2024
Site Masterplan	300	E	6th September 2024

House 1 – Oldfield House Ground Floor Plan	301	-	21st June 2024
House 1 – Oldfield House First Floor Plan	302	-	21st June 2024
House 1 – Oldfield House Second and Attic Floor Plans	303	-	21st June 2024
House 1 – Oldfield House Elevation 1	304	A	21st June 2024
House 1 – Oldfield House Elevation 2	305	A	21st June 2024
House 1 – Oldfield House Elevations 3 & 4	306	A	21st June 2024
House 2 Floor Plans	307	B	6th September 2024
House 2 & 4 Elevations 1 & 2	308	C	6th September 2024
House 2 & 4 Elevations 3 & 4	309	C	6th September 2024
House 3 Ground Floor Plan	310	D	21st June 2024
House 3 First Floor Plan	311	C	6th September 2024
House 3 Elevations 1, 2 & 3	312	D	6th September 2024
House 3 Elevations 4, 5, 6, & 7	313	E	21st June 2024
House 3 Sections A-A & B-B	314	B	21st June 2024
Boundary Wall Details 1 of 2	315	-	21st June 2024
Boundary Wall Details 2 of 2	316	-	21st June 2024
House 4 Floor Plans	317	A	21st June 2024
House Type 2 Floor Finishes	-	-	11th July 2024

Outline Landscape Plan & Specification	PWP 663 001	03	12th June 2024
Written Scheme of Investigation (Project Design) for Archaeological Monitoring – Supporting Information	TJC2024.55	V1.0	4th July 2024
Bat Survey Report – Supporting Information	MBE/BAT/2022/01/03	-	12th June 2024
Letter from Middleton Bell Ecology – Supporting Information	-	-	12th June 2024
Climate Change Statement – Supporting Information	-	-	25th June 2024
Phase 1 Desk Study Report – Supporting Information	RBG256	001	12th June 2024
Phase II Interpretive Report – Supporting Information	RBG395	001	8th July 2024
Final Analytical Test Report – Supporting Information	24/03346	1	8th July 2024
Phase 2 Geo Logs – Supporting Information	2403 HD9 6RL	-	8th July 2024
Planning Statement – Supporting Information	-	-	12th June 2024
Heritage Impact Assessment – Supporting Information	TJC2023.151	V1.0	14th August 2024

Heritage Statement – Supporting Information	TJC2021.161	1.0	14th August 2024
Remediation Strategy – Supporting Information	RBG406	001	12th June 2024
Appendix A – Proposed Development showing Remedial Area – Supporting Information	-	-	16th August 2024
Appendix A – Exploratory Hole Location and Proposed Development Plan	-	-	8th July 2024
Appendix B – Soil Screening Values – Supporting Information	-	-	16th August 2024
Arboricultural Method Statement – Supporting Information	AWA6031AMS	-	12th June 2024
Arboricultural Report & Impact Assessment – Supporting Information	AWA6031	-	12th June 2024
Methodology Statement: House 2 – Supporting Information	251-24-R1	-	11th July 2024
Methodology Statement: House 3 – Supporting Information	253-24-R1	-	11th July 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 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. Amendments were sought in respect to some of the minor changes proposed since the previous approval 2023/93071, this mainly related to windows/doors and the installation of flues within the properties. Further information was also requested following on from receipt of comments from Environmental Health and West Yorkshire Archaeological Advisory Service.

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.

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.

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: 13-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 2024/62/91658/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
