



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/70/90490/W

To: Paul Briggs,
Northern Design Partnership
The Chapel
Mill Moor Road
Meltham
Holmfirth HD9 5JU

For: M Whitwam, Airbourne Construction Ltd

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-

**VARIATION OF CONDITION 2. PLANS AND SPECIFICATIONS SCHEDULE
ON PREVIOUS PERMISSION NO 2017/90989 FOR ERECTION OF 5
DWELLINGS**

At: 60, SLADES ROAD, BOLSTER MOOR, HUDDERSFIELD, HD7 4JR

In accordance with the plan(s) and applications submitted to the Council on 10-Mar-2025 [together with those plans and application(s) submitted to the Council on 21-March-2017 and incorporated into planning permission ref no. 2017/62/90989/W granted on 23-May-2017] and subject to the condition(s) specified hereunder:-

1.The development hereby permitted shall be carried out in 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, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

2. The development hereby approved shall be undertaken in accordance with the materials of construction as approved by discharge of conditions application 2017/92059 by letter dated 28-Jul-2017.

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, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order), no buildings or extensions falling within Classes A-E of Part 1, Schedule 2 of the order shall be undertaken without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site, so as not to detract from the amenities of adjacent properties, and to preserve the openness of the green belt and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

4. The finished ridge height of all dwellings shall be no higher than those shown on drawing no. 09 rev A.

Reason: In the interests of visual amenity, to preserve the openness and character of the Green Belt in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

5. Roof lights to all plots as shown on the approved drawings shall be of a 'conservation' style designed to fit flush to the plane of the roof and thereafter retained in 'conservation' style designed to fit flush to the plane of the roof.

Reason: In the interests of visual amenity and to protect the character and appearance of the Green Belt and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

6. The development hereby approved shall be undertaken in accordance with the layout, construction and specification of the highway works at the site access junction with Slades Road (drawing no. 01); (and all associated highway works) submitted as part of discharge of conditions application 2017/92059 and agreed in writing by the Local Planning Authority within the letter dated 3 July 2017.

Reason: In the interests of Highway safety in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

7. The development shall not be brought into use until visibility splays of 2.4m x 43m have been completed. Thereafter, visibility splays in which there shall be no obstruction to visibility above the level of the adjacent footway shall be retained thereafter.

Reason: In the interests of highway safety and in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

8. The development shall not be brought into use until all areas indicated to be used for private drives and parking and turning areas have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) those areas shall be so retained, free of obstructions and available for parking and turning thereafter.

Reason: In the interests of amenity and traffic safety, to avoid potential flood risk, to ensure an adequate provision for parking and turning is retained on site and in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

9. Development shall be carried out in accordance with the Preliminary Risk Assessment (Phase I Desk Study Report) submitted as part of discharge of conditions application 2017/92059 and agreed in writing by the Local Planning Authority within the letter dated 7 July 2017.

Reason: To accord with discharge of conditions application 2017/92059 and in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

10. Development shall be carried out in accordance with the Phase II Intrusive Site Investigation Report submitted as part of discharge of conditions application 2017/93885 and agreed in writing by the Local Planning Authority within the letter dated 4th December 2017.

Reason: To accord with discharge of conditions application 2017/92059 and in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

11. Development shall be carried out in accordance with the Remediation Strategy as part of discharge of conditions application 2017/92059 and agreed in writing by the Local Planning Authority within the letter dated 4th December 2017.

Reason: To accord with discharge of conditions application 2017/93885 and in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

12. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation 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 Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

13. No development, except for the demolition of existing buildings and the clearance of subsequent debris from the site, shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. The details shall include: a) evidence to confirm the reasons for rejection of other methods of surface water disposal, b) evidence of existing positive drainage to a public sewer from the site ; and c) the means of attenuating surface water to as close to greenfield rates as reasonably practical and in any event , by a minimum reduction of 30% reduction based on the existing peak discharge rate during a 1 in 1 year storm event. No dwelling shall be occupied until the works comprising the approved scheme have been completed and thereafter retained and managed.

Reason: To ensure that adequate and suitable drainage is available to serve the development, in the interests of the protection of the natural environment in accordance with guidance in the National Planning Policy Framework.

14. Notwithstanding the submitted information, bird nesting features in the form of one sparrow terrace and one multi-chamber swift box shall be incorporated integral to each the approved dwellings during the period of construction. The sparrow terrace shall be located at least 4 metres above ground, in the northeast elevation with the swift box located directly under the eaves in the northeast elevation, before the dwelling to which it is related is first occupied and retained thereafter

Reason: To enhance ecological interest within the site, in accordance with the guidance contained within Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

15. Notwithstanding the submitted plans, one bat box, in the form of a Schweglar type 1FR/2FR bat boxes or similar shall be incorporated integral to each of the approved dwellings during the period of construction. The bat boxes shall be located away from external windows and lighting, at least 5 metres above ground level on the southwest elevation, before the dwelling to which it is related is first occupied and retained thereafter.

Reason: To enhance ecological interest within the site, in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

16. Details to include the height, design, siting and materials to be used for the erection of walls and/or fences to all boundaries shall be submitted to and approved in writing by the Local Planning Authority before the superstructure of any of the dwelling commences. The development shall be completed in accordance with the approved details along with a 600mm high natural stone wall to the site frontage as shown on drawing no. 09 Rev A before the development hereby approved is occupied/brought into use and shall thereafter be retained.

Reason: In the interests of visual amenity and to accord with the requirements of Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

17. Prior to occupation of the hereby approved dwellings an electric vehicle recharging point shall be installed in each of the integral garages/within the curtilage of each dwelling (5 in total). Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. Thereafter the electric vehicle recharging points shall be retained.

Reason: To accord with the guidance contained in Part 4 of the National Planning Policy Framework "Promoting sustainable transport" and to encourage low carbon forms of transport in accordance with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's Housebuilders Design Guide SPD and the National Planning Policy Framework.

18. The development shall not be occupied until the ground floor window in the north (side) elevation as shown on plan 2415 02 hereby approved has been obscure glazed minimum grade 4. The obscure glazing shall thereafter be retained for the lifetime of the development.

Reason: In the interests of the amenity of the occupiers of neighbouring properties to accord with Policy LP24 of the Kirklees Local Plan, the Council's Housebuilders Design Guide SPD and Policies within Chapter 12 of the National Planning Policy Framework.

NOTE: 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 (Kirklees Street Scene: 01484 221000) 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.

NOTE: All contamination reports shall be prepared in accordance with CLR11, PPS23 and the Council's Advice for Development documents or any subsequent revisions of those documents.

NOTE: Link to Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens' published 13th May 2009 (ISBN 9781409804864):
www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

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 13.00hours , 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 work may be carried out.

Plans and specifications schedule: -

Plan Type submitted as part of application 2017/90989	Reference	Version	Date Received
Location plan	Streetwise Maps		21/03/17
Site block plan & streetscape	09	A	16/05/17
Plot 1 floor and elevation plans	10	A	16/05/17
Plot 2 floor and elevation plans	11	A	16/05/17
Plot 3 floor and elevation plans	12	A	16/05/17
Plot 5 floor and elevation plans	14	A	16/05/17
Additional visual showing an anthracite GRP			
Supporting statement			21/03/17

Plan Type submitted as part of application 2025/90490	Reference	Version	Date Received
Location Plan	-	-	11/03/2025
Previously Approved Plans and Elevations	2415 01	-	24/02/2025
Proposed Plans and Elevations	2415 02	-	24/02/2025
Proposed Site Plan and street scene	2415 03	-	24/02/2025
Application form	-	-	10/03/2025
Design and access statement	-	-	10/03/2025
Climate change statement	-	-	04/03/2025

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 have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2025 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted

DEVELOPMENT WITHIN A COAL MINING AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the 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)

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.

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 refuse permission for the proposed development or 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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:
 - i) 28 days from the date of this notice where the enforcement notice has been served,
 - ii) 28 days of the date of service of the enforcement notice or,
 - iii) the specified period starting from 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: 05-Jun-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 and view existing planning applications and decisions' and by searching for application number 2025/70/90490/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
