# KIRKLEES METROPOLITAN COUNCIL
# DEVELOPMENT & MASTER PLANNING SERVICE

## DEVELOPMENT MANAGEMENT

**Town and Country Planning (General Permitted Development) (England) Order 2015(as amended) - Schedule 2, Part 3, Class MA**

**DELEGATED DECISION FOR PRIOR APPROVAL FOR CHANGE OF USE FROM COMMERCIAL, BUSINESS AND SERVICE USES TO DWELLINGHOUSES**

| | |
|---|---|
| **Reference no.** | **2025/CL/93098/W** |
| **Site Address** | **1a, Church Lane, Newsome, Huddersfield, HD4 6JE** |
| **Description** | **Prior notification for change of use from commercial/business/service to one dwelling** |
| **Recommending Officer** | **Joanna Rednall** |

**DECISION – DETAILS APPROVED**

**I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Kevin Walton

***AUTHORISED OFFICER***

**Date:16-Dec-2025**

Prior approval granted subject to the following additional conditions: -

1.Before the development is brought into use, a noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

a. an assessment of all noise emissions from the proposed development
a. details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises
b. a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be thereafter retained.

**Reason:** To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

2. Before the development is brought into use written evidence to demonstrate that the airborne sound insulation performance of the party floors/walls/ceiling of the development is of a minimum of 53dB DnTw + Ctr shall be submitted to and approved in writing by the Local Planning Authority. If it cannot be demonstrated that the aforementioned airborne sound insulation performance has been achieved, a scheme incorporating further measures to achieve the sound insulation performance shall be submitted to and approved in writing by the Local Planning Authority. All works comprised within those further measures shall be completed and further written evidence to demonstrate that the aforementioned sound insulation performance level has been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

**Reason**: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

3. Notwithstanding the plans submitted, the development shall not be brought into use until a scheme detailing (i) the location, design and materials of all bin storage areas/enclosures and recycling storage areas and; (ii) bin presentations points for collection of wastes has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the works required have been completed/provided, which shall thereafter be retained.

**Reason:** To ensure adequate waste storage facilities are provided in the interests of visual and residential amenity and highway safety to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan, Kirklees Waste Management Design Guide for New Developments and policies contained within chapters 12 and 15 of the National Planning Policy Framework.

Plans and Specifications Schedule: -

| **Plan Type** | **Reference** | **Version** | **Date Received** |
|---|---|---|---|
| Existing Drawings | UD-613 | - | 07/11/2025 |
| Proposed Drawings | UD-613 | - | 07/11/2025 |
| Application form | - | - | 07/11/2025 |

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.

No negotiations took place, and no amended plans were sought or submitted during the course of the application.

**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

**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.