



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

PLANNING PERMISSION FOR DEVELOPMENT

**NOTE: This approval should be read in conjunction with an Agreement made
under Section 106 of the Town and Country Planning Act 1990**

Application Number: 2024/62/92246/W

To: Jamie Wallace
Avison Young
1, City Square
Leeds
LS1 2AL

For: WEST YORKSHIRE POLICE

**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:-**

REDEVELOPMENT OF EXISTING SITE INCLUDING DEMOLITION OF
EXISTING CAR SALES ROOM (SUI GENERIS) AND ERECTION OF NEW 2
STOREY POLICE STATION (SUI GENERIS) WITH ASSOCIATED CAR
PARKING, LANDSCAPING AND INFRASTRUCTURE

At: 72, NORTHGATE, HUDDERSFIELD, HD1 6AE

**In accordance with the plan(s) and applications submitted to the Council on
08-Aug-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.

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 LP21, 22, 24, 30, 33, 52 and 53 of the Kirklees Local Plan.

3. Details and specifications of all external materials shall be submitted to and approved in writing by the Local Planning Authority before work on the superstructure of the new building commences and the development shall be implemented using the approved materials. Samples of the facing bricks to be used on the new building shall be presented or left on site for inspection by officers of the Local Planning Authority prior to superstructure works commencing.

Reason: To ensure that the proposed development contributes to the aim of achieving well-designed and beautiful places and buildings, and to accord with the aims of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. Prior to any part of the new development being brought into use, the areas shown to be used for the parking and turning of vehicles within the site, shall be surfaced and drained and shall thereafter be retained and kept free of all obstructions to their use for the parking and turning of vehicles.

Reason: To achieve a satisfactory layout in the interests of highway safety, and to accord with the aims of Policies LP21 and LP22 of the Kirklees Local Plan.

5. Before any part of the development is first brought into use, details of the facilities to be provided for the safe and secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter for the lifetime of the development.

Reason: In the interests of promoting the use of means of transport with a low environmental impact, to promote active and healthy lifestyles, and to accord with the aims of Policies LP24(d) and LP47 of the Kirklees Local Plan.

6. A set of elevational drawings showing the detailed design of the bin store and substation, including specifications of materials and finishes, shall be submitted to and approved in writing by the Local Planning Authority before the erection of these two structures commences and the bin store and substation shall be erected in accordance with the approved details.

Reason: To ensure that the proposed development contributes to the aim of achieving well-designed and beautiful places and buildings, and to accord with the aims of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

7. No building or other obstruction including landscape features shall be located over or within 3m either side of the centre line of the public sewer (i.e. a protected strip width of 6m), that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In order to allow sufficient access for maintenance and repair work at all times, to prevent flood risk and ensure the safe and sustainable drainage of the site, and to accord with the aims of Policies LP27 and 28 of the Kirklees Local Plan.

8. Surface water run-off from hardstanding, including car parking areas, shall pass through an oil, petrol and grit interceptor/separator of adequate design (details of which shall have been submitted to and approved by the Local Planning Authority before any part of the development is brought into use), prior to any discharge to an existing or prospectively adoptable sewer. The interceptor/separator shall thereafter be retained and maintained in accordance with the manufacturer's instruction.

Reason: To prevent pollution of the aquatic environment in accordance with the aims of Policy LP34 of the Kirklees Local Plan.

9. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rates with the LLFA indirectly or directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been 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 the scheme shall include a maintenance and management plan for surface water infrastructure. 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 safe and sustainable drainage of the site and to accord with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This information is required pre-commencement to ensure that suitable drainage arrangements laid out in the early stages of development.

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 safe and sustainable drainage of the site and to accord with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This information is required pre-commencement to ensure that suitable drainage arrangements laid out in the early stages of development.

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. The scheme shall detail:

(i) phasing of the development and phasing of temporary drainage provision.

(ii) include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
(iii) 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 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 safe and sustainable drainage of the site and to accord with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This information is required pre-commencement to ensure that suitable drainage arrangements laid out in the early stages of development.

12. Before any part of the development is brought into use a full Air Quality Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- determine the impact that the development will have on air quality (taking into consideration any cumulative impact from other local developments); and
- include a calculation of the monetary damages from the development and a fully costed mitigation plan detailing the proposed low emission mitigation measures. The monetary value of the damages should be reflected in money spent on the low emission mitigation measures.

The approved low emission mitigation measures shall be implemented within 3 months of any part of the development becoming operational & retained thereafter.

Reason: In the interests of promoting sustainable development and transport and conserving the natural environment in accordance with Parts 2, 9 and 15 of the National Planning Policy Framework and LP20, LP24, LP47 of the Local Plan.

13. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the typical measured background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

14. No groundworks (except those required for a site investigation report) shall commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been 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 National Planning Policy Framework.

This information is required pre-commencement to ensure that pollutants are not released into the environment during groundworks and that contamination, if present, can be safely mitigated.

15. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (13) further 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 National Planning Policy Framework. This information is required pre-commencement to ensure that pollutants are not released into the environment during groundworks and that contamination can be safely mitigated.

16. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (14). If 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 National Planning Policy Framework.

17. 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 the National Planning Policy Framework.

18. Before any part of the development is first brought into use, a scheme outlining the specific facilities for charging electric vehicles and other ultra-low emission vehicles for each dedicated parking space at the premises must be submitted to and approved in writing by the Local Planning Authority. This scheme must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. The approved facilities for charging electric vehicles must be installed before occupation and retained for use thereafter.

Reason: In the interest of supporting the use of low-emission means of transport, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

19. Before development (other than demolition or site clearance) commences, details of any proposed air-source heat pump or solar array to be installed as part of the development, or alternatively reasons why these are not deemed to be appropriate or practical for the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved microgeneration measures, if applicable, and the further carbon reduction measures set out in Part 3, Q1, of the submitted Climate Change Statement, shall be implemented before any part of the development is first brought into use and thereafter retained as such.

Reason: To ensure that the proposed development contributes to the Council's target of achieving 'net zero' carbon emissions by 2038 and thereby reducing the causes of climate change, and to accord with the aims of Policy LP26 of the Kirklees Local Plan and Principle 18 of the Kirklees Housebuilders Design Guide SPD.

20. The development shall be undertaken in full accordance with the mitigation measures set out in part 7 of the Ecological Impact Assessment reference MOR001-013-006/001/002.

Reason: To ensure that harm to biodiversity is prevented or minimised during the development process and to accord with the aims of Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

21. The habitat boxes specified in part 8 of the Ecological Impact Assessment reference MOR001-013-006/001/002 and accompanying Species Enhancement Statement shall be installed as detailed before any part of the development is first brought into use, and thereafter retained.

Reason: In the interests of enhancing the ecological value of the site and visual amenity and to accord with Policies LP24 and LP30 of the Kirklees Local Plan, and Chapters 12 and 15 of the National Planning Policy Framework.

22. Full details of all hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority before work on the superstructure of the proposed building commences. This shall include species mix and shall demonstrate that opportunities have been taken to enhance the biodiversity of the site. Any tree, hedge or shrub dying or becoming diseased within five years of its substantial completion shall be replaced by another of the same species and variety.

Reason: In the interests of enhancing the ecological value of the site and visual amenity and to accord with Policies LP24 and LP30 of the Kirklees Local Plan, and Chapters 12 and 15 of the National Planning Policy Framework.

23. Prior to development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.

- Dust arising from all construction related activities, which should include measures to monitor and record the emissions of dust during construction.
- Artificial lighting used in connection with all construction related activities and security of the construction site.
- A communications plan detailing the responsible person, their contact details and how this will be communicated to residents and the Local Authority must be included.

The agreed plan shall be adhered to throughout the construction of the development.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the National Planning Policy Framework and LP52 of the Local Plan.

This information is required pre-commencement to ensure that amenity and the local environment are protected at all stages of the implementation of the development.

24. Prior to commencement of the development (including ground works), a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, as a minimum, details of:

- Hours of works;
- Details of construction access arrangements;
- Construction vehicle sizes and routes (with swept path analysis testing if necessary);
- Numbers and times of construction vehicle movements;
- Locations of HGV waiting areas and details of their management;
- Details of parking for construction workers (including vans);
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Signage;
- Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;
- Street sweeping arrangements; and
- Site manager and liaison officer contact details, including details of their remit and responsibilities.

The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

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

25. Prior to commencement of the development (including ground works), a survey of the existing condition of the highway (the extent of highway to be surveyed to be agreed with the Local Planning Authority in advance) shall be submitted to and approved in writing by the Local Planning Authority. The survey shall include all highway features, including carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signage and road markings.

Upon completion of the development hereby approved a post-construction survey of the agreed extent of highway shall be carried out and the post-construction survey and a scheme of remedial works and timescale for implementation shall be submitted to and approved in writing by the Local Planning Authority. The approved remedial works shall be carried out in accordance with the agreed timescales. Should any highway defects (affecting highway safety) attributable to the construction traffic or activities of the development hereby approved be identified during the construction period, remediation of these highway defects shall also be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, to ensure the effective maintenance of the Highway, and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that the highway condition survey is undertaken at an appropriate stage of the development process, in advance of any construction works commencing that may affect the condition of the highway.

26. Prior to the first occupation of any part of the development hereby approved, a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include proposals for enabling and encouraging the use of active and sustainable modes of transport, monitoring, review and timings for delivery. The approved Travel Plan and measures shall be implemented prior to occupation or in accordance with the agreed timescales, or as otherwise agreed with the Local Planning Authority.

Reason: In the interests of enabling and encouraging the use of active and sustainable transport modes, to mitigate the air quality impacts of the development and to accord with Policies LP20, LP21, LP22, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

27. Prior to occupation of the development, details of the arrangements and facilities for the storage and collection of waste from the development, shall be submitted to and approved in writing by the Local Planning Authority. The arrangements and facilities so approved shall be implemented in accordance with the approved details for the lifetime of the development.

Reason: To ensure satisfactory arrangements are implemented in relation to waste, in the interests of highway safety, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

28. No part of the development shall be brought into use until the off-site highway works on Broadway, as shown indicatively on drawing SCP/230484/SK02 Rev. D have been fully constructed and made operational. The works shall include:

- Improvements to the site access, including pedestrian crossing provision;
- Footway resurfacing along the full extent of the site frontage;
- Closure of the redundant access(es);
- Kerbing and carriageway works, including dropped kerbs to facilitate refuse collection; and
- Other associated works, including alterations to utility apparatus and street furniture.

Reason: To ensure that any impacts upon the free and safe use of the highway arising from the development are mitigated, in accordance with the aims of Policies LP20 and LP21 of the Kirklees Local Plan.

NOTE – Temporary drainage works

It is expected that the maximum off-site discharge rate should not exceed 2.5 litres per second per ha.

NOTE – Construction Environmental Management Plan

No construction related noise should be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays.

For further information regarding dust control, guidance can be found in the Institute of Air Quality Management (IAQM) document “*Guidance on the assessment of dust from demolition and construction*” Version 2.2 2024.

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 – Electric vehicle charging points

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.

NOTE – Works within the highway

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, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			09/08/2024
Site Location plan	6BKD2-BBA-30	P03	09/08/2024
Existing Site Plan	6BKD2-BBA-30	P05	09/08/2024
Proposed Site Plan	6BKD2-BBA-30	P10	09/08/2024
Demolition Site Plan	6BKD2-BBA-30	P02	09/08/2024
Lower ground & Ground Floor general arrangement	6BKD2-BBA-31	P08	09/08/2024
First & Second Floor Roof general arrangement	6BKD2-BBA-31	P09	09/08/2024
Existing general arrangement Plans	6BKD2-BBA-31	P01	09/08/2024
Existing general arrangement Elevations	6BKD2-BBA-31	P01	09/08/2024
Existing general arrangement Elevations	6BKD2-BBA-31	P01	09/08/2024
General arrangement Elevations	6BKD2-BBA-32	P07	09/08/2024
Streetscene Elevations	6BKD2-BBA-32	P02	09/08/2024
Detailed Elevations	6BKD2-BBA-32	P02	09/08/2024
General arrangement Sections	6BKD2-BBA-33	P04	09/08/2024
Site Sections 1	6BKD2-BBA-33	P01	09/08/2024
Site Sections 2	6BKD2-BBA-33	P01	09/08/2024
Planning Statement (including Statement of Community Involvement)			09/08/2024
Transport Assessment	230484-TA	V2	09/08/2024
Transport Assessment Addendum	SCP/230484/TAA01	V0.1	09/08/2024
Travel Plan	230484-TP	V2.0	09/08/2024
Stage 1 Road Safety Audit	230484/RSA1/TH	2	09/08/2024
Stage 1 Road Safety Audit response report	230484/RSA1/DR	1	17/12/2024
Broadway Site Access Drawing by SCP	SCP/230484/SK02	D	20/12/2024
Boundary Treatments Plan	6BKDZ-BBA-30-22-D-L-1006	P03	20/12/2024
Flood Risk Assessment & Drainage Strategy	6BKD2-BWB-ZZ-XX-T-W-0001_FRA		09/08/2024

Plan Type	Reference	Version	Date Received
Sustainable Drainage Statement	6BKD2-BWB-ZZ-XX-T-C-0001_SDS		09/08/2024
Preliminary Ecological Appraisal	MOR001-013-006/001/001		20/08/2024
Ecological Impact Assessment	MOR001-013-006/001/002		13/09/2024
Species Enhancement Statement	MOR001-013-006/002/001		20/12/2024
Bat Emergence Survey Report	MOR001-013-004/001/002		13/09/2024
Tree Survey Report	MOR001-013		09/08/2024
Arboricultural Impact Assessment	MOR001-013		09/08/2024
Arboricultural Method Statement	MOR001-013		09/08/2024
Phase 1 Geotechnical Report	350564-R01 (00)		06/09/2024
Phase 2 Site Investigation	350564-R03 (00)		09/08/2024
Supplemental Ground Investigation Report	WYP-BWB-EGT-XX-RP-LE-0001-GIR	P1	24/10/2024
Coal Mining Risk Assessment	350564-R04 (00)		09/08/2024
Air Quality Assessment	445798-01 (00)		09/08/2024
Acoustic Report	1700837-RPAC-0001	1	09/08/2024
Climate Change Statement	230012 – WYP		09/08/2024
Site Waste Management Plan	6BDK2		09/08/2024

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 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. The case officer requested several amendments during the application process in the interests of visual and residential amenity and highway safety, which informed the final decision.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

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

DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE

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

[Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: <http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

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

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. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)

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: 29-Jan-2025

Signed:



David Shepherd
Executive Director for Place

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

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