



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2026/70/90373/E

To: Michael Parham
Broadgrove Planning and Development Ltd
Regent House
Heaton Lane
Stockport
SK4 1BS

For: Yorkshire Country Properties

**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:-**

VARIATION OF CONDITIONS 2. (PLANS) 10. (ATTENUATION TANK) & 27.
(LANDSCAPING) ON PREVIOUS PERMISSION NO. 2023/93704 FOR
ERECTION OF 12 DWELLINGS AND ASSOCIATED WORKS

At: LAND NORTHWEST OF, URBAN TERRACE, DENBY LANE, GRANGE
MOOR, HUDDERSFIELD, WF4 4EB

**In accordance with the plan(s) and applications submitted to the Council on
10-Feb-2026 [together with those plans and application(s) submitted to the
Council on 20-Dec-2023 and incorporated into planning permission 2023/93704
granted on 06-Mar-2025] and subject to the condition(s) specified hereunder:-**

1. The development hereby permitted shall be begun no later than 05-Mar-2028.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP7, LP20, LP21, LP22, LP24, LP30, LP33, LP52 and LP53 of the Kirklees Local Plan.

3. Removed, following determination of Discharge of Condition application ref. 2025/90760

4. Removed, following determination of Discharge of Condition application ref. 2025/90760

5. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved under discharge of condition application 2025/90760. If remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

6. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

7. No above ground development shall commence until remedial works to address land instability arising from shallow coal mining legacy and recorded mine shafts 422416 004, 422416-005 and 422416-029 have been carried out in full, to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure that there are no risks to the safety of future users or occupiers of the site arising from land instability, and to accord with the aims of Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

8. Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.

Reason: To ensure that there are no risks to the safety of future users or occupiers of the site arising from land instability, and to accord with the aims of Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

9. The Construction Environmental Management Plan (CEMP) approved under discharge of condition application 2025/91372 shall be adhered to throughout the construction of the development.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the National Planning Policy Framework and LP52 of the Local Plan. This information is required pre-commencement to ensure that the amenities of local residential properties are safeguarded at all stages in the development process.

10. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme as shown on Drainage Layout ref. D200 rev. 5, Drainage Construction Detail ref. D701 rev. 1, and Flow Control Details ref. D703 rev. 1, have been completed. The flow restriction and attenuation works shall thereafter be maintained and managed in accordance with the maintenance schedule SMP/RWO/Y22054/2 version 6.

Reason: To ensure that the site can be drained in a safe and sustainable manner at all times and to accord with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This information is required pre commencement to ensure that sustainable drainage arrangements are incorporated into the development at an appropriate stage.

11. The hereby approved development shall be undertaken in accordance with the Construction Phase Surface Water Management Plan reference D1000 revision 3 at all times during the implementation of the development.

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.

Reason: To ensure that the development does not give rise to flood risk or pollution of the water environment during the construction phase and to accord with the aims of Policy LP27 of the Kirklees Local Plan. This information is required pre-commencement to ensure that suitable temporary drainage arrangements are in place at all stages of the construction process.

12. All spaces to be used for the parking of vehicles as shown on the site plan shall be provided and laid out with a hardened and drained surface, and the integral garages provided to serve Plots 6-8 provided, before the dwelling they serve is first occupied (or in the case of visitor spaces, before any part of the development is first occupied), and shall thereafter be retained, free from all obstruction to their use by vehicles

Reason: To ensure that sufficient parking for all future users of the site is provided and retained in the interests of highway safety and to ensure that informal parking does not interfere with the servicing of the site, and to accord with the aims of Policies LP21 and 22 of the Kirklees Local Plan.

13. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), all integral garages to Plots 6-8 shall be retained as such and shall not be converted to living accommodation.

Reason: To ensure that sufficient parking for all future users of the site is provided and retained in the interests of highway safety and to ensure that informal parking does not obstruct turning space or interfere with the servicing of the site, and to accord with the aims of Policies LP21 and 22 of the Kirklees Local Plan.

14. Before any part of the development is first occupied, any obstruction shall be set back to the rear of the proposed visibility splays as shown on approved plan number 0719-P12 and the land within the visibility splays cleared of all obstructions to visibility. Before any part of the development is occupied, the access shall be tarmac surfaced to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority.

Reason: To ensure adequate visibility in the interests of highway safety and to accord with the aims of Policies LP20-21 of the Kirklees Local Plan. Details are required pre commencement to ensure that intervisibility is provided at all times including during the construction period.

15. Means of access to and from the site shall be in accordance with the preliminary access design(s) as shown on the approved plan ref. 22D26-FBA-ZZ-XX-DR-A-0719 P12 and shall be fully constructed and made operational prior to first occupation of any new dwelling within the development and shall be thereafter retained and maintained as such.

Reason: To ensure that the development gains access to the existing highway network in a safe manner, and to accord with the aims of Policies LP20-21.

16. No part of the development shall be occupied until a footway 2.0m metres wide has been provided along the site frontage as shown on plan no 22D26-FBA-ZZ-XX-DR-A 0719-P12, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The footway so approved shall thereafter be retained.

Reason: In the interests of highway safety and to allow for safe pedestrian access to and from the site, and to accord with the aims of Policies LP20-21 of the Kirklees Local Plan.

17. All the bin enclosures approved under discharge of condition application 2025/91372 shall be provided, and all of the areas shown on the approved site plan for the storage and collection of wastes including both private and communal bin presentation points, laid out with a hard surface and made available for use, before any new dwelling is first occupied, and thereafter retained as such, free from all obstructions to their use.

Reason: In the interests of visual amenity and to ensure the provision of satisfactory facilities for the separation, storage and disposal of wastes, to meet the requirements set out in Policy LP24 part d(vi) of the Kirklees Local Plan.

18. Where implementation of the development hereby approved is to be phased or any of the dwellings hereby approved are to become occupied before the approved estate road is completed, the temporary waste collection arrangements shown on the submitted Bin Store Phasing Plan shall be implemented throughout the construction phase.

Reason: To ensure satisfactory arrangements are implemented in relation to waste, including during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

19. All construction arrangements shall be carried out in accordance with the Construction Management Plan approved under discharge of condition application 2025/91372 throughout the period of construction.

Reason: To ensure that no harm to the safety or convenience of highway users occurs during the construction process and to accord with the aims of Policies LP20 and LP21. This information is required pre-commencement to ensure that the safety and convenience of highway users are not adversely affected at any stage during the development process.

20. Upon completion of the development and before any building is occupied, a highway condition survey identifying a scheme to reinstate any defects in the condition of the highway on Denby Lane that have arisen from construction activity shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before any part of the development is first brought into use.

Reason: To ensure that any deterioration in the quality of the highway that may occur during construction is remedied in the interests of the safety and convenience of highway users, and to accord with the aims of Policies LP20-21 of the Kirklees Local Plan.

This information is required pre-commencement to ensure that an accurate record of the condition of the highway is obtained so that any defects arising from construction can be accurately identified and remediated.

21. No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site, and no construction works in the relevant area(s) of the site (within 3m of any existing or proposed public sewer) shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: So as to ensure that public sewer infrastructure is maintained in the interests of the continued safe drainage of the site and the local area, and to accord with the aims of Policy LP28 of the Kirklees Local Plan.

22. Development shall be implemented in accordance with the Arboricultural Method Statement and Tree Protection Plan approved under discharge of condition application 2025/91372.

Reason: To ensure the protection and long-term viability of trees within or on the boundaries of the site and to accord with the aims of Policy LP33 of the Kirklees Local Plan. This information is required pre-commencement to ensure that no harm arises to any retained trees at any stage in the development process.

23. Samples of all facing and roofing materials to be used in the development shall be submitted to, or left on site for the inspection of, the Local Planning Authority before work on the superstructure of any dwelling commences. The development shall thereafter be implemented using the approved materials.

Reason: To ensure that the development conserves and enhances the townscape and visual amenity in accordance with the aims of Policy LP24(a) of the Kirklees Local Plan.

24. Before any new dwelling is occupied, a full scheme of boundary treatments showing the location, height and design of any new or retained fences, walls and other boundary treatments forming part of the proposed development, including any retaining structures that do not fall within the remit of condition 31 below, shall be submitted to and approved in writing by the Local Planning Authority. All of the approved boundary treatments shall be erected or constructed before any part of the development is occupied, and shall thereafter be retained as such.

Reason: In the interests of visual and residential amenity, to ensure that the safety, character and useability of the adjacent Public Right of Way is not adversely affected, and to accord with the aims of Policy LP24 and LP20 of the Kirklees Local Plan.

25. Before development commences above foundation level, details of the proposed solar array to be incorporated into the roof of each dwelling, or any other on-site

renewable energy generation to be provided as part of the proposal, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the development during construction and shall thereafter be retained as such.

Reason: To ensure that the proposed development contributes to the Council's target of achieving 'net zero' carbon emissions by 2038 and thereby reducing the causes of climate change, and to accord with the aims of Policy LP24(d) of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

26. The measures to protect future occupants from crime and the fear of crime as shown on plan 0722 Revision P10 shall be implemented before the dwelling to which they relate is first occupied and thereafter retained as such.

Reason: To ensure that future occupants are adequately protected from crime and the fear of crime and to accord with the aims of Policy LP24 of the Kirklees Local Plan.

27. All hard and soft landscape works shall be carried out in accordance with the landscaping scheme 3875/2 Rev Q and external works plan 0740 Rev P15 within the first planting, sowing or landscape management season following the substantial commencement of development and prior to the occupation of any part of the development. Thereafter, the landscaping scheme shall be maintained and managed in accordance with the approved Landscape Management Specification authored by Rosetta Landscape Design, Revision A, and submitted 19/11/2024 in support of application 2023/93704.

Reason: To enhance and conserve the visual amenity of the built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP33 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

28. The secure covered cycle parking measures shown on plan reference 0723 Revision P9 submitted with this application and on the specification sheets submitted for discharge of condition application 2025/91372 shall be provided before any part of the development is brought into use and shall be so retained thereafter.

Reason: In the interests of cyclist safety and security, to ensure a satisfactory layout, and to promote the use of low-impact means of transport, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

29. One electric vehicle recharging point shall be installed within the dedicated parking area or garage for each of the approved dwellings before the dwelling to which the recharging point relates is first occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32 Amps. The electric vehicle charging points so installed shall thereafter be retained.

Reason: In accordance with the aims of Policy LP24(d & v) of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework, to promote infrastructure which encourages modes of transport with low carbon emissions.

30. The Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) approved under discharge of condition application 2025/91372 shall be

adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect biodiversity during construction by avoiding direct impacts to protected species and preventing the spread of non-native plants, and to accord with Kirklees Local Plan Policy LP30. This information is required pre-commencement to ensure that impacts on biodiversity do not occur at any stage in the construction process and that invasive species are not allowed to spread.

31. Before development commences (other than the formation of the access and visibility splays as set out in conditions 14 and 15, grouting, mine capping, and drainage infrastructure works), details shall be submitted to and approved in writing by the Local Planning Authority of any new retaining structures or modifications to existing retaining structures adjacent to the Public Right of Way that borders the site. The works thus approved shall be implemented in full accordance with the approved details before any part of the development is first occupied and thereafter retained as such.

Reason: To ensure that retaining structures required to construct the development are designed to a satisfactory standard prior to their construction and therefore do not endanger the safety of future users of the Public Right of Way, and to accord with the aims of Policies LP21 and LP24 of the Kirklees Local Plan.

Note: Contaminated land

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance: 3. 4. 5. 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: Construction Environmental Management Plan

No construction related noise shall be audible beyond the site boundary outside the hours of: 07.30 to 18.30 hours Mondays to Fridays, 08.00 to 13.00 hours Saturdays, With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays. For further information regarding dust control, guidance can be found in the Institute of Air Quality Management (IAQM) document "Guidance on the assessment of dust from demolition and construction" Version 2.1 2023.

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: Approved Access

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required. You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es). This process will involve entering into a Section 38 or 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

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.

Note: Management and Maintenance of Private Estate Streets – Informative

The applicant is advised that it is their responsibility to inform the potential purchasers of the properties served by any unadopted streets that the streets will remain unadopted and provide details of the ongoing management and maintenance requirements and their obligations. The potential purchasers must also be advised by the developer of the potential implications of the streets remaining private, which are described in DfT Advice Note 'Highway Adoption' at Annex C 'A Guide for Home Buyers': Highways Adoption (publishing.service.gov.uk) The applicant is advised to consult with the Local Highway Authority guidance document on 'Private Streets and the Advance Payments Code': Highways guidance note: Private Streets and the Advance Payments Code (kirklees.gov.uk)

NOTE: Works within the highway

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.

NOTE: To discuss road adoption arrangements under Section 38 of the Highways Act 1980, please contact Highway Adoptions on 01484 221000 or highways.section38@kirklees.gov.uk.

NOTE: To discuss all new surface water attenuation tanks, pipes and manholes located within the proposed highway footprint, please contact Highway Structures on 01484 221000.

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 Council with regard to 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.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of 07.30 and 18.30 hours Mondays to Fridays, and 08.00 and 13.00 hours on Saturdays, with no working Sundays or Public Holidays. These hours should be referred to in any Construction Environmental Management Plan to be submitted to the Local Planning Authority for approval. In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974 (Section 60), Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Submitted with this application, reference 2026/90373			
Application form			20/02/2026
Location plan			20/02/2026
Proposed site plan		12	20/05/2026
Proposed levels plan	D100	5	19/05/2026
Construction Phase Surface Water Management Plan	D1000	3	10/02/2026
Drainage Layout	D200	5	10/02/2026
Surface water flow data	Causeway Technologies	2	10/02/2026
SUDS Maintenance Schedule	SMP/RWO/Y22054/02	6	10/02/2026
Flow Control Details	D703	1	24/06/2026
Polystorm testing certificate	06/4297		24/06/2026
Manhole Schedule	D201	4	10/02/2026

Plan Type	Reference	Version	Date Received
Impermeable Areas Plan	D204	3	10/02/2026
Drainage Construction Detail	D701	1	10/02/2026
Plot Setting Out	D400	2	10/02/2026
Earthworks Direct Comparison	D600	2	10/02/2026
Road Construction Details	D702	3	10/02/2026
S104 Layout	D800	4	10/02/2026
S185 Layout	D801	3	10/02/2026
S38 Layout	D802	4	10/02/2026
Engineering Layout	D001	10	10/02/2026
Long Sections	D901	7	10/02/2026
External works plan	0740	P15	10/02/2026
POS Areas Plan	0730	P02	10/02/2026
Bin Store Phasing Plan	0724	P9	10/02/2026
EV Charging Plan	0723	P8	10/02/2026
Cycle Store Plan	0723	P9	10/02/2026
Crime Prevention Plan	0722	P10	10/02/2026
Civils issue sheet	Y22054		10/02/2026
Landscaping Scheme	3875/2	Q	19/06/2026
Submitted with original application, 2023/93704			
Plans and elevations house type A	2000	P06	17/09/2024
Plans and elevations house type B	2000	P07	17/09/2024
Plans and elevations house type C Plot 5	2000	P15	27/09/2024
Plans and elevations house type C Plot 9	2000	P14	27/09/2024
Plans and elevations house type F	2000	P05	17/09/2024
Plans and elevations house type G	2000	P04	17/09/2024
Plans and elevations house type U1	2000	P06	27/09/2024
Design and access statement			17-Sep-2024
Supporting statement			12/03/2024
Climate change statement			15/12/2024
Lithos Gas Risk	016/4511/AG/JHR		15/12/2023

Plan Type	Reference	Version	Date Received
Assessment			
Lithos preliminary findings	016/4511/AG/JHR		15/12/2023
Geo-environmental report	E21/7792/R001		15/12/2023
Phase I Report	KR/GEODS/G23054		27/03/2024
Certificate of Analysis	22-22300		11/07/2024
Certificate of Analysis	22-20871		11/07/2024
Coal Mining Risk Assessment	KR/CMRA/G23054		24/05/2024
Coal Mining Risk Assessment report	KR/CMRA/G23054		27/03/2024
Flood Risk Assessment	FRA/RWO/Y20054.100	2	01/10/2024
Plan showing existing position of sewer	YCP 120924 003		07/01/2025
Landscape maintenance schedule		A	19/11/2024
Tree Survey	Iain Tavendale		15/12/2023
Arboricultural Impact Assessment	Iain Tavendale		15/12/2023
Tree plan	Iain Tavendale		15/12/2023
Tree shadow plan	Iain Tavendale		15/12/2023
Preliminary Ecological Appraisal	MAB Environment & Ecology	1	15/12/2023
BNG Metric updated			21/01/2025
Transport Statement	23102 Denby Lane TS	3	13/09/2024
Road adoption plan	0750	P03	14/02/2025
Affordable housing plan	0721	P01	31/01/2025
Swept path analysis	Via Solutions		18/11/2024
RSA Stage One	2024-12 Grange Moor RSA1	0	08/01/2025
RSA Stage One designers' response	GG119 Via Solutions		08/01/2025
Landscape Management Specification	Rosetta	A	19/11/2024

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.

The case officer requested amendments during the process to ensure that refuse collection would be achievable and that a satisfactory landscaping scheme would be delivered, including the insertion of root barriers where appropriate, which informed the final decision.

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 Telephone: (01484) 221550 for more information.

Development within a Coal Mining Area

DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE

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](#)

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/get-a-permit-to-deal-with-a-coal-mine-on-your-property)

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](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)

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 refuse permission for the proposed development or 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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days from the date of this notice where the enforcement notice has been served,
 - ii) 28 days of the date of service of the enforcement notice or,
 - iii) the specified period starting from 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: 08-Jul-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 and view existing planning applications and decisions' and by searching for application number 2026/70/90373/E.

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
