

Enquiries to: Kerri Simpson

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Tel: 01484 414746
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Date: 23-May-2025
Our Ref: 2025/90326

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015
NOTIFICATION OF PROPOSED CHANGE OF USE AND BUILDING OPERATIONS
APPLICATION NUMBER: 2025/90326
AT: Beaconsfield Farm, Paul Lane, Flockton, Huddersfield, WF4 4BP**

I refer to your submission of details relative to the proposed change of use and any building operations as described below which was received by the Local Planning Authority on 05-Feb-2025.

Prior notification for change of use from agricultural buildings to 6 dwellings

The proposal as submitted is acceptable and, subject to all works being carried out in accordance with the description contained in the notification, prior approval is hereby granted.

The development shall begin within a period of three years beginning with the date of this letter.

1. 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, LP21, LP22, LP24 and LP53 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

2. The development shall not be brought into use until the visibility splays, as shown on drawing no. 23069D-02-P02 (Class Q proposal - site plan, dated 21st March 2025) have been fully implemented. These splays shall thereafter be retained free from obstruction for the lifetime of the development.

Reason: In the interests of highway safety and in accordance with Kirklees Local Plan Policy LP21.

3. No development (excluding site investigation works) shall commence until a Phase II Intrusive Site Investigation Report and a Coal Mining Risk Assessment, informed by the findings of the approved Contaminated Land Phase I Desk Study (report no. 2922-1, dated March 2025) has been submitted to and approved in writing by the Local Planning Authority. The investigation shall be undertaken by a suitably competent person and shall assess the nature and extent of any contamination on the site.

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.

4. Where site remediation is recommended in an approved Phase II Site Investigation Report and/or Coal Mining Risk Assessment, a Remediation Strategy shall be submitted to and approved by the Local Planning Authority prior to the commencement of remediation works. The approved Remediation Strategy shall be fully implemented before the development is brought into use.

In the event that remediation cannot proceed in accordance with the approved strategy or contamination not previously identified is found to be present on site, works shall cease in the affected area. The Local Planning Authority shall be notified in writing within two working days and an amended or additional Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Remediation 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.

5. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy and/or any Coal Mining Risk Assessment, 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 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.

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.

6. The development shall not be brought into use until the areas to be used by vehicles and/or pedestrians have been 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 2009 (ISBN as amended or any successor guidance. The parking space shall be so retained, free of obstructions and available for the use thereafter.

Reason: In the interests of highway safety and to ensure satisfactory surface water drainage of the site in accordance with Policy LP21 and LP28 of the Kirklees Local Plan and the aims 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: 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: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00 hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	23069D-10-P01	P01	06/02/2025
Existing Site Plan	23069D-01-P01	P01	06/02/2025
Class Q Proposal - Site Plan	23069D-02-P02	P02	26/03/2025
Class Q proposal - proposed elevations & floor plans	23069D-04-P02	P01	16/05/2025
Existing Elevations	23069D-03-P02	P02	16/05/2025
Structural Appraisal Report	MDL – 10167	-	06/02/2025
Flood Map for Planning	-	-	06/02/2025
Planning Statement	-	-	06/02/2025
Additional Statement – Highways matters	-	-	26/03/2025
General Information – Groundsure Appendix 1	GS-OHB-J5S-7OJ-WIN	-	26/03/2025
General Information – Groundsure Appendix 2A	GS-DV7-8LC-ZMT-8P2	-	26/03/2025
General Information – Groundsure Appendix 2B	GS-DV7-8LC-ZMT-8P2	-	26/03/2025
Contaminated Land Phase One Desk Study	2922-1	-	26/03/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

As set out in the report, following the receipt of consultation responses from the Kirklees Council (KC) Highways Development Management Team and KC Environmental Health,

the applicant was given the opportunity to submit additional information to address access safety, parking, waste collection, and concerns regarding the site's sustainability in terms of location.

In response, the applicant submitted a highways statement and an amended site plan (ref: 23069D-02-P02), which have been assessed by officers. A Phase 1 Contaminated Land Report was also submitted in response to the Environmental Health comments.

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](#)

Digital Infrastructure: Fibre To The Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- Economic prosperity – workforces that are digitally-literate enables business to thrive.
- Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.
- New services – digital delivery can lower costs and provide innovative public and health services more conveniently.

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speedier installation at a later date.

Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.



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Customer Feedback

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Yours faithfully

Mathias Franklin
Head of Planning and Development