



**Town and Country Planning Act 1990**

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

**OUTLINE PLANNING PERMISSION**

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**Application Number: 2025/60/90864/W**

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

**For:** S Scargill

**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:-**

OUTLINE APPLICATION FOR DEMOLITION OF INDUSTRIAL PREMISES AND  
ERECTION OF RESIDENTIAL DEVELOPMENT

**At:** 15, BANKFIELD LANE, KIRKHEATON, HUDDERSFIELD, HD5 0JF

**In accordance with the plan(s) and applications submitted to the Council on 27-Mar-2025, subject to the condition(s) specified hereunder:-**

1. Approval of the details of Access, Appearance, Layout, Scale and Landscaping of the site (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority in writing before development is commenced.

**Reason:** This is a pre-commencement condition to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to Access, Appearance, Layout, Scale and Landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

**Reason:** No details of the matters referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

3. Application for approval of any reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**Reason:** Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason:** Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

5. 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 Policies LP1, LP2, LP3, LP7, LP20, LP21, LP22, LP24, LP30 & LP51 of the Kirklees Local Plan, Principles within the Housebuilders Design Guide Supplementary Planning Document and policies within Chapters 2, 4, 5, 8, 9, 11, 12, 14 & 15 of the National Planning Policy Framework.

6. The residential development hereby approved shall not exceed a maximum of eight dwellings.

**Reason:** For the avoidance of doubt as to what is authorised by this permission to ensure that the development conforms to the approved outline planning permission as well as the impact upon residential amenity of neighbouring occupiers and visual amenity of the wider locality to accord with policy LP24 of the Kirklees Local Plan, Principles 2, 6, 16 & 17 of the Council's adopted Housebuilders Design Guide and policies within Chapter 12 of the National Planning Policy Framework.

7. Development shall not commence until a scheme detailing the finished slab and floor levels of the dwellings hereby approved, together with corresponding existing and finished ground levels and of surface and land drainage associated with any works, has been submitted to and approved in writing by the Local Planning Authority. The construction of the dwellings shall be carried out in accordance with the details so approved and the occupation of the dwellings hereby approved shall not take place until the works relating to the building have been completed. The approved levels shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

**Reason:** This is a pre commencement condition required in the interests of visual and residential amenity to accord with Policy LP24 of the Kirklees Local Plan, Principle 15 of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

8. The development hereby approved shall not be brought into use until a scheme detailing the installation of all boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of location, heights and materials. The boundary treatments shall be installed prior to the development being brought into use. The boundary treatments shall be thereafter retained and maintained for the lifetime of the development.

**Reason:** In the interests of visual amenity and residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

9. Before the development commences a scheme detailing the location and cross sectional information together with the proposed design and construction details for all new retaining walls/ building retaining walls adjacent to the existing/proposed adoptable highway shall be submitted to and approved by the Local Planning Authority in writing. The approved scheme shall be implemented prior to the commencement of the development and thereafter retained during the life of the development.

**Reason:** In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

10. Before the development commences a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new surface water attenuation tanks/pipes/manholes located within the proposed highway footprint or influence zone of highway loading shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development. See <https://www.kirklees.gov.uk/beta/regeneration-anddevelopment/pdf/highways-structural-procedures.pdf> for further details and in particular, for the certification of oversize pcc manholes and their cover slabs, as advised in this document.

**Reason:** In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

11. No development shall take place until a scheme detailing the design and specification for the construction of the site access has been submitted to and approved in writing by, the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, surface finishes, signing and the treatment of sight lines, together with an independent safety audit covering all aspects of the work. Before any dwelling is occupied the scheme shall be completed in accordance with the approved plans and retained thereafter.

**Reason:** In the interests of the free and safe use of the highway, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

12. Visibility splays at the approved access along Bankfield Lane of 2.4m x 43m with no obstructions above the level of the adjacent footway shall be provided before any dwelling is first occupied. Thereafter the visibility splays shall be retained unobstructed throughout the lifetime of the development.

**Reason:** In the interests of the free and safe use of the highway, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

13. A footway of 2.0 metres wide shall be provided to the full frontage of the development, in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority before any dwelling is first occupied. The footway so approved shall thereafter be retained throughout the lifetime of the development.

**Reason:** In the interests of highway safety and to allow for safe pedestrian access to and from the site, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

14. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

**Reason:** In the interests of the free and safe use of the highway, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

15. Groundworks, demolition or further construction works (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

16. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (15) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

17. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (16). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

18. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for 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 paragraph nos. 189 and 190 of the National Planning Policy Framework

19. Prior to materials being imported to the site, a strategy detailing the intended placement, the source, characterisation and the suitability of any imported material must be submitted to and approved in writing the Local Planning Authority. The testing to demonstrate suitability must then be carried out in accordance with the approved strategy. Following importation and placement of the materials as described in the approved 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 until a Verification Report 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 197 of the National Planning Policy Framework.

20. No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"
- c) 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)
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) 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 Chapter 15 of the National Planning Policy Framework

21. Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), shall be submitted to, and approved in writing by, the Local Planning Authority. The Sensitive Lighting Strategy will demonstrate that the lighting will not impact upon ecological networks and/or sensitive features. External lighting shall be installed in accordance with the specifications and locations set out within the approved lighting scheme and retained thereafter.

**Reason:** In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

22. Prior to demolition of building one as referenced within the submitted Preliminary Ecological Appraisal Report, ref: 22939/RPS, received 16/07/2025, two bat emergence surveys must be undertaken. Both surveys must be completed between May and August.

**Reason:** In the interests of protecting biodiversity and in accordance with LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

23. The Biodiversity Enhancement Management Plan completed by JCA Limited (June 2025, 22904a/RPS / 22939 Preliminary Ecological Appraisal Report Issue) must be implemented during works and at completion of the development and retained thereafter.

**Reason:** In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

24. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

**Reason:** In the interests of satisfactory and sustainable drainage to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

25. Development shall not commence until a scheme detailing foul, surface water and land drainage, (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned, and percolation tests, where appropriate) has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved drainage scheme has been completed in relation to that dwelling and shall thereafter be retained throughout the lifetime of the development.

**Reason:** To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental well being and to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

26. Development shall not commence until a scheme restricting the rate of surface water discharge from the site to a maximum of 70% of the existing pre-development flow rate to the same outfall, has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Volumes generated by storm events greater than the critical 1 in 30 year storm including the critical 1 in 100 year storm event, with an appropriate additional allowance for climate change, shall be stored on site in areas to be approved in writing by the Local Planning Authority. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. 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 scheme including maintenance and management shall be implemented throughout the lifetime of the development.

**Reason:** To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well being and to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

27. Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

**Reason:** In order to ensure that no foul or surface water discharges take place until proper provision has been made for their disposal and to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 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) regarding 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 new storm water attenuation tanks/pipes/culverts with internal diameter/spans exceeding 0.9m must be located off the adoptable highway. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment and maintenance regime in compliance with the CDM Regulations 2015 requirements. The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally binding agreement to the Highway Authority explicitly stating that they will be fulfilling their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with CS450- Inspection of Highway structures.

Furthermore, all new precast pipes/ culverts/storage tanks proposed for use within the footprint of an adoptable highway must comply with the Specification for Highway Works (SHW-Series 500 or 2500) and must be accredited with a BBA (The British Board of Agrément Roads and Bridges) or HAPAS (Highway Authority Product Approval Scheme) or equivalent certificate.

**NOTE:** The applicant is reminded that if any evidence of bats, nesting birds, or other protected species is found during the course of works, all activity must cease immediately, and advice should be sought from a suitably qualified ecologist. It is an offence under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 to disturb or harm protected species or their habitats. Failure to comply with the legislation could result in prosecution.

**NOTE: Contaminated Land**

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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: Construction Site Working Times**

Noisy construction related activities shall not take place outside the hours of:

07:30 to 18:30 hours Monday to Fridays

08:00 to 13:00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

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			28.03.25
Proposed Site Plan	1201-01	A	28.03.25
Biodiversity Enhancement Plan Survey and Report	22904a/RPS		16.07.25
Preliminary Ecological Appraisal Report	22939/RPS		16.07.25
Phase 1 Environmental Desk Study Report	C4780/24/E/7301		28.03.25
Climate Change Statement			28.03.25
Design and Access Statement			28.03.25
Topographical Survey			28.03.25

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 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. A preliminary ecological assessment (PEA) was requested to be submitted. The agent submitted a PEA for review and was considered acceptable.

### **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.

**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](#). Alternatively the forms and supporting guidance for submitting an application can be found online at [Kirklees Council Planning Website](#).
- 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**

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://www.mra.gov.uk)

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 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 at [the Planning Inspectorates website](http://www.planninginspectorates.gov.uk). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](http://www.planninginspectorates.gov.uk)
- 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](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

**Dated:** 01-Sep-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 [Kirklees Council Planning](#), and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2025/60/90864/W.

If a paper copy of the decision notice or decided plans are required please email [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) or telephone 01484 414746 with the application number. There may be a charge for this service.

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All communications should be sent to one of the following address:

**E-mail:** [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

**Write to:** Kirklees Council  
Planning and Development Service  
PO Box 1720  
Huddersfield  
HD1 9EL

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