



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/62/93555/W

To: Tony Stead
ADP Architecture and Design Ltd
The Old Police Station
16, Bridge Lane
Holmfirth
HD9 7AN

For: P HENRY

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 DETACHED DWELLING (MODIFIED PROPOSAL)

At: LAND OFF, JAGGER LANE, KIRKHEATON, HUDDERSFIELD, HD5 0QY

In accordance with the plan(s) and applications submitted to the Council on 24-Dec-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 LP01, LP02, LP3, LP7, LP11, LP21, LP22, LP24, LP28, LP30, LP33, LP51, LP52, LP53 & LP59 of the Kirklees Local Plan, Principles 4, 5, 6, 12, 13, 14, 15, 16, 17, 18 and 19 of the Councils adopted Housebuilders Design Guide SPD and Policies within Chapters 2, 4, 5, 11, 12, 13, 14 and 15 of the National Planning Policy Framework.

3. The development hereby approved shall be constructed in accordance with the materials of construction and colour finishes detailed within submitted drawings refs: 22027D-05-P10 and 22027D-20-P09. Should alternative materials of construction and/or colour finishes be intended to be undertaken a scheme which details all external materials including walls, roofs, doors, windows and surfacing and colour finishes to be used shall be submitted to, and approved in writing by, the Local Planning Authority. No materials other than those approved in accordance with this condition shall be used which shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity in accordance with Policies LP01, LP02, LP11 & LP24 of the Kirklees Local Plan, Principles of the Councils adopted Housebuilders Design Guide SPD and Policies within Chapter 12 of the National Planning Policy Framework.

4. The eastern and northern boundaries of the site outlined in red on drawing 22027D-05-P10 which are denoted as remaining 'open' shall be enclosed with post and rail fencing not exceeding 1 metre in height above ground level before the dwelling is first brought into use and thereafter retained as such.

Reason: in the interests of visual amenity and preserving the openness of the Green Belt by defining the extent of the approved development site with a low impact boundary treatment to accord with policies LP24 and LP59 of the Kirklees Local Plan and the policies within Chapters 12 and 13 of the National Planning Policy Framework.

5. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order) no development included within class(es) A, E and F of part 1 and / or within Class A within Part 2 (save for that set out in condition 4 above) 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 preserving the openness of the Green Belt to accord with policies LP24 and LP59 of the Kirklees Local Plan and the policies within Chapters 12 and 13 of the National Planning Policy Framework.

6. The existing hedgerows within the site as outlined in red on drawing 22027D-05-P10 and the areas within the site denoted green (soft landscape) shall be retained as soft landscaping throughout the life of the application.

Reason: in the interests of visual amenity and preserving the openness of the Green Belt to accord with policies LP24 and LP57 of the Kirklees Local Plan and the policies within Chapters 12 and 13 of the National Planning Policy Framework.

7. No re-surfacing of areas of hard standing denoted on drawing no. 22027D-05-P10 shall be undertaken unless and until a scheme has been previously submitted to, and approved in writing by, the Local Planning Authority. The Submitted scheme shall include details that all areas to be resurfaced shall be drained 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 superseded and a timetable for completion of re surfacing works. The resurfacing works approved by this condition shall be completed in accordance with the approved scheme and thereafter retained.

Reason: In the interests of visual amenity, the openness of the Green Belt and highway safety and to achieve a satisfactory layout to accord with Policies LP11, LP21, LP22, LP24 and LP59 of the Kirklees Local Plan, Principles 12 and 19 of the Councils adopted House Builders Design Guide, the Council's adopted Highways Design Guide and the policies within Chapters 9, 12 and 13 of the National Planning Policy Framework.

8. If contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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 in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person 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 Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification 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 policies within section 15 of the National Planning Policy Framework.

NOTE: 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: 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: Works to create 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.

NOTE: advice regarding working near high pressure gas pipelines: **Contact Northern Gas Networks: Before You Dig Team to help on 0800 040 7766 (option 3) or beforeyoudig@northerngas.co.uk**
Further guidance on the application file: https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2023/93461&file_reference=1021203

NOTE: A destructive asbestos survey is required to be submitted to Building Control to ensure that risks from asbestos in the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors. Prior to the commencement of works on site, a destructive asbestos survey of buildings should be submitted by the applicant to Building Control.

- The survey must locate and identify all asbestos containing materials before any structural work begins at a stated location or on stated equipment at the premises.
- Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out. Development shall not be carried out other than in accordance with the approved details.

Footnote: Asbestos cement sheet and textured coating (artex) materials may be removed by non-licensed contractors but should be done in accordance with the guidance: <https://www.hse.gov.uk/pubns/guidance/a14.pdf> HSE - Asbestos: Asbestos essentials.

Most other asbestos materials must be removed by a contractor licensed by the Health and Safety Executive. If at any stage during the demolition process asbestos is suspected, the work should stop immediately, and the material should be investigated. Details are required to be submitted to Building Control prior to commencement of works to ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

Plans and specifications schedule:-

Plan / Document Type	Reference	Version	Date Received
Block Plan	22027D-05-P10		29th January 2026
Block Plan - Existing	22027D-03-P01	-	24th December 2025
General Arrangement as Proposed	22027D-20-P09	-	29th January 2026
General Arrangement as Existing	22027D-01-P03		24th December 2025
Application Form	-	-	24th December 2025
YW Safemove Report	-	-	24th December 2025
Foul Drainage Assessment Form	-	-	24th December 2025
Design and Access Statement dated 20th December 2025	22027	-	24th December 2025
Flood Map	-	-	24th December 2025
Climate Change Statement			24th December 2025
Contaminated Land Phase 1 Desk Study	2950-1		24th December 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.

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](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 so that we can work on continually improving our customer service. Thank you.

Dated: 09-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 2025/62/93555/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
