



**Town and Country Planning Act 1990**

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

**PLANNING PERMISSION FOR DEVELOPMENT**

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**Application Number: 2025/62/92787/W**

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**To:** Paul Ibberson,  
Cadvis3d  
The Towers, 237, Wakefield Road  
Lepton  
Huddersfield  
HD8 0DH

**For:** STEPHEN MUNGOFA, STEPHEN & T 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:-**

CHANGE OF USE OF EXISTING BUILDING FROM CLASS E(G) TO CLASS C3 RESIDENTIAL FOR 7.NO DWELLINGS, FIRST FLOOR EXTENSION, INSERTION OF NEW DOOR AND WINDOW OPENINGS AND ASSOCIATED ALTERATIONS. CONSTRUCTION OF BIN STORE, ASSOCIATED EXTERNAL LANDSCAPING, PARKING AND ASSOCIATED ALTERATIONS.

**At:** INGFIELD BUSINESS CENTRE, CHERRY NOOK ROAD, DEIGHTON,  
HUDDERSFIELD, HD2 1JD

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**In accordance with the plan(s) and applications submitted to the Council on 15-Oct-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 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 specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

**Reason:** For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP33, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 2, 4, 5, 9, 12, 14 and 15 of the National Planning Policy Framework 2024.

3. The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the Local Planning Authority has been obtained for any proposed change or variation.

**Reason:** In the interests of visual amenity and to accord with Policies LP2 and LP24 of the Kirklees Local Plan, principles 2 and 13 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework 2024.

4. The development hereby approved shall not be brought into use until all areas to be hard surfaced for access and parking have been and out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. These areas shall be so retained, free of obstructions and available for access and parking.

**Reason:** In the interests of visual amenity, highway safety and to mitigate flood risk. To accord with Policies LP21, LP22, LP24 and LP28 of the Kirklees Local Plan and the National Planning Policy Framework 2024.

5. The parking areas shown on the approved plan reference A(90)-02, titled Site Plan – As Proposed, dated Sept 2025, shall be provided prior to first occupation of the development and thereafter retained for the parking of vehicles associated with the development.

**Reason:** To ensure adequate parking provision in the interests of highway safety in accordance with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework 2024.

6. Prior to the first occupation of the development hereby approved, visibility splays of 2.4m x 43m shall be provided at the Cherry Nook Road vehicular access. All visibility splays within the development shall be kept free of any obstruction exceeding 1.0m in height above carriageway level for the lifetime of the development. Existing trees and other features within the public footway along the sight frontage would not be considered an obstruction to visibility.

**Reason:** To ensure adequate visibility in the interests of highway safety in accordance with Policy LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework 2024.

7. No site clearance, demolition or groundworks shall take place until details of tree protection measures for the retained Tree Preservation Order tree have been submitted to and approved in writing by the Local Planning Authority. The details shall include protective fencing and ground protection in accordance with BS5837:2012 – Trees in relation to design, demolition and construction. The approved protection measures shall be installed prior to the commencement of works and retained for the duration of construction.

**Reason:** To safeguard the retained Tree Preservation Order tree during construction in accordance with Policy LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

8. Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has been drafted and agreed with the council. The Sensitive Lighting Strategy will demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented, subject to any variations approved in writing by the planning authority. All external lighting shall be installed strictly in accordance with the specifications and locations set out within the Lighting Strategy.

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

9. Prior to the first occupation of the development hereby approved, a detailed scheme of landscaping (including hard and soft landscaping, boundary treatments, planting plans with species, numbers, and planting sizes, and a timetable for implementation) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved timetable and retained thereafter.

**Reason:** In the interests of visual amenity and to ensure a satisfactory standard of landscaping is achieved in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework 2024.

10. Prior to the first occupation of the development, full details of the proposed bin storage, associated screening, bin collection points (BCPs), and refuse collection vehicle (RCV) access shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the first occupation of the development and shall thereafter be retained and maintained for the lifetime of the development.

**Reason:** To ensure satisfactory arrangements for waste storage and collection, to safeguard the appearance of the development, and to ensure safe and efficient access for refuse vehicles, in the interests of residential amenity and highway safety in accordance with Policy LP24 (d.vi) and LP43 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework 2024.

11. Prior to the first occupation of the development, full details of the management and maintenance arrangements for all communal refuse storage areas, to be undertaken by a designated private management company, shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented before the first occupation of the development and shall thereafter be retained and adhered to for the lifetime of the development.

**Reason:** To ensure satisfactory long-term management of communal waste facilities in the interests of residential amenity and to accord with Policy LP24 (d.vi) and LP43 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework 2024.

12. Prior to the first occupation of the development, details of the proposed security measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to first occupation and shall thereafter be retained. The submitted details shall demonstrate how the development will seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

**Reason:** In pursuance of the Local Planning Authority's duty under Section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions, and to improve community safety and crime prevention, in accordance with Policies LP24 and LP47 of the Kirklees Local Plan and Chapter 8 of the National Planning Policy Framework 2024.

13. Prior to first occupation of the development, details of secure and covered cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to occupation of the development and shall thereafter be retained for the lifetime of the development.

**Reason:** To promote sustainable modes of transport in accordance with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework 2024.

14. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the Local Planning authority shall be notified in writing within 2 working days. Works on site shall not recommence until either:

a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or,

the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved

Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

**Reason:** To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

**NOTE:** Any changes to the access within the adopted highway fronting the property 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 Highways Asset Management Team at [vehicle.crossing@kirklees.gov.uk](mailto:vehicle.crossing@kirklees.gov.uk) 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.

**NOTE:** The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

**NOTE:** Birds and their nests are fully protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally take, damage or destroy the eggs, young or nest of a bird whilst it is being built or in use. Disturbance to nesting birds can be avoided by carrying out vegetation removal or building work outside the breeding season, which is March to August inclusive.

**NOTE:** Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully. No works are to commence without the council first receiving a copy of the European Protected Species (EPS) licence and mitigation method statement.

**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:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours Mondays to Fridays.
- 08.00 and 13.00hours, Saturdays.
- With no working Sundays or Public Holidays.

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

**NOTE:** EVF1 Electric Vehicle Charging Points

- 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: -

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan			15/10/2025
Existing Site Location Plan	A(00)-04		15/10/2025
Topographical Survey	6316CM/1		15/10/2025
Topographical Survey	6316CM/2		15/10/2025
Ground Floor Plan – As Existing	A(00)-01		15/10/2025
First Floor Plan -As Existing	A(00)-02		15/10/2025
Elevations – As Existing	A(00)-03		15/10/2025
Site Plan – As Proposed	A(90)-02		15/10/2025
Ground Floor Plan – As Proposed	A(10)-04		15/10/2025
First Floor Plan – As Proposed	A(10)-05		15/10/2025
Elevations – As Proposed	A(10)-06		15/10/2025
Design and Access Statement	2379		15/10/2025
Flood map for planning			15/10/2025

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 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. There were no negotiations or amendments required.

**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](http://www.planningportal.gov.uk). Alternatively the forms and supporting guidance for submitting an application can be found online at [www.kirklees.gov.uk/planning](http://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**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://MiningRemediationAuthority.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 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 <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](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

Dated: 13-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](http://www.kirklees.gov.uk/planning), and by clicking on the 'search planning applications and decisions' and by searching for application number 2025/62/92787/W .

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

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

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

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

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