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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/70/91311/W

To: Adam Howarth,
Royd Edge Mill Developments Ltd
c/o Finlayson & Co, Whitby Court
Abbey Road
Shepley
Huddersfield
HD8 8EL

For: Adam Howarth, Royd Edge Mill Developments Ltd

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

VARIATION OF CONDITION 1 (PLANS AND SPECIFICATIONS-PLOTS 23-24) ON PREVIOUS PERMISSION 2021/92788 FOR VARIATION CONDITION 7 (PLANS) ON PREVIOUS PERMISSION 2009/92557 FOR RESERVED MATTERS APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR 30 DWELLINGS WITH ASSOCIATED PARKING PURSUANT TO OUTLINE PERMISSION 2007/92595

At: ROYD EDGE DYEWORKS, HOLMFIRTH ROAD, MELTHAM, HOLMFIRTH, HD9 4BY

In accordance with the plan(s) and applications submitted to the Council on 22-May-2025 [together with those plans and application(s) submitted to the Council on 08-July-201and incorporated into planning permission ref: 2021/70/92788 granted on 27-Sept-2022 and subject to the condition(s) specified hereunder:-

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP21, LP22, LP24, LP30 and LP33 of the Kirklees Local Plan, the aims of the National Planning Policy Framework and the Housebuilders Design Guide Supplementary Planning Documents.

2. The development shall be constructed of the materials shown on the approved materials schedule, reference 1629, approved under Discharge of Condition application 2023/92761.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and the Housebuilders Design Guide Supplementary Planning Document.

3. The landscaping scheme shown on 7241.01 Revision H and 7241.02 Revision H shall be implemented within the first sowing or planting season following the substantial completion of development. The planting shall be maintained for a period of five years from the completion of works. All specimens which die within this period shall be replaced.
Reason: In the interests of visual amenity and ecology, to accord with Policy LP24 and LP30 of the Kirklees Local Plan, Chapters 12 and 15 of the National Planning Policy Framework and the Housebuilders Design Guide Supplementary Planning Document.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) the garages hereby approved shall not be converted into habitable rooms and shall be retained for the garaging of private motor vehicles.
Reason: In the interests of highway safety, to accord with Policy LP21 and LP22 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and the Housebuilders Design Guide and Highways Design Guide Supplementary Planning Document.

5. The areas to be used by vehicles and/or pedestrians shall be surfaced and drained prior to the first occupation of the dwellings unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety, to accord with Policy LP21 and LP22 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and the Housebuilders Design Guide and Highways Design Guide Supplementary Planning Document.

6. The development shall at all times be maintained in accordance with the Management Plan for the future maintenance of the unadopted internal estate roads" approved under Discharge of Condition application 2025/91033.
Reason: In the interests of highway safety by virtue of ensuring the internal estate roads continue to provide safe use as to accord with Policy LP21 and LP22 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and the Housebuilders Design Guide and Highways Design Guide Supplementary Planning Document.

7. The hereby approved dwellings shall be laid out in accordance with the details shown on plan ref. 01_01 rev. AA, with the exemption of plots 23 and 24, which shall be laid out in accordance with the details shown on plan ref. 01_01 rev. V.
Reason: For the avoidance of doubt as to what is being permitted, due to the submission of various revisions during the assessment process, to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP21, LP22, LP24, LP30 and LP33 of the Kirklees Local Plan, the aims of the National Planning Policy Framework and the Housebuilders Design Guide Supplementary Planning Documents.

Plans and specifications schedule:

Plan Type	**Reference**	**Version**	**Date Received**
The following plans / documents were submitted with application 2025/91311:			
Application form			13/05/2025
Proposed Site / Block Layout	01_01	AA	27/06/2025
Proposed Site / Block Layout	01_01	V	27/06/2025
Site location plan plots 23-24	01_113		13/05/2025
House type A – floorplans	02_02	D	13/05/2025
House type A – elevations	03_01	A2	13/05/2025
House type A1 – floorplans	02_02	F	13/05/2025
House type A1 – elevations	03_00	C	13/05/2025
Landscape plan 1 of 2	7241.01	H	11/06/2025
Landscape plan 2 of 2	7241.02	H	11/06/2025
The following plans / documents were submitted with discharge of condition application 2025/91033:			
Management Plan for the future maintenance of the unadopted internal estate roads			14/04/2025

Plan Type	Reference	Version	Date Received
The following plans / documents were listed as approved documents for application 2021/92788:			
House type B - 5 bedroom	02_02	D	09/07/2021
House type C - 5 bedroom	02_03		09/07/2021
House type D - 4 bedroom	02_04	A	09/07/2021
House type D1 - 4 bedroom	02_05		09/07/2021
House type E - 2 bedroom	02_06	B	22/11/2024
House type F - 3 bedroom	02_07	A	22/11/2024
House type F1 - 4 bedroom	02_08	B	22/11/2024
Substation plans and elevations	09_01	B	14/02/2025
Materials schedule			22/11/2024
Landscaping scheme 1 of 2	7241.01	H	11/06/2024
Landscaping scheme 2 of 2	7241.02	H	11/06/2024
Proposed Site Sections	01_02	A	09/07/2021
Proposed Site Sections	01_03		09/07/2021
Transport Assessment	2145-01-SK04	B	09/05/2022
Flood Risk Assessment	2145/01 SK01		07/09/2021
General	No ref, no author (titled: Application For A Variation Of A Condition Former Royd Edge Dyeworks, Meltham)		09/07/2021
General	Appendix 1 - Decision Letter (2020/90779)		09/07/2021
General	FRA Addendum Rev1 Part 3 of 3		09/07/2021
Flood Risk Assessment	FRA Addendum Rev1 Part 2 of 3		09/07/2021
General	FRA Addendum Rev1 Part 1 of 3		09/07/2021
General	1629 Drawing No: 01_05		09/07/2021
General	1629 Drawing No: 01_04		09/07/2021

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. The case officer requested several amendments during the application process in the interests of visual and residential amenity and highway safety, which informed the final decision.

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 Telephone: (01484) 221550 for more information.

Where the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- **If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.**
- **If an enforcement notice is served or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:**

i) 28 days from the date of this notice where the enforcement notice has been served,
ii) 28 days of the date of service of the enforcement notice or,
iii) the specified period starting from the date of this notice,

whichever period expires earlier.

- **If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.**

- **The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.**

- **Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://www.gov.uk/appeal-planning-decision. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website https://www.gov.uk/government/organisations/planning-inspectorate.**
- **You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.**

- **The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.**
- **The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.**
- **In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.**

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- **If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.**

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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

Dated: 28-Aug-2025

Signed:



David Shepherd
Executive Director for Place

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2025/70/91311/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
