



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2024/62/92553/W

To: Matthew Hall
KPP Architects
Lodge House
12, Town Street
Leeds
LS18 4RJ

For: THE NANO PARK COMPANY

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 MIXED INDUSTRIAL DEVELOPMENT (USE CLASSES E(G)(II, III), B2 AND B8); INCLUDING DEMOLITION OF EXISTING STRUCTURES, NEW YARD, PARKING, LANDSCAPING, DRAINAGE FEATURES AND ANCILLARY STRUCTURES.

At: WAPPY SPRINGS INN, LINDLEY MOOR ROAD, LINDLEY MOOR,
HUDDERSFIELD, HD3 3TD

In accordance with the plan(s) and applications submitted to the Council on 18-Sep-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 LP1, LP2, LP7, LP20, LP21, LP22, LP24, LP27, LP28, LP30, LP32, LP33, LP35, LP38, LP48, LP51, LP52, LP53 and LP59 of the Kirklees Local Plan and Chapters 2, 4, 6, 8, 9, 11, 12, 13, 14, 15 and 16 of the National Planning Policy Framework.

Development to be implemented in accordance with

3. The hereby approved development shall be undertaken in accordance with the tree protection measures contained within the submitted Arboricultural Method Statement ref. 22184-A/AJB.

Reason: To ensure tree on / adjacent to the site are protected and retained during the construction period, to comply with Policy LP33 of the Kirklees Local Plan.

4. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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 in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been 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.

Details to be provided prior to development commencing

5. Prior to development commencing, a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include details of:

- a) Any phasing of development and timetable of all works;
- b) Hours of works;
- c) Details of construction access arrangements;
- d) Construction vehicle sizes and routes;
- e) Numbers and times of construction vehicle movements;
- f) Locations of HGV waiting areas and details of their management;

- g) Parking for construction workers;
- h) Loading and unloading of plant and materials;
- i) Storage of plant and materials;
- j) Signage;
- k) Measures to ensure the protection of the nearby Grade 2 Listed Boundary Stone from construction traffic and/or construction activities.
- l) 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 and/or street sweeping;
- m) Measures to control and monitor the emission of dust and dirt during construction;
- n) Site waste management, including details of recycling/disposing of waste resulting from construction works;
- o) Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
- p) Artificial lighting used in connection with all construction-related activities and security of the construction site;
- q) Site manager and resident liaison officer contact details, including information of their remit and responsibilities;
- r) Means of engagement undertaken, and means of ongoing engagement proposed, with local residents, occupants and/or their representatives; and
- s) Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).

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

Reason: In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30 and LP52 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity and biodiversity impacts are devised and agreed at an appropriate stage of the development process.

6. Prior to development commencing, a Construction Environmental Management Plan: Biodiversity (CEMP (Biodiversity)) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- Summary of potentially damaging activities
- Identification of "biodiversity protection zones"
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.

- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and in accordance with LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This is a pre-commencement condition to ensure adequate protection and mitigation ahead of construction works.

7. Prior to development commencing, a scheme restricting the rate of surface water discharge from the site to a maximum of 3.5 litres per second shall be submitted, to and approved in writing by, the Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 100 year storm event with an appropriate allowance for climate change. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow control device. The regime shall identify a replacement period for the attenuation tank. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.

Reason: To ensure satisfactory drainage of the site and to accord with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure adequate drainage of the site can be achieved.

8. Prior to development commencing, a temporary surface water drainage strategy for the construction phase (after soil and vegetation strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision,
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

The 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 satisfactory drainage of the site and to accord with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure adequate drainage of the site can be achieved during construction.

9. Prior to development commencing, a strategy detailing the treatment of all surface water flows from parking areas and hardstanding through an oil interceptor, (or a full petrol oil interceptor) reedbed or alternative treatment system, shall be submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Treatment shall take place prior to discharge from the treatment scheme.

The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the site. Roof water shall not pass through the interceptor.

Reason: To ensure satisfactory drainage of the site and to accord with Policy LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure adequate drainage of the site can be achieved.

Details to be provided prior to specified time

10. Prior to development commencing above foundation level, notwithstanding the details shown on the approved plan 2102511 Rev A, a detailed scheme for the provision of a right turn lane from A642 Lindley Moor Road into the site with associated signing and white lining shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, white lining, signing, surface finishes together with an independent Safety Audit covering all aspects of the work. Thereafter all of the approved works shall be implemented before any part of the development is first brought into use.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with policy LP21 of the Kirklees Local Plan.

11. Prior to development commencing above foundation level, pursuant to the information contained within the submitted Climate Change Statement, details of the proposed insulation, on-site micro-generation, or other measures to be incorporated into the development to combat climate change shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the development during construction and shall thereafter be 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 LP24(d) of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

12. Prior to their use, notwithstanding the submitted plans, details of all external materials and finishes (including the provision of samples, if necessary) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the units shall be constructed of the approved materials and be retained.

Reason: In the interests of visual amenity and in accordance with Policy LP24 of the Kirklees Local Plan as well as Chapter 12 of the National Planning Policy Framework.

13. Prior to development commencing above foundation level, notwithstanding the submitted plans, details of the proposed waste storage location(s) shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include means of screening from the public realm. Thereafter, the waste storage and screening shall be implemented in accordance with the approved details, prior to the occupation of any unit.

Reason: In the interest of visual amenity and the effective management of waste, in accordance with Policy LP24 of the Kirklees Local Plan.

Details to be provided prior to occupation

14. Prior to the occupation of any unit, a Crime Mitigation strategy shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, before the respective phase is brought into use, the agreed mitigation measures shall be installed and thereafter retained.

Reason: In the interest of crime prevention and mitigation, so as to comply with Policy LP24 of the Kirklees Local Plan.

15. Prior to the occupation of any unit, details of secure cycle parking for each of the hereby approved units shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle parking shall then be implemented in accordance with the approved details before each dwelling is occupied and shall thereafter be retained.

Reason: To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.

16. Prior to the occupation of any unit, or within the first planting season following first occupation, landscaping shall be undertaken in accordance with the details shown on plan ref. PWP 538 002 rev. 03.

Reason: In the interest of securing good urban design, in accordance with policy LP24 of the Kirklees Local Plan.

17. Prior to the occupation of any unit, a Landscape Maintenance & Management plan (LMMP), pursuant to the Outline Landscape Masterplan & Specification drawing reference PWP 538 002, Rev 03 shall be submitted to and approved in writing by the Local Planning Authority. The LMMP shall include details of an implementation and maintenance programme for a minimum 5-year period, as well as details of how the sites' landscaping will be managed and maintained in perpetuity and who is responsible for the maintenance and management. Thereafter the development shall be undertaken in accordance with the approved details.

Notwithstanding the submitted information, all planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: In the interest of visual amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policy LP24 the Kirklees Local Plan.

18. Prior to the occupation of any unit, a scheme outlining the mitigation within the agreed Air Quality Assessment by Air Quality Assessments Ltd (ref: J0795/1/F1) (Dated: 18th September 2023) shall 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 and secure cycling parking must be installed before first occupation and retained for use thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, 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. Prior to first occupation of any unit, the foul treatment plant and surface water attenuation system shall be implemented in accordance with:

- approved Drainage Layout reference 7270-HJCE-XX-XX-DR-C-3000 Rev P03
- Foul Drainage Specification
- BH-BL BioDisc General Arrangement
- Kingspan Technical Details

and maintained in accordance with the documents thereafter.

Reason: In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022.

21. Prior to occupation of any unit:

(a) a plan showing the alignment of a close-boarded fence to be erected along the boundary of the development site with the M62 (or at least one metre from any part of the existing Motorway fence where the boundary lies within one metre of this) including details of its future management and maintenance in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority and

(b) the fence approved by part (a) of this condition has been erected in accordance with the approved details. Thereafter, the fence shall be retained and only be repaired or replaced in accordance with the requirements of this condition.

Reason: For reasons of safety, liability and maintenance of the M62 motorway in accordance with paragraph 57 DfT Circular 01/2022.

22. Prior to occupation of any unit:

(a) details of the proposed external lighting, including any adjacent to the M62, shall be submitted to and approved in writing by the Local Planning Authority.

(b) The lighting submitted in part (a) of this condition has been erected in accordance with the approved details and shall remain in a downwards facing position at all times.

Reason: To mitigate any adverse impact from the development on the M62 and to satisfy the reasonable requirements of road safety.

23. Prior to occupation of any unit, any obstruction shall be set back to the rear of the proposed visibility splays as shown on approved plan number 2102511 Rev A and shall be cleared of all obstructions to visibility and tarmac surfaced to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority.

Reason: To ensure adequate visibility in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

24. Prior to occupation of any unit, all areas and associated features shown on the approved plans to be used by vehicles and pedestrians shall be laid out, surfaced and drained, such that loose materials and surface water does not discharge or transfer onto the adjacent highway, and shall thereafter be retained and maintained.

Reason: To ensure the free and safe use of the highway in the interest of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

Ongoing requirements

25. The premises shall be used as a Use Classes E(g)(ii, iii), B2 and/or B8 only, and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To define the scope of this permission, in accordance with the assessment undertaken with regard to town centre, and highways impacts, to comply with Policies LP13, LP21, LP24, and LP52 of the Kirklees Local Plan.

Note: In accordance 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
- a) 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 other matters as the Secretary of State may by regulations specify.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required. You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es). This process will involve entering into a Section 38 or 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Specialist advice should be sought for the design and installation of a small sewage treatment system which should meet the relevant standards. 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. Any discharge from a waste-water treatment system is likely to require a consent from the Environment Agency.

NOTE: Should earthworks be subsequently identified within 2 meters of the highway boundary with the M62 the applicant is advised to contact National Highways prior to the start of works to ensure these will not result in detriment to, or create a safety issue for, our assets or road users.

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 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	Version	Date Received
Location Plan	2000		18/09/2024
Existing Site Plan	2001		18/09/2024
Proposed Site Plan	2002		04/02/2025
Proposed Site Layout	2102511	A	04/02/2025
Units 1 to 8 Building Plans	2014		04/02/2025
Units 1-8 Elevations	2016		04/02/2025
Units 9 to 14 Building Plans			04/02/2025
Units 9 to 14 Elevations			04/02/2025
Outline Landscape Masterplan & Specification	PWP 538 002	03	04/02/2025
External Finishes	2013	C	04/02/2025
Fencing and Gate Details	2012	C	04/02/2025
Design and Access Statement			18/09/2024
Minerals Safeguarding Statement			18/09/2024
Need Statement			18/09/2024
Planning Statement			18/09/2024
Preliminary Ecological Appraisal			18/09/2024
Phase 1 Desk Top Study Report	2021-4696		18/09/2024
Alternative Sites Assessment			18/09/2024
Transport Statement	21025		18/09/2024
Flood Risk Assessment and Drainage Strategy	7270-HJCE-ZZ-XX-RP-3000.v3		18/09/2024
Climate Change Statement			18/09/2024
Air Quality Assessment	J0795/A/F1		18/09/2024
Impact on Significance Table			29/10/2024

Drainage Layout	7270-HJCE-XX-XX-DR-C-3000	P03	18/09/2024
Foul Drainage Specification			16/10/2024
BH-BL BioDisc General Arrangement	DS0721P		16/10/2024
Kingspan Technical Details	015054		16/10/2024
Heritage Impact Response			20/11/2024
National Highways Response	MH/CHS/2278		20/11/2024
NPPF Letter	FRAN0001		19/12/2024
Need MXS3 Letter			14/03/2025
Biodiversity Net Gain Statement			18/09/2024
Biodiversity Metric			18/09/2024
Road Safety Audit Stage 1			04/02/2025
Road Safety Audit Stage 1 – Designers Response			04/02/2025
Arboricultural Method Statement	22184-A/AJB		04/02/2025
Arboricultural Report and Arboricultural Impact Assessment			04/02/2025

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 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.

Amendments were sought during the course of the application to address highway safety concerns, and further information was submitted to address matters of the principle of development.

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

DEVELOPMENT LOW RISK AREA - STANDING ADVICE

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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://MiningRemediationAuthority.gov.uk)

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.

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: 15-Jul-2025

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 2024/62/92553/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
