



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/62/93126/W

To: Grace Haigh,
Acumen Designers & Architects Ltd
Headrow House
Old Leeds Road
Huddersfield
HD1 1SG

For: CAIRN CROSS

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:-

DEMOLITION OF REAR BLOCK, ERECTION OF REAR EXTENSIONS AND ALTERATIONS TO EXISTING BUILDING TO FORM 9 APARTMENTS INCLUDING ASSOCIATED WORKS AND ALTERATIONS (WITHIN A CONSERVATION AREA)

At: THE COACH & HORSES, EASTGATE, HONLEY, HOLMFIRTH, HD9 6PA

In accordance with the plan(s) and applications submitted to the Council on 14-Nov-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 (as amended).

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 to accord with Policies LP1, LP2, LP3, LP7, LP11, LP21, LP22, LP24, LP27, LP28, LP30, LP31, LP33, LP35, LP51, LP52 and LP53 of the Kirklees Local Plan, Principles within the Housebuilders Design Guide, policies 1, 2, 6, 11, 12 and 13 of the Holme Valley Neighbourhood Development Plan and policies within Chapters 2, 9, 12, 14, 15 & 16 of the National Planning Policy Framework

3. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall demonstrate conformance with established guidance document Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night. The submitted scheme shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. No external artificial lighting shall be erected within the site other than that which has been approved by this condition which shall be retained thereafter.

Reason: In the interests of visual amenity, preserving the setting of the Conservation Area, residential amenity and biodiversity in accordance with policies LP24, LP30 & LP35 of the Kirklees Local Plan, policy 13 of the Holme Valley Neighbourhood Development Plan and policies within Chapters 12, 15 and 16 of the National Planning Policy Framework.

4. No development shall take place in any circumstances unless and until a scheme has been submitted to, and approved in writing by, the Local Planning Authority which includes details of three (3.no) bat emergence surveys completed within the bat survey season (1st May to 31st August inclusive), timeframe for phasing of the development works and either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead;
- b) written confirmation of Site Registration under the Bat Mitigation Class Licence or Earned Recognition Scheme;
- c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

The development shall be undertaken in accordance with the approved scheme and retained thereafter.

Reason: This is a pre-commencement condition to ensure the proposed works do not result in a criminal offence under the Conservation of Habitats and Species Regulations 2017 and to conserve biodiversity in accordance with policy LP30 of the Kirklees Local Plan, policy 13 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 15 of the National Planning Policy Framework.

5. One bat box shall be incorporated into the development hereby approved; the box shall be long-lasting Schwegler 'woodcrete' type or similar and shall be located away from sources of light. The bat box shall be provided prior to first occupation of the development hereby approved and thereafter be retained for the lifetime of the development.

Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan, Principle 9 of the Kirklees Housebuilders Design Guide Supplementary Planning Document, policy 13 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 15 of the National Planning Policy Framework.

6. The development shall not be brought into use until the two secondary bedroom window openings within the north-eastern side elevation closest to no.15 Eastgate within apartment 8 as shown on submitted plan (100)04revA have been fitted with obscure glazing or permanently affixed film which achieves an obscurity of Pilkington level of four or equivalent. Notwithstanding the provisions of section 55 of the Town and Country Planning Act 1990 (as amended) and/or the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) these windows shall be non-openable and the obscure glazing or permanently affixed film shall thereafter be retained for the lifetime of the development.

Reason: To ensure no detrimental level of overlooking of neighbouring occupiers occurs, in the interests of the residential amenity of neighbouring occupiers and to accord with policy LP24 b of the Kirklees Local Plan, Principle 6 of the Council's adopted Housebuilders Design Guide, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

7. In the event that contamination not previously identified by the developer is encountered during the development, 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. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) 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 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 ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with LP53 of the Kirklees Local Plan and policies contained within Chapter 15 of the National Planning Policy Framework.

8. The development shall not be brought into use until a scheme has been submitted to, and approved in writing by, the Local Planning Authority which details access signage and white lining markings. The submitted scheme shall include details of reference to 'IN' and 'OUT' ingress and egress markings and/or signage to clearly demonstrate one way use of the access and egress points. The approved scheme shall be completed prior to the development being brought into use.

Reason: To ensure acceptable access arrangements are in place prior to occupation of the development to accord with policy LP21 of the Kirklees Local Plan, policy 11 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 9 of the National Planning Policy Framework.

9. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 12 and 19 of the Councils adopted House Builders Design Guide, the Council's adopted Highways Design Guide, policy 11 of the Holme Valley Neighbourhood Development Plan and the policies within Chapter 9 of the National Planning Policy Framework

10. Prior to the development being brought into use all areas demarked for access, turning and parking of vehicles within the submitted plan titled 'proposed site plan' ref (100)07revA shall be marked out and provided for that purpose and retained thereafter.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles within the Councils adopted House Builders Design Guide, policy 11 of the Holme Valley Neighbourhood Development Plan, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework

11. Prior to the development being brought into use the bicycle shelter and stands as detailed within the submitted plan titled 'proposed site plan' ref: (100)07revA and drawing title 'Proposed rear elevations' ref: (100)06revA shall be provided for that purpose and retained thereafter.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles within the Councils adopted House Builders Design Guide, the Council's adopted Highways Design Guide, policy 11 of the Holme Valley Neighbourhood Development Plan and the policies within Chapter 9 of the National Planning Policy Framework

12. Prior to the development being brought into use the bin storage area as detailed upon the submitted plan titled 'proposed site plan' ref: (100)07revA shall be provided for that purpose and retained thereafter.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles within the Councils adopted House Builders Design Guide, policy 11 of the Holme Valley Neighbourhood Development Plan, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework

13. Prior to the development being brought into use the bin collection point as detailed upon the submitted plan titled 'proposed site plan' ref: (100)07revA shall be provided, kept clear of all obstructions and used for no other purpose than as a bin collection point for the collection of waste storage bins by refuse vehicles.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles within the Councils adopted House Builders Design Guide, the Council's adopted Highways Design Guide, policy 11 of the Holme Valley Neighbourhood Development Plan and the policies within Chapter 9 of the National Planning Policy Framework

14. Prior to the development being brought into use the electric vehicle charging spaces as detailed upon the submitted plan titled 'proposed site plan' ref: (100)07revA shall be provided. Cable and circuitry ratings of the electric vehicle charging spaces shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point so installed shall thereafter be retained.

Reason: To encourage ultra-low emission vehicles in the interests of air quality and accord with the guidance contained in Chapter 9 and Chapter 15 of the National Planning Policy Framework, policies 11 & 12 of the Holme Valley Neighbourhood Development Plan the West Yorkshire Low Emissions Strategy and Policies LP24 and LP51 of the Kirklees Local Plan.

15. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail: - phasing of the development and phasing of temporary drainage provision. - include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented. - the strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA. The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority

Reason: To ensure the development has an acceptable impact in relation to drainage and flood risk to accord with policies LP27 and LP28 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework. This is a pre commencement condition to ensure adequate drainage arrangements are in place prior to the development being undertaken.

16. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed, and such approved scheme shall be retained thereafter.

Reason: To ensure the development has an acceptable impact in relation to drainage and flood risk to accord with policies LP27 and LP28 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework. This is a pre commencement condition to ensure adequate drainage arrangements are in place prior to the development being undertaken.

17. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including the agreed surface water discharge rate with the LLFA of 10.7l/s directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Reason: To ensure the development has an acceptable impact in relation to drainage and flood risk to accord with policies LP27 and LP28 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework. This is a pre commencement condition to ensure adequate drainage arrangements are in place prior to the development being undertaken.

18. The development hereby approved shall not commence until a scheme has been submitted to, and approved in writing by, the Local Planning Authority which sets out all measures to minimise the risk of crime and meet the specific security needs of the application site and the development. The submitted scheme shall include details of the following measures:

- a) Fencing to prohibit casual access during the construction phase of the development
- b) Lighting during the construction phase of the development
- c) Measures to be undertaken to minimise risk of crime during the construction phase of the development

- d) Provision of a video surveillance and/or Closed Circuit (CCTV) system
- e) Access control measures

The approved scheme shall be implemented during the construction phase in relation to measures a, b and c and retained for the duration of the construction phase of the development. Measures d & e shall be installed and completed before the development is first occupied and retained thereafter.

Reason: to ensure that prior to the commencement of development safety and security measures have been agreed in pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998 and to accord with policy LP24 of the Kirklees Local Plan and the policies contained within Chapter 12 of the National Planning Policy Framework.

19. The development shall not be brought into use until a scheme detailing hard and soft landscaping, tree/shrub planting, including the indication of all existing trees and hedgerows on and adjoining the site, details of any to be retained has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate the planting of native trees and hedgerows. The scheme shall be completed within the first planting season following the development being brought into use. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation. The areas indicated for use as soft landscaping shall be retained as soft landscaped areas for the lifetime of the development and used for no other purpose.

Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs, to ensure the setting of the Conservation Area is preserved and in the interests of visual amenity to accord with policies LP24, LP30 and LP35 of the Kirklees Local Plan, principles within the Housebuilders Design Guide, policy 1, 2 and 13 of the Holme Valley Neighbourhood Development Plan and the policies contained within Chapters 12, 15 & 16 of the National Planning Policy Framework.

20. No external alterations to the existing building and no construction works above slab/foundation level of the extensions hereby approved shall commence until details of all external materials including walls, roofing materials, solar panels, doors, windows, surfacing, rainwater goods and colour finishes to be used have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include:

- a) stone masonry samples;
- b) sample example of pointing;
- c) use of metal or timber rainwater goods;
- d) details of the design of any gates;
- e) details of use of zinc materials;
- f) materials to be used as part of the string course; and
- g) that no stone shall be painted

The development shall not be brought into use until the approved scheme has been completed. No materials and colour finishes other than those approved in accordance with this condition shall be used which shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of visual amenity and to preserve the setting of the Conservation Area to accord with Policies LP2, LP24 & LP35 of the Kirklees Local Plan, principles 2 and 13 of the Council's adopted Housebuilders Design Guide SPD, policies 1 and 2 of the Home Valley Neighbourhood Development Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

21. The existing boundary walls and gate piers shall be retained and shall not be removed unless and until a scheme has first been submitted to, and approved in writing by, the Local Planning Authority detailing any intended replacement boundary treatments. Only boundary walls and/or gate piers approved by this condition shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to preserve the setting of the Conservation Area to accord with Policies LP2, LP24 & LP35 of the Kirklees Local Plan, principles of the Council's adopted Housebuilders Design Guide SPD, policies 1 and 2 of the Home Valley Neighbourhood Development Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

22. Notwithstanding the submitted plans, no new windows shall be installed within the elevation annotated 'south-east facing elevation' within submitted plan ref: (100)05revA until a scheme relating to all new windows to be installed has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall detail that:

- a) all new windows shall be of timber construction sliding sash with a painted timber finish.
- b) All slim double-glazed units shall have 4mm glass with an 8mm gap with black spacer bars.
- c) mouldings, timber sections and glazing shall be of a traditional design.
- d) Windows shall be set back in the reveal by 100-150mm and not fitted flush with the external wall.

The submitted scheme shall include elevation drawings at scale 1:20 and, details of mouldings, timber sections and at 1:5 scale. Visible trickle vents shall not be permitted. All new windows shall be installed in accordance with the scheme approved by this condition and shall be retained thereafter.

Reason: In the interests of visual amenity and to preserve the setting of the Conservation Area to accord with Policies LP2, LP24 & LP35 of the Kirklees Local Plan, principles of the Council's adopted Housebuilders Design Guide SPD, policies 1 and 2 of the Home Valley Neighbourhood Development Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

23. No works to install new door(s) shall take place within the elevation annotated 'south-east facing elevation' within submitted plan ref: (100)05revA until elevation drawings (at 1:20 scale) and section drawings (at 1:5 scale) of the doors have first been submitted to and approved in writing by the Local Planning Authority. The submitted drawing shall detail the external front entrance door(s) shall be of a timber 4 or 6-panelled construction. The works shall be carried out in accordance with the drawings approved by this condition and retained thereafter.

Reason: In the interests of visual amenity and to preserve the setting of the Conservation Area to accord with Policies LP2, LP24 & LP35 of the Kirklees Local Plan, principles of the Council's adopted Housebuilders Design Guide SPD, policies 1 and 2 of the Home Valley Neighbourhood Development Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

24. 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) no development included within Class C of Part 2 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to preserve the setting of the Conservation Area to accord with Policies LP2, LP24 & LP35 of the Kirklees Local Plan, principles of the Council's adopted Housebuilders Design Guide SPD, policies 1 and 2 of the Home Valley Neighbourhood Development Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not over-ride any existing legal covenants in place and does not convey any right of access over any third party land outside the ownership of the applicant.

NOTE: It is recommended that noisy construction related activities should not take place outside the hours of 07.30 to 18.30 hours Mondays to Fridays and 08.00 to 13.00hours Saturdays With no noisy activities 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 notices served using the above mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

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, 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.

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 (Kirklees Street Scene: 01484 221000) regarding 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.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Location Plan	LOC	14th November 2025
Proposed Site Plan	(100)07revA	18th February 2026
Existing Elevations	(100)02revA	24th February 2026
Existing Floor Plans and Elevations	(100)01revA	18th February 2026
Proposed Front Elevations	(100)05RevA	18th February 2026
Proposed Rear Elevations	(100)06RevA	18th February 2026
Proposed Floor Plans	(100)04RevA	18th February 2026
Residential Amenity Plan	(100)10	14th November 2025
Planning Statement		14th November 2025
Design and Access Statement		14th November 2025
Planning Heritage Statement	2949	14th November 2025
Climate Change Statement		14th November 2025
Tree Survey	250907	14th November 2025
Arboricultural Impact Assessment	250907 AIA	14th November 2025
Preliminary Ecological Appraisal dated 23rd September 2025		14th November 2025
Biodiversity Net Gain Report dated 23rd September 2025		14th November 2025
Bat Roost Inspection Survey	RHE.4698	9th January 2026
Proposed Foul and Surface Water Drainage Strategy	P4734-01revP01	14th November 2025
Proposed Manhole Schedule	P4734-02revP01	14th November 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 2015 and otherwise actively engaged with the applicant in dealing with the application. Amendments were submitted during the course of the application to address matters relating to heritage and ecology.

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

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://www.mra.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 so that we can work on continually improving our customer service. Thank you.

Dated: 27-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, and by clicking on the 'search planning applications and decisions' and by searching for application number 2025/62/93126/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
