



Kirklees Council
Planning and Development Service
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Date: 28-Aug-2026
Our Ref: 2026/90013

Dear Sir/Madam

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge of details reserved by conditions 7 (boundary treatments), 8 (external lighting), 9 (pedestrian link), 10 (landscaping), 11 (biodiversity enhancement and management plan) on previous permission 2024/91074 for deemed application via enforcement appeal (APP/Z4718/C/24/3342421) for erection of 8 dwellings
Land to the south of, 5-25, Clay Well, Golcar, Huddersfield, HD7 4FD
Application Number: 2026/90013**

I write with reference to your application to discharge the conditions for the above development as submitted on 05-Jan-2026.

Condition 7: Boundary treatments

Pursuant to condition 7 you have submitted:

- Proposed Site Layout (reference R-0873-60 Rev E) dated July 2024

The submitted details are deemed to be acceptable for the initial requirements of Condition 7 and are hereby approved. However, Condition 7 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

Unless the approved details are implemented within 9 months of the local planning authority's approval, the occupation of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented...Upon implementation of the approved details specified in this condition, that scheme shall thereafter be retained.

Decision: Part discharged pending implementation

Condition 8: External lighting

Pursuant to condition 8 you have submitted:

- Outdoor Lighting Report (reference SHD666)
- External Lighting Information email from Crime Prevention Officer (subject 'App 2022/93452 Land South of 5 - 25 Clay Well, Golcar, Huddersfield - Discharge of Conditions')
- External Lighting Layout Plan drawing 'S38 Street Lighting Design' (reference SHD666-SHD-HLG-HILL-DR-EO-Lighting Layout-R0 Rev R0)
- External Lighting Schedule 'Proposed Equipment Schedule' (reference SHD666-SHD-HLG-HILL-DR-EO-Lighting Schedule-R0)
- Proposed Site Layout (R-0873-60-Rev G-Proposed Site Layout received 02/04/2026)

The submitted details are deemed to be acceptable for the initial requirements of Condition 8 and are hereby approved. However, Condition 8 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

Unless the approved details are implemented within 9 months of the local planning authority's approval, the occupation of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented... Upon implementation of the approved details specified in this condition, that scheme shall thereafter be retained.

Decision: Part discharged pending implementation

Condition 9: Pedestrian link

Pursuant to condition 9 you have submitted:

- Private Road Layout (reference 1261-902 Rev C) dated January 2022
- E-mail titled "RE: Discharge of Condition applications at Hillcrest View, Clay Well" dated 11/03/2026 with attached images of the proposed pedestrian link from the development side and the PROW side
- Proposed Site Layout (reference R-0873-60 Rev G) dated July 2024, amended 02/04/2026
- Private Road Layout [amended to include cross section of pedestrian link] (reference 1261-902 Rev D) dated Jan 2022, amended June 2026, received 23/06/2026
- E-mail titled "Clay Well, Golcar" dated 29/07/2026 with confirmation that tarmac will be used on the pedestrian link.

The submitted details are deemed to be acceptable for the initial requirements of Condition 9 and are hereby approved. However, Condition 9 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

Unless the approved details are implemented within 9 months of the local planning authority's approval, the occupation of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented... Upon implementation of the approved details specified in this condition, that scheme shall thereafter be retained.

Decision: Part discharged pending implementation

Condition 10: Landscaping

Pursuant to condition 10 you have submitted:

- Hard Landscaping Plan (titled Hard Paving Specifications reference no. 1261-903A dated January 2022)
- Soft Landscaping Plan (titled Detailed Landscape Proposals – Phase 2 reference no. 2748/3 Rev C dated January 2022)
- Landscape Management Specification by Rosetta Landscape Design (to be read in conjunction with drawing 2748/3 Rev C)
- E-mail titled 'RE: Discharge of Condition applications at Hillcrest View, Clay Well' dated 11th of March 2026

The submitted details are deemed to be acceptable for the initial requirements of Condition 10 and are hereby approved. However, Condition 10 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

Unless the approved details are implemented within 9 months of the local planning authority's approval, the occupation of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented... Upon implementation of the approved details specified in this condition, that scheme shall thereafter be retained in accordance with the approved details and approved long term maintenance, monitoring and remedial arrangements.

Decision: Part discharged pending implementation**Condition 11: Biodiversity enhancement and management plan**

Pursuant to condition 11 you have submitted:

- Biodiversity Enhancement and Management Plan Report (reference 17029f/MB) dated 23/03/2022

The submitted details are deemed to be acceptable for the initial requirements of Condition 11 and are hereby approved. However, Condition 11 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

Unless the approved BEMP is implemented within 9 months of the local planning authority's approval, the occupation of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented... The BEMP will be reviewed and updated every five years and implemented for a minimum of 30 years... Upon implementation of the approved details specified in this condition, that scheme shall thereafter be retained in accordance with the approved details.

Decision: Part discharged pending implementation

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)

Development within a Coal Mining Area

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

[Building on or within the influencing distance of mine entries - GOV.UK](http://www.mra.gov.uk/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

<http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>
[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](http://www.gov.uk/what-is-a-permit-and-how-to-get-one)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://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.

Yours faithfully

Mathias Franklin
Head of Planning and Development