



Town and Country Planning Act 1990

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

APPROVAL OF RESERVED MATTERS

Application Number: 2025/61/92242/W

To: Sam Ruthven
Johnson Mowat Planning & Development Con
Coronet House
Queen Street
Leeds
LS1 2TW

For: MILLER HOMES YORKSHIRE

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority, having considered your application submitted to the Council for approval of:-

RESERVED MATTERS APPLICATION (INCLUDING CONSIDERATION OF APPEARANCE, SCALE AND LANDSCAPING) FOR THE ERECTION OF 80 DWELLINGS, PURSUANT TO SECTION 73 APPROVAL 2025/90105 PURSUANT TO PREVIOUS OUTLINE PERMISSION 2022/91735, AND THE DISCHARGE OF OUTLINE CONDITIONS 6, 7, 8, AND 9

At: LAND OFF, HERMITAGE PARK, LEPTON, HUDDERSFIELD, HD8 0JU

NOTE Development pursuant to the outline planning permission to which this approval of reserved matters relates, must be commenced no later than 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.

In accordance with the plan(s) and applications submitted to the Council on 29-Aug-2025, being matters reserved in a permission granted on 10-Nov-2023 the Council have approved the said matters in terms of, and subject to compliance with the details specified in your application, subject to the following conditions:-

Conditions and Reasons

Compliance conditions

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, to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

2. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in strict accordance with the measures (including those relating to hand excavation and arboricultural supervision) set out in the Arboricultural Survey Report (Smeeden Foreman, SA 21376, rev I, October 2025).

Reason: To ensure trees within and adjacent to the site, the adjacent ancient woodland (Lepton Great Wood) and associated land are protected during and after the construction period, in accordance with Policies LP24 and LP33 of the Kirklees Local Plan and chapter 15 of 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Class E of Part 1 and/or Class A of Part 2 of Schedule 2 to that Order shall be carried out in any part of the development hereby approved without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, to ensure biodiversity is protected, and to accord with Policies LP24, LP30, LP33 and LP35 of the Kirklees Local Plan and chapters 12, 15 and 16 of the National Planning Policy Framework.

5. Other than where indicated on the drawings hereby approved, and other than in relation to elevations not facing a highway, open space or green belt land, no cables, plumbing, foul pipes, vents, burglar alarm boxes, and/or CCTV cameras or related equipment and installations shall be located or fixed to any external elevation(s) of the development hereby approved. Should any such equipment or installations be considered necessary, details of these shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the details so approved.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

Pre-commencement conditions

6. Prior to the commencement of works, full details of all retaining walls (including elevations, sections, product sheets, details of external facing materials and drawings showing boundary treatments above the retaining walls) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the details so approved.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, in the interests of protecting residential amenity, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure details of retaining walls are agreed prior to relevant works being undertaken.

Pre-superstructure conditions

7. Prior to the commencement of superstructure works, details and samples of all the external facing materials to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The proposed details shall include natural stone and natural slate for plots 1, 2, 3, 12 and 32 (as numbered on Site Layout drawing 22:5611:01 rev Z). The development shall be implemented in strict accordance with the details so approved. No materials other than those approved in accordance with this condition shall be used.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

8. Prior to the commencement of superstructure works, full details (including plans, elevations and sections, and details of any boundary treatments) of the electricity substation shown on Site Layout drawing 22:5611:01 rev Z shall be submitted to and approved in writing by the Local Planning Authority. Construction of the electricity substation shall be carried out in strict accordance with the approved details prior to its first use and the electricity substation shall be retained as such thereafter for the lifetime of the development.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

9. Prior to the commencement of superstructure works, a site-wide plan detailing locations of all roof-level photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the details so approved.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

Conditions subject to other triggers

10. Unless otherwise agreed in writing by the Local Planning Authority, the landscaping and public open spaces of the development hereby approved shall be completed in accordance with the details shown on the Landscape Proposals drawings 22:5611:101 rev J, 22:5611:102 rev J and 22:5611:103 rev J no later than prior to occupation of 75% of the dwellings hereby approved, and shall be fully planted within the first planting season after occupation of 75% of the dwellings hereby approved. Thereafter, all landscaped areas shall be managed and maintained in accordance with the Landscape Management Plan (JRP, 22 5611 rev D, November 2025). If, within a period of five years from the date of the planting of any tree/hedge/shrub, that tree/hedge/shrub or any replacement is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the provision and establishment of an acceptable landscaping scheme, in the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan and chapters 12, 15 and 16 of the National Planning Policy Framework.

11. Unless otherwise agreed in writing by the Local Planning Authority, the Local Equipped Area for Play (LEAP) shall be installed in accordance with the details set out in drawing CAS-381726-W2S4D8 rev B no later than prior to occupation of 75% of the dwellings hereby approved, and shall thereafter be retained and maintained.

Reason: To ensure adequate provision of play equipment, in accordance with Policy LP63 of the Kirklees Local Plan.

12. Prior to the installation of any surface or foul water drainage infrastructure, full details (including plans, elevations and sections, and details of surface materials, any above-ground structures and any boundary treatments) of the pumping station shown on Site Layout drawing 22:5611:01 rev Z shall be submitted to and approved in writing by the Local Planning Authority.

Construction of the pumping station shall be carried out in strict accordance with the approved details prior to its first use and the pumping station shall be retained as such thereafter for the lifetime of the development.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

13. Details of any additional tree works required during the construction process that are not identified within the submitted information shall be submitted to and approved in writing by the Local Planning Authority prior to the work being carried out. The works shall thereafter be carried out in complete accordance with the approved details.

Reason: To protect trees that provide visual amenity value, and to comply with Policies LP24 and LP33 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

14. Prior to their installation, details of any external air source heat pump units to be provided as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans and specifications, shall confirm locations of the units, shall include screening measures where necessary, and shall include noise and maintenance information. The units shall be installed in accordance with the details so approved and shall be maintained in accordance with the details so approved thereafter.

Reason: In the interests of visual and residential amenity, and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.

15. Prior to the commencement of ground works associated with the creation of the attenuation basins hereby approved, details of water safety measures around the attenuation basins shall be submitted to and approved in writing by the Local Planning Authority. The measures shall include provisions relating to hazard warning, accident prevention and rescue (including self-rescue). The development shall be implemented in accordance with the details so approved.

Reason: To help mitigate risks to public safety and to accord with Policies LP24 and LP47 of the Kirklees Local Plan and chapter 8 of the National Planning Policy Framework.

Discharge of Conditions

This application additionally seeks the discharge of conditions 6, 7, 8 and 9 of the previous outline permission 2022/91735 (as amended by the Section 73 approval 2025/90105).

Although a document titled "Report to Discharge Conditions 8, 15 and 27" has been submitted under this application, no formal request to discharge outline conditions 15 and 27 has been made.

The submissions made pursuant to outline conditions 6, 7, 8, and 9 are considered as follows:

Condition 6: public right of way and footpath treatment

The following drawings and documents are of relevance to outline condition 6:

- Landscape Proposals sheet 1 (drawing 22:5611:101 rev K)
- Landscape Proposals sheet 2 (drawing 22:5611:102 rev K)
- Landscape Proposals sheet 3 (drawing 22:5611:103 rev K)
- Levels Strategy (drawing 1223-001 rev A)
- Boundary Treatment Plan (drawing 22:5611:04 rev J)
- LEAP plan (drawing CAS-381726-W2S4D8 rev B)
- Eastern Boundary Land Drain and Boardwalk Details (drawing 1223-139 rev D)
- Landscape Management Plan (JRP, 22 5611 rev E, November 2025)
- Arboricultural Survey Report (Smeeden Foreman, SA 21376, rev I, October 2025)

Details set out in the above-listed drawings and documents are considered acceptable for the purposes of outline condition 6, and are hereby approved. However, please be reminded of the further requirements of the condition, which are:

Thereafter the development shall be undertaken in accordance with the approved details, and shall be implemented in accordance with the approved timetable.

Condition 7: finished floor levels and ground levels

Details set out in the submitted Levels Strategy (drawing 1223-001 rev A) are considered acceptable for the purposes of outline condition 7, and are hereby approved. However, please be reminded of the further requirement of the condition, which states:

Thereafter, the development shall be completed in accordance with the approved levels details.

Condition 8: lighting design strategy

The following documents are of relevance to outline condition 8:

- Lighting Impact Assessment (BWB, HPL-BWB-ZZ-XX-E-RP-0001_LIA rev P1, 02/12/2024)
- Report to discharge conditions 8, 15 and 27 (SLR, 424.065417.00001, rev 2, 04/08/2025)
- Woodsome View, Lepton – External Lighting (Miller Homes, October 2025)

Details set out in the above-listed documents are considered acceptable for the purposes of outline condition 8, and are hereby approved. However, please be reminded of the further requirements and stipulations of the condition, which are:

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting be installed on dwellings facing either Lepton Great Wood or areas of Public Open Space without prior consent from the Local Planning Authority.

Condition 9: boundary treatment to Lepton Great Wood

The following drawings are of relevance to outline condition 9:

- Landscape Proposals sheet 1 (drawing 22:5611:101 rev K)
- Landscape Proposals sheet 2 (drawing 22:5611:102 rev K)
- Landscape Proposals sheet 3 (drawing 22:5611:103 rev K)
- Boundary Treatment Plan (drawing 22:5611:04 rev J)

Details set out in the above-listed drawings are considered acceptable for the purposes of outline condition 9, and are hereby approved. However, please be reminded of the further requirements of the condition, which are:

The approved details shall be implemented prior to the occupation of the approved dwellings and shall thereafter be retained.

NOTE: References to “(as amended)” documents in the plans and specifications schedule below reflect the amendments made under this application. Not all documents were (or needed to be) updated to reflect these amendments.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	22:5611:02	Rev A	26/08/2025
Site Layout	22:5611:01	Rev AA	05/11/2025
Proposed Site Sections (as amended)	22:5611:07	Rev B	26/08/2025
Proposed Street Scenes (as amended)	22:5611:06	Rev B	26/08/2025
Baymont Plans and Elevations (plots 44-45)	22 5611 436	Rev A	04/11/2025
Baymont Plans and Elevations (plots 58-60)	22 5611 437	Rev A	04/11/2025
Baymont/Lockton Plans and Elevations (plots 38, 39)	22 5611 435	Rev A	04/11/2025
Beauwood Plans and	22 5611 413		04/11/2025

Plan Type	Reference	Version	Date Received
Elevations (plot 32)			
Beauwood Plans and Elevations (plots 23, 34, 42, 61)	22 5611 414	Rev A	04/11/2025
Beauwood Plans and Elevations (plot 10)	22 5611 415	Rev A	04/11/2025
Braxton Plans and Elevations (plot 3)	22 5611 425		04/11/2025
Braxton Plans and Elevations (plot 37)	22 5611 426		04/11/2025
Braxton Plans and Elevations (plot 78)	22 5611 427	Rev B	04/11/2025
Braxton Plans and Elevations (plots 4, 27, 62, 73)	22 5611 428	Rev A	04/11/2025
Braxton Plans and Elevations (plot 68)	22 5611 439	Rev A	04/11/2025
Cherrystone Plans and Elevations (plots 17, 57)	22 5611 416		04/11/2025
Cherrystone Plans and Elevations (plot 53)	22 5611 417		04/11/2025
Cherrystone Plans and Elevations (plots 5, 67)	22 5611 418	Rev A	04/11/2025
Cherrystone Plans and Elevations (plot 63)	22 5611 419	Rev A	04/11/2025
Delmont Plans and Elevations (plots 64-66)	22 5611 438	Rev A	04/11/2025
Denford Plans and Elevations (plot 56)	22 5611 404		04/11/2025
Denford Plans and Elevations (plots 11, 19, 41, 54)	22 5611 405		04/11/2025
Denford Plans and Elevations (plots 24, 69, 72, 77)	22 5611 406	Rev A	04/11/2025
Denford Plans and Elevations (plots 71, 74, 79)	22 5611 407	Rev A	04/11/2025
Denstone Plans and Elevations (plots 9, 18, 51, 55)	22 5611 420		04/11/2025
Denstone Plans and Elevations (plot 50)	22 5611 421		04/11/2025
Denstone Plans and Elevations (plots 43, 46, 75,	22 5611 422	Rev A	04/11/2025

Plan Type	Reference	Version	Date Received
76)			
Greyford Plans and Elevations (plot 12)	22 5611 400	Rev A	04/11/2025
Greyford Plans and Elevations (plot 1)	22 5611 401	Rev A	04/11/2025
Greyford Plans and Elevations (plots 16, 21, 47)	22 5611 402	Rev A	04/11/2025
Greyford Plans and Elevations (plots 70, 80)	22 5611 403	Rev B	04/11/2025
Homesford Plans and Elevations (plots 20, 52)	22 5611 408		04/11/2025
Homesford Plans and Elevations (plot 49)	22 5611 409		04/11/2025
Homesford Plans and Elevations (plot 40)	22 5611 410	Rev A	04/11/2025
Homesford Plans and Elevations (plot 13)	22 5611 411	Rev A	04/11/2025
Lockton Plans and Elevations (plots 28-31)	22 5611 434	Rev B	04/11/2025
Portstone Plans and Elevations (plot 2)	22 5611 423		04/11/2025
Portstone Plans and Elevations (plot 33)	22 5611 424	Rev A	04/11/2025
Sandalwood Plans and Elevation (plots 22, 48)	22 5611 412		04/11/2025
Torwood Plans and Elevations (plots 7, 8)	22 5611 433		04/11/2025
Whitton Plans and Elevations (plot 14)	22 5611 429		04/11/2025
Whitton Plans and Elevations (plot 15)	22 5611 430		04/11/2025
Whitton Plans and Elevations (plots 25, 26)	22 5611 431	Rev A	04/11/2025
Whitton Plans and Elevations (plots 6, 35, 36)	22 5611 432	Rev A	04/11/2025
Single Garage	811109-150		08/08/2025
Twin Garage	811109-151		08/08/2025
Sales Garage	811109-152		08/08/2025
Materials Layout	22:5611:03	Rev H	05/11/2025
Boundary Treatment Plan	22:5611:04	Rev J	05/11/2025
Affordable Housing Plan	22:5611:08	Rev E	05/11/2025
Landscape Proposals sheet 1	22:5611:101	Rev K	05/11/2025
Landscape Proposals sheet	22:5611:102	Rev K	05/11/2025

Plan Type	Reference	Version	Date Received
2			
Landscape Proposals sheet 3	22:5611:103	Rev K	05/11/2025
POS Typologies Plan	22:5611:105	Rev K	05/11/2025
Hermitage Park, Lepton LEAP	CAS-381726-W2S4D8	Rev B	07/11/2025
Eastern Boundary Land Drain and Boardwalk Details	1223-139	Rev D	21/10/2025
Levels Strategy	1223-001	Rev A	25/09/2025
Tree Protection Plan 1 of 2	21376 SFH XX XX DR L TPP01	Rev I	30/10/2025
Tree Protection Plan 2 of 2	21376 SFH XX XX DR L TPP02	Rev I	30/10/2025
Arboricultural Impact Assessment 1 of 2	21376 SFH XX XX DR L AIA01	Rev I	30/10/2025
Arboricultural Impact Assessment 2 of 2	21376 SFH XX XX DR L AIA02	Rev I	30/10/2025
Planning Statement (including Statement of Community Involvement and Climate Change Statement) (as amended)	Johnson Mowat, JM240093, 05/08/2025		08/08/2025
Response letter to consultee comments	Miller Homes, 29/10/2025		29/10/2025
Design and Access Statement (as amended)	JRP / Miller Homes, 01/05/2025	Rev A	08/08/2025
Built Heritage Statement	M B Heritage, May 2025		08/08/2025
Report to Discharge Conditions 8, 15 and 27	SLR, 424.065417.00001, 04/08/2025	Rev 2	08/08/2025
Biodiversity Metric	SLR, 04/08/2025	V2	27/08/2025
Landscape Management Plan	JRP, 22 5611, November 2025	Rev E	05/11/2025
Arboricultural Survey Report	Smeeden Foreman, SA 21376, October 2025	Rev I	30/10/2025
Lighting Impact Assessment	BWB, HPL-BWB-ZZ-XX-RP-E-0001_LIA, 02/12/2024	Rev P1	08/08/2025
Woodsome View, Lepton – External Lighting	Miller Homes, 22/01209/FUL, October 2025		06/10/2025

Plan Type	Reference	Version	Date Received
Proposed Residential Development Noise Impact Assessment	SLR, 403.065678.00001, 18/11/2024	Rev 01	13/08/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local 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.

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.

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.

Development within a Coal Mining Area

DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE

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](https://www.gov.uk/government/organisations/mining-remediation-authority)

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 speedier 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.

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 the Planning Inspectorates website](#). Further information on the Planning Appeal process can be found online [at the Planning Inspectorates website](#).
 - 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: 11-Nov-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](#), and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2025/61/92242/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
