Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/62/92628/W

To: Benjamin Hellawell
AHJ Architects
The Courtyard
12A, Commercial Road
Skelmanthorpe
Huddersfield
HD8 9AA

For: MR LINDLEY

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

ERECTION OF DWELLING AND ASSOCIATED WORKS (WITHIN A CONSERVATION AREA)

At: ADJ, 42, LONG CROFT STREET, GOLCAR, HUDDERSFIELD, HD7 4EA

In accordance with the plan(s) and applications submitted to the Council on 26-Sep-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: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specification schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP11, LP20, LP21, LP22, LP24, LP28, LP30, LP31, LP32, LP33, LP35, LP43, LP51, LP52 & LP53 of the Kirklees Local Plan, Principles 2, 5, 6, 12, 13, 14, 15 16, 17, 18 & 19 of the Housebuilders Design Guide Supplementary Planning Document and Chapters 2, 4, 5, 11, 12, 13, 14, 15 & 16 of the National Planning Policy Framework.

3. The external walls of the dwelling hereby approved shall be faced in natural stone. The roof above the dwelling shall be blue slate. These materials of construction of the walls and the finish to the roof approved by this condition shall be thereafter retained.
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 Principle 13 of the Housebuilders Design Guide Supplementary Planning Document.

4. The development shall not be occupied until the windows in the east and west side elevations of the dwelling hereby approved have/has been obscure glazed minimum grade 4. The obscure glazing shall thereafter be retained for the lifetime of the development.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

5. One bat box (Ibstock Enclosed Bat Box 'C' or suitable alternative) and one integral swift box (Vivara pro woodstone swift box or suitable alternative) shall be installed on or within 500mm of the roofline of the dwelling hereby approved before the dwelling brought into use. The bat and swift box shall thereafter be retained.
Reason: In the interests of enhancing the biodiversity value of the site, in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

6. Development shall not commence until a scheme detailing the finished slab and floor levels of the dwelling hereby approved, together with corresponding existing and finished ground levels and of surface and land drainage associated with any works, has been submitted to and approved in writing by the Local Planning Authority. The construction of the dwelling shall be carried out in accordance with the details so approved and the occupation of the dwelling hereby approved shall not take place until the works relating to the building have been completed. The approved levels shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.
Reason: This is a pre commencement condition required in the interests of visual and residential amenity to accord with Policy LP24 of the Kirklees Local Plan, Principle 15 of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

7. The boundary treatment of the site hereby approved shall be in accordance with those shown on submitted drawing 2589-D-20-005. The development shall not be brought into use until the boundary treatment approved by this condition have been completed. The boundary treatment shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan, principles 5 and 6 of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapter 12 of the National Planning Policy Framework.

8. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
Reason: This is a pre-commencement condition to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

9. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 8, groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
Reason: This is a pre-commencement condition to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

10. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 9 further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
Reason: This is a pre-commencement condition to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

11. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 10. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

12. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

NOTE: Contaminated Land

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

NOTE: Construction Site Working Times

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: Land Stability

With regard to land stability, it is brought to the applicant / developers' attention that responsibility for securing a safe development rests with the developer and/or landowner.

NOTE: Electric Vehicle Charing Points

- Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.
- 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.

- To futureproof the development, we would encourage the applicant to provide these in accordance with the current *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy (WYLES) Group.

NOTE: A sewer crosses the site. The response of Yorkshire Water is brought to the attention of the applicant / development which states that there is a 225 mm diameter public combined water sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme insofar as: a.) It may not be acceptable to raise or lower ground levels over the sewer and we will not accept any inspection chambers on the sewer to be built over; b.) In this instance, Yorkshire Water would look for this matter to be controlled (by Requirement H4 of the Building Regulations 2010) and c.) A proposal by the developer to alter/divert a public sewer will be subject to Yorkshire Water's requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.'

NOTE: The applicants' attention is drawn to the response of Network Rail including the informative notes accompanying their response.

NOTE: The changes to the access within the adopted highway fronting the property, to provide a dropped kerb, will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and Specifications Schedule:

Plan Type	**Reference**	**Version**	**Date Received**
Location Plan	2589-D-20-001	-	26/09/2025
Existing Site Plan	2589-D-20-002	-	26/09/2025
Proposed plans and elevations	2589 D 20 010	B	26/11/2025
Proposed site plan	2589 D 20 003	B	26/11/2025
Boundary Treatment and Ecology Plan	2589-D-20-005	-	26/09/2025
Existing Foul Drainage Plan	2589-D-20-006	-	26/09/2025
Proposed Drainage Plan	2589-D-20-004	-	26/09/2025
Application form	-	-	26/09/2025
Heritage Statement	-	-	29/09/2025

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 2024 and otherwise actively engaged with the applicant in dealing with the application.

Amended plans have been submitted during the course of this application to address matters raised by consultees.

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.**

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA - STANDING ADVICE

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

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: 15-Dec-2025

Signed:

David Shepherd
Executive Director for Place

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search planning applications and decisions' and by searching for application number 2025/62/92628/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