



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

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Date: 08-Jan-2026  
Our Ref: 2025/N /93442/W

Rob Swinn  
Totties Garden Centre And Nursery  
Downshutts Lane  
Totties  
Holmfirth  
HD9 1AU

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
(ENGLAND) ORDER 2015  
APPLICATION NO: 2025/N /93442/W  
DEVELOPMENT: PRIOR NOTIFICATION FOR ERECTION OF AGRICULTURAL  
BUILDING  
TOTTIES GARDEN CENTRE AND NURSERY, DOWNSHUTTS LANE, TOTTIES,  
HOLMFIRTH, HD9 1AU**

I refer to your submission of details relating to the above development.  
The proposal as submitted is not acceptable to the Council, and approval of details of the works is formally withheld.  
The reason for this is:

The proposal as submitted is unacceptable due to the site as shown within the red line boundary constituting a unit less than 5 hectares but notwithstanding this, the unit is also not acceptable as the uses within the unit operate as a mixed use of agriculture and garden centre thus contrary to the provisions of Schedule 2, Class A, Part 6, of the General Permitted Development (England) Order 2015 (as amended). Prior approval is therefore required and the application is refused.

Plans and specifications schedule:-

| Plan Type            | Reference     | Date Received |
|----------------------|---------------|---------------|
| Location plan        | PP-14490552v1 | 15/12/2025    |
| Block plan           | OS 100054135  | 15/12/2025    |
| Proposed site plan   | OS 100054135  | 15/12/2025    |
| Proposed elevations  | -             | 15/12/2025    |
| Supporting statement | -             | 15/12/2025    |
| Application Form     | -             | 15/12/2025    |

### 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](https://www.mra.gov.uk/)

If you are aggrieved by the decision of the Local Planning Authority to withhold approval of details for the proposed development, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 within six months of receipt of this notice. 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 Inspectorate's website <https://www.gov.uk/government/organisations/planning-inspectorate>.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



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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.

Yours faithfully

Mathias Franklin  
Head of Planning and Development