



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/62/91121/E

To: Mark Eagland,
Coral Projects
Central House
St Pauls Street
Leeds
LS1 2TE

For: BEN BURTON, THE LEEDS DIOCESAN BOARD OF FINANCE

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:-

DEMOLITION OF EXISTING VICARAGE AND ERECTION OF 10 APARTMENTS

At: ST MARYS VICARAGE, SPEN LANE, GOMERSAL, CLECKHEATON, BD19
4LS

In accordance with the plan(s) and applications submitted to the Council on 16-Jun-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 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved 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 in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

3. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless authorised in writing by the Local Planning Authority in response to evidence to be submitted in writing to the Local Planning Authority demonstrating that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason: To prevent significant ecological harm to birds, their eggs, nests and young and to accord with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

4. The development hereby approved shall be undertaken in accordance with all the mitigation and protection measures detailed in the appended Arboricultural Method Statement (pages 1-6) within the hereby approved Arboricultural Impact Assessment (reference: BTC3439 rev 2). For the avoidance of doubt, all works proposed shall be undertaken with full Arboricultural supervision.

Reason: To protect to viability of the retained trees and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework

Prior to development commencing

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

- A timetable of all works;
- Hours of works;
- Point(s) of access for construction traffic;
- Construction vehicle sizes and routes;
- Numbers and times of construction vehicle movements;
- Locations of HGV waiting areas and details of their management;
- Parking for construction workers;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Signage;
- Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;
- Street sweeping;
- Measures to control and monitor the emission of dust and dirt during construction;
- Site waste management, including details of recycling/disposing of waste resulting from construction works;
- Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;

- Artificial lighting used in connection with all construction-related activities and security of the construction site;
- Site manager and resident liaison officer contacts, including details of their remit and responsibilities;
- Engagement with local residents and occupants or their representatives; and
- Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).

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

Reason: In the interests of amenity, in the interests of highway safety, to ensure the highway is not obstructed, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30, LP35 and LP52 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity and biodiversity impacts are devised and agreed at an appropriate stage of the development process.

6. Prior to the commencement of development (including vegetation clearance and ground works) a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following.

- Risk assessment of potentially damaging construction activities that refers to the most up-to-date site-specific survey information and specifically to nesting birds and invasive plant species;
- Identification of “biodiversity protection zones” where appropriate;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works where appropriate;
- Responsible persons and lines of communication; and
- Use of protective fences, exclusion barriers and warning signs, where appropriate.

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

Reason. To protect biodiversity during construction by avoiding impacts to protected species and preventing the spread of non-native plants, and to accord with Policy LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to prevent or minimise biodiversity impacts are devised and agreed at an appropriate stage of the development process.

7. Prior to development commencing, a detailed design scheme detailing foul, surface water and land drainage, including agreed infiltration to ground or, if not viable, agree discharge rates indirectly or directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate provisions are in place at the appropriate stage.

8. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed, and such approved scheme shall be retained thereafter.

Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate provisions are in place at the appropriate stage.

9. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- Phasing of the development and phasing of temporary drainage provision;
- Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented; and
- The strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100%. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per hectare, unless otherwise agreed with the Lead Local Flood Authority.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure adequate provisions are in place at the appropriate stage.

10. Prior to development commencing (excluding demolition and works required to undertake a site investigation report) a Phase II Intrusive Site Investigation Report by a suitably competent person shall be 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.

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development.

11. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 10, further ground works 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 the National Planning Policy Framework.

12. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 11. 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 two 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 the National Planning Policy Framework.

13. Prior to the commencement of development, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The BEMP shall include the specification, position and location of:

- One bat box;
- Planting of fruit trees and flower beds for bats and birds;
- One swift box; and
- Fencing to allow for the movement of hedgehogs.

The development shall be implemented in accordance with the approved BEMP and all measures and features shall be retained in that manner thereafter.

Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat, in line with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain are agreed at an appropriate stage of the development process.

14. Prior to the commencement of development, a detailed Precautionary Working Method Statement (PWMS) in respect of amphibians shall be submitted to and approved by the local planning authority. In order to minimise risk and avoid harm to amphibians, the PWMS shall include (but not be limited to) toolbox talks provided by a suitably qualified ecologist, attendance of an ECoW (Ecological Clerk of Works) as required, and careful hand search around potential amphibians features. In the event of encountering amphibians, all work must cease until the ecological clerk of works and Natural England are contacted for advice on the best way to proceed lawfully. All contractors working on site should be made aware of this advice and provided with the contact details of the ecological clerk of works.

Reason: In the interests of the biodiversity of the site and in accordance with Policy LP30 of the Kirklees Local Plan with the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 and, compliance with the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure the works would not cause harm to protected species.

15. Prior to the commencement of development an invasive non-native species survey shall be conducted and submitted and approved in writing by the Local Planning Authority. Should the survey identify any invasive species within the site, a mitigation plan should be provided, to detail the containment, control, and removal of the species on site. Thereafter the development shall be undertaken in accordance with the approved scheme.

Reason: To prevent the spread of non-native invasive species, to safeguard and enhance the function of the application site, in line with the aims and objectives of Policy LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure ecological measures are capable of being fully integrated into the construction phase.

16. Prior to the commencement of development, full details of landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- Soft landscaping works to include planting plans; plant schedules noting species, plant sizes and proposed numbers/densities where appropriate; any new trees showing their species, spread and maturity and new planting plans with written specifications (including cultivation and other operations associated with plant and grass establishment) and schedules of plants (including the location, number, species, size and planting density);
- An implementation, management and maintenance programme including full details for management of newly establishing trees including, but not limited to, a watering regime, monitoring of stakes and ties, formative pruning, replacement of failed or damaged trees; and
- The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this 5-year period, any tree, shrub or hedge shall die,

become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation. All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.
Reason: To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP33 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.
This pre-commencement condition is necessary to ensure landscaping is agreed at an appropriate stage of development.

Prior to above ground works commencing

17. Notwithstanding the submitted plans, prior to the commencement of superstructure works, details of all windows and doors (including materials, details of cills, lintels and 100mm to 150mm deep reveals) for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

18. Notwithstanding the submitted plans, prior to the commencement of superstructure works, details/samples of all external materials to include natural slate to the roof, natural stone to the front elevation (including the small side elevations) and a buff brick to the side and rear elevations and the protruding 2m high external walls, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be built in accordance with the approved materials and retained thereafter.

Reason: In the interests of visual amenity, to preserve and enhance the setting of the adjacent heritage asset, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and the National Planning Policy Framework

19. Prior to above ground works commencing, a Crime Mitigation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall detail the development's measures to mitigate and protect from crime, having due regard to boundary treatment, lighting, glazing specification, means of locking, alarms, and vehicle storage. Thereafter the development shall be undertaken in accordance with the approved details, prior to the occupation of the approved dwellings.

Reason: To mitigate the harmful impacts of crime, and the perception of crime, in the interest of residential amenity and to comply with Policy LP24 of the Kirklees Local Plan

Prior to the occupation of dwellings

20. Before the development hereby approved is first brought into use, the boundary treatments hereby approved shall be installed along the eastern and southern boundaries and retained thereafter.

Reason: In the interests of residential amenity, to protect the privacy of the nearby residential properties and the future occupiers in accordance with Policy LP24 of the Kirklees Local Plan and the National planning Policy Framework.

21. Notwithstanding the submitted plans and information, one electric vehicle recharging point shall be installed within the dedicated parking area for the site and made operational, before any of the units hereby approved are first occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16Amps and a maximum demand of 32Amps. The electric vehicle charging points so installed shall thereafter be retained.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

22. The development hereby approved shall not be brought into use until the front (northern) boundary wall, has been re-aligned and reduced to 0.9m in height within the site entrance in order to achieve the sightlines as shown on the approved visibility splay plan (ref: 415.064946.00001-D100 rev A). The boundary wall shall thereafter be retained at this height.

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

23. The development shall not be brought into use, until the bin store hereby approved, has been built and made operational. The bin store shall be retained, managed and maintained thereafter.

Reason: To ensure satisfactory arrangements are implemented in relation to waste, in the interests of visual and residential amenity and highway safety and to accord with Policies LP21 and LP24 of the Kirklees Local Plan, Kirklees Waste Management Design Guide for New Developments and the National Planning Policy Framework.

24. The development shall not be brought into use, until details of suitable cycle storage facilities/shelters (capable of accommodating 10 bicycles) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: To comply with the council's sustainability objectives and to meet the requirements set out in Policy LP22 part g of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details of cycle parking are agreed at an appropriate stage of the development process.

25. Prior to the occupation of the hereby approved development and following completion of any measures identified in the approved Remediation Strategy pursuant to condition 12 (or any approved revised Remediation Strategy) a Verification Report in respect of those remediation measures by a suitably competent person shall be 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 the National Planning Policy Framework.

Note: Biodiversity Net Gain

In accordance Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) development may not be begun unless:

- 1) A biodiversity gain plan has been submitted to the planning authority; and
- 2) The Local Planning Authority has approved the plan.

The biodiversity gain plan must include:

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) The pre-development biodiversity value of the onsite habitat;
- c) The post-development biodiversity value of the onsite habitat;
- d) Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) Any biodiversity credits purchased for the development; and
- f) Any such other matters as the Secretary of State may by regulations specify.

NOTE: This permission is subject to conditions requiring the submission of further and/or amended information prior to commencement of development or at other points during the development process. To assist in the prompt discharge of conditions, you may wish to submit separate Discharge of Conditions applications for each of those conditions that require submissions. This may be particularly advisable where your submissions are likely to require extensive consultation, consideration of complex technical matters, and/or negotiation. Alternatively, grouping submissions relevant to a specific topic, or interrelated topics (for example, pursuant to highways-related conditions) under a single application, and/or grouping submissions pursuant to pre-commencement, pre-superstructure and pre-occupation conditions, may assist prompt discharge. For further advice on conditions-stage submissions, please contact the case officer.

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: No construction related noise shall be audible beyond the site boundary outside the hours of: 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours Saturdays, with no construction related noise audible beyond the site boundary 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.

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

NOTE: 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: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof. Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location plan	2929-01	-	23/04/2025
Proposed floor plans	2929-03	F	23/04/2025
Tree constraints plan	2062.Arb	1	23/04/2025
Proposed elevations	2929-04	E	16/06/2025
Topographical survey	2929-10	-	16/06/2025
Swept path analysis: Deliveries	415.064946.00001-TR102	A	17/10/2025
Site access visibility assessment	415.064946.00001-D100	A	17/10/2025
Proposed site layout plan	2929-02	J	17/10/2025
CGI image – View from road	-	-	23/04/2025
CGI image – View from graveyard	-	-	23/04/2025
Transport Statement	415.064946.00001	A	23/04/2025
Design and Access Statement	By HB Architectural Services (dated March 2025)	-	23/04/2025
Tree Assessment Plan	2062.AIA	1	23/04/2025
Arboricultural Survey	2062.Arb	1	23/04/2025
Climate Change statement	-	-	23/04/2025
Preliminary Appraisal Report – part 1	C10452	0	23/04/2025
Preliminary Appraisal Report – part 2	-	-	23/04/2025
Preliminary Appraisal Report – part 3	-	-	23/04/2025
Preliminary Appraisal Report – part 4	-	-	23/04/2025
Preliminary Appraisal Report – part 5	-	-	23/04/2025
Preliminary Appraisal Report – part 6	-	-	23/04/2025
Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment	2062a	2	16/06/2025
Planning statement	By Peacock & Smith	-	16/06/2025
Dusk Emergence Bat survey	2062b	1	19/06/2025
Amended Drainage statement	By AMA dated December 2025	-	03/12/2025

Arboricultural Impact Assessment (including a Method statement)	BTC3439	2	16/01/2026
Boundary treatment plan	2929-09	C	18/03/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. In this instance, amendments to access and the height of the front boundary wall (to achieve suitable visibility) have been sought under this application, as has additional drainage and tree information and a revised boundary treatment plan. The applicant's agent agreed the pre-commencement conditions in writing on 09/03/2026.

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](https://www.mra.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: 20-Mar-2026

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 2025/62/91121/E .

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
