



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/62/90829/W

To: S Singh
1, Central Drive
Fartown
Huddersfield
HD2 1DD

For: S SINGH

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 DETACHED DWELLING WITH DETACHED GARAGE

At: LAND ADJ, 3, VERNON CLOSE, EDGERTON, HUDDERSFIELD, HD1 5QE

In accordance with the plan(s) and applications submitted to the Council on 01-Apr-2025, 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 (as amended).

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 to accord with Policies LP1, LP2, LP3, LP7, LP11, LP21, LP22, LP24, LP30, LP33 and LP53 of the Kirklees Local Plan, Principles 4, 5, 6, 12, 13, 14, 15, 16, 17 and 19 of the Councils adopted House Builders Design Guide, the Council's adopted Highways Design Guide and the policies within Chapters 2, 12 and 15 of the National Planning Policy Framework

3. The materials of construction used for all external walls of the development hereby approved shall be natural stone which shall be retained thereafter.

Reason: Policies LP24 of the Kirklees Local Plan, Principle 13 of the Councils adopted Housebuilders Design Guide SPD and policies contained within Chapter 12 of the National Planning Policy Framework

4. The materials of construction used for all roof slopes of the development hereby approved, and the front and cheeks of the dormers within the outbuilding hereby approved, shall be concrete tiles of a dark grey colour finish which shall be retained thereafter.

Reason: Policies LP24 of the Kirklees Local Plan, Principle 13 of the Councils adopted Housebuilders Design Guide SPD and policies contained within Chapter 12 of the National Planning Policy Framework

5. The finished floor and slab levels of the development shall be in accordance with those shown on submitted drawing 2402/01Crev1. The development shall not be brought into use until the finished floor and slab levels approved by this condition have been completed. The approved finished floor and slab levels shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the amenity of neighbouring occupiers to accord with Policy LP24 of the Kirklees Local Plan, principle 6 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

6. Notwithstanding the details shown on the approved plans, the development shall not be brought into use until a scheme detailing the boundary treatment of the site has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the provision of hedgehog holes within the boundaries which allows for the movement of wildlife. The development shall not be brought into use until the boundary treatment has been completed in accordance with the approved details. The scheme shall thereafter be retained.

Reason: In the interests of residential amenity of neighbouring occupiers, visual amenity and to ensure biodiversity enhancement measures are provided to accord with Policies LP24 & LP30 of the Kirklees Local Plan, principles 5, 6 and 9 of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapter 12 of the National Planning Policy Framework.

7. All glazing within the first and second floor side (south-western and north-eastern) elevations of the dwelling hereby approved shall be fitted with obscure glazing or a permanently affixed film which achieves a minimum privacy rating Grade 4. This shall be retained at a height of 1.7m when measured from the finished floor level.

Reason: To ensure no detrimental level of overlooking of neighboring occupiers occurs, in the interests of the residential amenity of neighboring occupiers and to accord with policy LP24 b of the Kirklees Local Plan, principle 6 of the Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

8. All glazing within the first-floor side (southwestern and northeastern) elevations of the outbuilding hereby approved shall be fitted with obscure glazing or a permanently affixed film which achieves a minimum privacy rating Grade 4. This shall be retained at a height of 1.7m when measured from the finished floor level.

Reason: To ensure no detrimental level of overlooking of neighboring occupiers occurs, in the interests of the residential amenity of neighboring occupiers and to accord with policy LP24 b of the Kirklees Local Plan, principle 6 of the Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

9. One bat box and one bird box shall be incorporated into the dwelling hereby approved; the boxes shall be long-lasting Schwegler 'woodcrete' type or similar and shall be located away from sources of light. The bat and bird boxes shall be provided prior to first occupation of the dwelling hereby approved and thereafter be retained.

Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan, Principle 9 of the Kirklees Housebuilders Design Guide Supplementary Planning Document and Chapter 15 of the National Planning Policy Framework.

10. Development shall not commence until the tree protection measures set out in the drawing titled 'Tree Protection Plan' (ref: 251343/TPP/01) of the submitted Tree Survey (ref: 251343/A1_AIA) have been provided. The measures shall be retained in accordance with the details upon the drawing titled 'Tree Protection Plan' (ref: 251343/TPP/01) of the submitted Tree Survey (ref: 251343/A1_AIA) for the duration of construction works being undertaken.

Reason: To ensure the protection of trees to accord with policies LP30 & LP33 of the Kirklees Local Plan, Principle 9 of the Kirklees Housebuilders Design Guide Supplementary Planning Document and policies within Chapter 15 of the National Planning Policy Framework.

11. Development shall not commence unless and until provision has been made within the site for the parking, loading and unloading of contractors' plant and equipment and the parking of vehicles and workforce associated with all construction works which shall be retained for the duration of construction works being undertaken.

Reason: In the interests of access and highway safety and residential amenity to accord with policies LP21 and LP22 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

12. The outbuilding hereby approved shall be used ancillary to the dwelling hereby approved.

Reason: In the interests of residential amenity of neighbouring and future occupier's occupier's and for the avoidance of doubt as to what is being approved to accord with policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

13. Development shall not commence until; a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: This is a pre-commencement condition for the undertaking of remedial measures, prior to the commencement of development, which is considered to be necessary to ensure the safety and stability of the development, in accordance with Paragraphs 189 and 190 of the National Planning Policy Framework and Policy LP53 of the Kirklees Local Plan.

14. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the development, in accordance with Paragraphs 189 and 190 of the National Planning Policy Framework and Policy LP53 of the Kirklees Local Plan.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Location Plan	PP-13886147v1	26/03/2025
Site Plan	2402/01/Drev1	26/03/2025
Dwelling Elevations	2402/01Brev1	26/03/2025
Dwelling Floor Plans	2402/01Arev1	26/03/2025
Outbuilding Floor Plans	2402/01/GBrev1	26/03/2025
Outbuilding Elevations	2402/01/GA	26/03/2025
Drainage Layout	-	26/03/2025
Section Drawing	2402/01cRev1	26/03/2025
Design and Access Statement	-	26/03/2025
Tree Survey	251343/A1_AIA	21/05/2025
Preliminary Ecological Appraisal dated 3rd July 2024	-	26/03/2025
Climate Change Statement	-	02/04/2025
Coal Mining Risk Assessment	71009796765001	26/03/2025
Application Form		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 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. Further information relating to impact upon trees was submitted as part of the application.

DEVELOPMENT WITHIN A COAL MINING AREA

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 speeder 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.

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.

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: 18-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 planning applications and decisions' and by searching for application number 2025/62/90829/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
