

## DISCHARGE OF CONDITIONS

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location	Land to North of 344 Leymoor Road, Golcar, Huddersfield, HD7 4QL
application	Erection of Agricultural Livestock Building
client/applicant	Mr S Walker (T/A SW Farming)
job number	25/1275
date	May 2026

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### ARCHITECTURE | PLANNING | DESIGN

Malkin Farm  
Brow Lane  
Holmfirth  
HD9 2RJ  
07946872499

[paul@paulmatthewsarchitectural.co.uk](mailto:paul@paulmatthewsarchitectural.co.uk)

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Company Registration Number: 09898149 - Company Registered in England and Wales

## INTRODUCTION

This discharge of conditions application is for the outstanding conditions that formally require to be discharged following the [2026/62/90406/W](#) planning approval to then enable works to commence on site.

The formal approval can be found within Appendix A of this statement.

We, Paul Matthews Architectural Ltd, are agents working on behalf of the land owner/developer.

The salient planning history relating to this site and specific application for the erection of two detached dwellings is important;

APPLICATION NUMBER	DESCRIPTION	DECISION
<a href="#">2026/62/90406/W</a>	Erection of agricultural building	Conditional Full Permission

Conditions 6 & 7 are the only 'pre-conditions' relating to the above referenced planning approval. This report covers these conditions individually.

Condition 6 states;

*6. No works shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:*

*a) Summary of potentially damaging activities*

*b) Identification of "biodiversity protection zones"*

*c) Practical measures (both physical measures and sensitive working practices)*

*d) The location and timing of sensitive works to avoid harm to biodiversity features.*

*e) The times during construction when specialist ecologists need to be present on site to oversee works*

*f) Responsible persons and lines of communication.*

*g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*

*h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.*

**Reason:** *In the interests of biodiversity and in accordance with LP30 and policies within Chapter 15 of the National Planning Policy Framework. No groundworks (including demolition and site clearance) shall commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.*

This application is accompanied by the project ecologists CEMP (Construction Environment Management Plan). Particularly in relation to Biodiversity.

The applicant has a copy of this document and will adhere to the "*project team roles and responsibilities*" content.

We trust this report enables this condition to be appropriately discharged.

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Condition 7 states;

*7. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:*

*a) a non-technical summary;*

*b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*

*c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*

*d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 10 years from the completion of development; and*

*e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority has been submitted to, and approved in writing by, the Local Planning Authority.*

*Notice in writing shall be given to the Council when the:*

*i. HMMP has been implemented; and*

*ii. habitat creation and enhancement work as set out in the HMMP have been completed.*

*The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.*

**Reason:** *To ensure the development delivers a biodiversity net gain on site in the interests of biodiversity and in accordance with LP30 and policies within Chapter 15 of the National Planning Policy Framework.*

**This application is accompanied by the project ecologists HMMP (*Habitat Management and Monitoring Plan*).**

The applicant has a copy of this document and will adhere to the planting to achieve the 10% uplift of BNG (planting of 7 individual native trees as suggested within the HMMP along with the monitoring and management of the tree planting). Reports will be provided to the LPA (Yr1, Yr5, Yr10, Yr20 & Yr30) again all as referenced within the HMMP.

We trust this report enables this condition to be appropriately discharged.

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## **CONCLUSION**

We trust application provides sufficient information to enable the two conditions to be appropriately discharged.

If the LPA require any further information or justification to enable the formal approval/discharge of conditions we respectfully ask for early contact/communication with Paul Matthews Architectural Ltd.

We respectfully ask for contact from the case officer prior to the formal determination of this application.

# **APPENDIX A**

2026/62/90406/W Planning Approval



Town and Country Planning Act 1990

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

**PLANNING PERMISSION FOR DEVELOPMENT**

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**Application Number: 2026/62/90406/W**

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**To:** Paul Matthews Architectural  
Malkin Farm  
Brow Lane  
Holmfirth  
HD9 2RJ

**For:** S WALKER, S W FARMING

**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 AGRICULTURAL BUILDING

**At:** LAND NORTH OF, 344, LEYMOOR ROAD, GOLCAR, HUDDERSFIELD,  
HD7 4QL

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**In accordance with the plan(s) and applications submitted to the Council on 12-Feb-2026, 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 ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP21, LP22, LP24, LP30, LP51, LP52, and LP54 of the Kirklees Local Plan policies within Chapters 2, 11, 12, 13, 14, 15 and 16 of the National Planning Policy Framework.

3. The agricultural building hereby approved shall be faced in low level blockwork or concrete panels with profiled sheeting of a green colour finish for the external walls and in grey fibre cement sheets for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

**Reason:** In the interest of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the aims of Chapters 12 and 13 of the National Planning Policy Framework.

4. The building hereby approved shall be used for agricultural purposes only and at no time shall be used for any purpose(s) that do not fall within the definition of agriculture set out in Section 336 of the Town and Country Planning Act 1990 (or any definition which may supersede this in any subsequent Act or Order).

**Reason:** To clearly define the use approved by this permission in recognition of the assessment undertaken of the appropriateness of this use on Green Belt land, to protect the visual amenity of the area, to protect the amenities of nearby residents and to accord with Policies LP1, LP2, LP24, LP52 and LP54 of the Kirklees Local Plan and policies contained within Chapters 12, 13 and 15 of the National Planning Policy Framework.

5. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall demonstrate conformance with established guidance document Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night. The submitted scheme shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. No external artificial lighting shall be erected within the site other than that which has been approved by this condition which shall be retained thereafter.

**Reason:** In the interests of visual amenity, preserving the setting of listed building(s), residential amenity and biodiversity and in accordance with Policies LP24, LP30 & LP35 of the Kirklees Local Plan and policies within Chapters 12, 15 and 16 of the National Planning Policy Framework.

6. No works shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices)
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

**Reason:** In the interests of biodiversity and in accordance with LP30 and policies within Chapter 15 of the National Planning Policy Framework.

7. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 10 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority has been submitted to, and approved in writing by, the Local Planning Authority.

Notice in writing shall be given to the Council when the:

- i. HMMP has been implemented; and
- ii. habitat creation and enhancement work as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

**Reason:** To ensure the development delivers a biodiversity net gain on site in the interests of biodiversity and in accordance with LP30 and policies within Chapter 15 of the National Planning Policy Framework.

**NOTE:** It is a requirement of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 that a Biodiversity Net Gain Plan is submitted to and approved in writing by the Local Planning Authority.

**NOTE:** The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

**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
- 08.00 and 13.00 hours, Saturdays
- With no working Sundays or Public Holidays

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 the works may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Revision	Date Received
Location Plan	25/1275/01a	-	12/02/2026
Existing Block Plan	25/1275/02a	-	12/02/2026
Proposed Block Plan	25/1275/03a	-	12/02/2026
Proposed Plans + Elevations	25/1275/04b	-	12/02/2026
Design and Access / Planning Supporting Statement	25/1275	Rev A 10-02-2026	19/02/2026
Application form	-	-	12/02/2026
Condition Assessment Sheet	-	-	12/02/2026
Biodiversity Net Gain Assessment dated December 2025 by Habitat Works	-	-	12/02/2026
Climate Change Statement	-	-	12/02/2026

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. In this case, the design of the original scheme has been found acceptable.

**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](http://www.planningportal.gov.uk). Alternatively the forms and supporting guidance for submitting an application can be found online at [www.kirklees.gov.uk/planning](http://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://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 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](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

**Dated:** 29-Apr-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](http://www.kirklees.gov.uk/planning), and by clicking on the 'search planning applications and decisions' and by searching for application number 2026/62/90406/W.

If a paper copy of the decision notice or decided plans are required please email [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) or telephone 01484 414746 with the application number. There may be a charge for this service.

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All communications should be sent to one of the following address:

**E-mail:** [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

**Write to:** Kirklees Council  
Planning and Development Service  
PO Box 1720  
Huddersfield  
HD1 9EL

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