



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2026/70/90808/W

To: Stephanie Adamou
ARCD Architects
Suite 3, The Atrium, The Towers, Towers Business Park
Wilmslow Road
Manchester
M20 2QN

For: A Broadhurst

**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) , 3 (MATERIALS), 4 (ROOF USE
ONLY) AND 5 (LAND STABILITY WORKS) ON PREVIOUS PERMISSION
2023/92557 FOR ERECTION OF SINGLE STOREY SIDE EXTENSION WITH
TERRACE ABOVE AND ASSOCIATED ALTERATIONS

At: CELLARS CLOUGH HOUSE, MANCHESTER ROAD, MARSDEN,
HUDDERSFIELD, HD7 6LY

**In accordance with the plan(s) and applications submitted to the Council on
24-Mar-2026 [together with those plans and application(s) submitted to the
Council on 06-Sep-2023 and incorporated into planning permission 2023/92557
granted on 10-Nov-2023] and 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.

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, LP21, LP22, LP24, LP30, LP51 and LP57 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7 and 15 of the Council's adopted House Extensions and Alterations SPD, and Chapters 2, 9, 12, 13, 14, 15 and 16 of the National Planning Policy Framework.

3. The materials of construction of the development hereby shall be in accordance with those set out within submitted plans L(-4)021 rev 01, L(-4)011 rev 01, L(-4)031 rev 01 and thereafter retained.

Reason: In the interests of visual amenity and to accord with Policies LP2, LP24 and LP57(d) of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and Chapter 12 of the National Planning Policy Framework.

4. The area annotated green upon submitted drawing L(-1)011 rev 01 shall be used as a roof only and shall not be used as a balcony or terrace area at any time throughout 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 to accord with policy LP24 of the Kirklees Local Plan, Principles 3 and 4 of the Council's adopted House Extensions and Alterations SPD and Policies within Chapter 12 of the National Planning Policy Framework.

5. All works hereby approved that relate to land stability shall be undertaken in accordance with the details as submitted in documents ref: GSL3324_GDR_DWG002 rev A and GSL3324_GDR_DWG001 rev A, and the details as contained within the Geotechnical design report, by GroundSolve Ltd (ref: GSL_3324_GDR_001_Rev3) which shall be retained thereafter.

Reason: In the interests of visual amenity, preserving openness of the green belt, residential amenity and land stability to accord with policies LP24, LP28, LP53 & LP57 of the Kirklees Local Plan and policies within Chapters 12, 13 and 15 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: The application site is not located in a coal risk area.

NOTE: With regard to land stability, it is brought to the applicant / developers' attention that responsibility for securing a safe development rests with the developer and/or landowner.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
<i>Approved under application ref: 2023/92557</i>			
Location Plan	-	-	29/08/23
Existing North and East Elevations	L(-4)010	-	29/08/23
Existing South and West Elevations	L(-4)020	-	29/08/23
Existing Site/Block Layout	L(-1)010	-	06/09/23
Existing Ground Floor Plans	L(-02)020	-	29/08/23
Existing Lower Ground Floor Plans	L(-2)010	-	29/08/23
Climate Change Statement	-	-	06/09/23
Site Plan & Sections	001	O	07/11/23
Embankment Reconstruction Work Proposed Site Plan	002	F	07/11/23
Embankment Restoration Work Sections & Details	003	B	07/11/23
Gabion Wall 1 Section AA Gabion Analysis Input Data	-	-	07/11/23
Section AA Gabion Analysis Input Data	-	-	07/11/23
<i>Approved under application ref: 2026/90808</i>			
Proposed South and West Elevations	L(-4)021	01	03/07/26
Proposed North and East Elevations	L(-4)011	01	03/07/26
Proposed West (b) Elevations	L(-4)031	01	03/07/26
Proposed Site/Block Layout	L(-1)011	01	12/05/26
Proposed Floor Plans	L(-2)011	01	15/05/26
Proposed Roof Plan	L(2)021	01	24/03/26

Plan Type	Reference	Version	Date Received
Typical slope sections	GSL3324_GDR_DWG001	A	12/05/2026
Plan of Proposed Works	GSL3324_GDR_DWG002	A	12/05/2026
Geotechnical Design Report	GSL_3324_GDR_001	3	12/05/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2024 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

The proposal description was updated to include the variation of condition 3 & 4 as conditions would require rewording also to reflect the proposed alterations.

A proposed site plan and lower ground floor plan was also requested to be submitted to reflect the proposed changes. Revised elevation drawings were received to reflect the proposed material change of the approved extension.

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 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)

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: 20-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 2026/70/90808/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
