

**FARNLEY ESTATES**

**PARK FARM, MANOR ROAD, FARNLEY TYAS**

**KIRKLEES LOCAL PLAN EXAMINATION  
MATTERS, ISSUES AND QUESTIONS  
MATTER 45: H120**

**FEBRUARY 2018**

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**1. INTRODUCTION**

- 1.01 These representations to the examination of the Kirklees Local Plan are submitted on behalf of the site's owners, Farnley Estates (FE).
- 1.02 These representations support the Council's housing allocation of 0.44ha of land known as Park Farm on Manor Road in the village of Farnley Tyas. The site is in the sole ownership of FE.
- 1.03 The site is allocated in the draft Local Plan for housing with an indicative capacity of 7 dwellings.
- 1.04 The Council has recently (December 2017) granted planning permission and listed building consent for the conversion of an existing listed barn to residential use and the development of six new dwellings (LPA Refs. 2015/90758 and 2015/90759, approved 22 December 2017, copies of decision notice attached at **Appendices 1 and 2** and a copy of the approved layout is attached at **Appendix 3**). Work has started on site.
- 1.05 These representations provide a response to the Inspector's Matters, Issues and Questions (MIQs) to support the Stage 4 hearing sessions due to commence on Tuesday 20<sup>th</sup> February 2018.

**2. MATTER 45 – KIRKBURTON WARD HOUSING ALLOCATIONS**

**Site H120 – Park Farm, Manor Road, Farnley Tyas**

General Issues

- a) Is the site suitable for the proposed use? In the case of housing allocations, does the Plan provide clear guidance on requirements and constraints, and seek appropriate mitigation measures?
- 2.01 As planning permission and listed building consent have been given and the development has commenced, the site is clearly suitable for housing development. The issues identified in the allocation, i.e. heritage impact, potential contamination and surface water were all addressed at the application stage to the satisfaction of the local planning authority and statutory consultees, including Historic England.

- b) Is the indicative site capacity appropriate, taking account of constraints and the provision of necessary infrastructure?
- 2.02 The Local Plan allocation identifies an indicative capacity of 7 dwellings, which is reflected in the number of new homes allowed by the planning permission (see layout at **Appendix 3**).
- c) Is the site available and deliverable in the timescales envisaged?
- 2.03 The development is on site and will be ready for completion in late 2018/early 2019.
- d) For sites currently in the Green Belt – what effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
- 2.04 The only part of the allocation within the Green Belt (as shown in the UDP) is a narrow 812 sq. m strip of land along the southern and western edge of the site that would be used as paddock/amenity space for the new residential properties. No new built development is proposed in this area and the applicant has agreed to the removal of permitted development rights in that area, so that the land will remain permanently undeveloped and open.
- 2.05 At present, there is no clear, readily identifiable physical boundary on the site that demarcates the edge of the village at this location. The UDP Green Belt boundary actually passes through existing buildings on the site. Para. 85 of the NPPF states that local planning authorities should define Green Belt boundaries clearly, using physical features that are readily recognisable and likely to be permanent.
- 2.06 The current development creates an opportunity to establish a clear and permanent boundary to the edge of the village, similar to the longstanding boundary around the Manor House to the immediate east of the site. This new boundary would be entirely consistent with the historic development of the village.
- 2.07 Para. 89 of the NPPF states that the construction of new buildings is inappropriate in the Green Belt, but with an important list of exceptions, including:

- *limited infilling in villages'; and*
- *'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within in than the existing development.'*

2.08 In our view, this site represents limited infilling and no new buildings are proposed within the Green Belt, so that the proposed amenity space is not 'inappropriate' in Green Belt terms. By removing permitted development rights to extend any new buildings, the land will remain open.

2.09 Furthermore, there will be no conflict with the five purposes of Green Belt policy, which are:

- *To check the unrestricted sprawl of large built-up areas;*
- *To prevent neighbouring towns merging into one another;*
- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*
- *To assist in regeneration, by encouraging the recycling of derelict and other urban land.*

2.10 In recommending approval for the development, officers concluded in their report to Committee that:

*"This application has been assessed against relevant policies in the development plan and other material considerations. Officers consider that the restoration of the listed building and the securing of its long term, viable use, would, on balance, outweigh the harm caused by the inclusion of land within the Green Belt to form garden areas associated with a small number of plots, in this instance. It is considered that the development would constitute sustainable development and is therefore recommended for approval."*

**Specific Issue**

j) What/where is the listed building on the site, and has a Heritage Impact Assessment been undertaken?

2.11 The listed building is the barn fronting onto Manor Road (see layout plan in Appendix 3). The barn is to be retained and converted to residential use.

2.12 A Heritage Impact Assessment was prepared by Woodhall Planning and Conservation to assess the impact of the proposal on the listed building and the Conservation Area. This Assessment was submitted with the planning application and listed building consent application. Historic England and Kirklees Conservation Officer were both satisfied with the proposal and recommended no objection.

**APPENDIX 1:**  
**DECISION NOTICE FOR PLANNING APPLICATION**  
**REF: 2015/90758**



**Planning (Listed Buildings and Conservation Areas) Act 1990**

**LISTED BUILDING CONSENT**

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**Application Number: 2015/65/90758/E**

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**To:** Keith Southernwood,  
Watson Batty Architects Ltd  
Shires House  
Shires Road  
Guisseley  
Leeds  
LS20 8EU

**For:** Park Farm (Farnley) Ltd

**The KIRKLEES COUNCIL hereby give notice that LISTED BUILDING CONSENT has been granted for the execution of the works referred to:-**

LISTED BUILDING CONSENT FOR CONVERSION OF BARN INTO A  
DWELLING AND ASSOCIATED WORKS(WITHIN A CONSERVATION AREA)

**At:** 18, MANOR ROAD, FARNLEY TYAS, HUDDERSFIELD, HD4 6UL

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**In accordance with the plan(s) and applications submitted to the Council on 14-Oct-2015 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 Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.



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:** So as to ensure the satisfactory appearance of the development on completion, in the interests of the significance of the heritage asset, and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and guidance contained within the National Planning Policy Framework.

3. The materials used in the conversion of the listed building shall consist of natural stone walling and natural stone roofing slates. No development shall take place until samples of these facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.

**Reason:** In order to preserve the character and appearance of the Listed Building and the Conservation Area and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

4. The window frames shall be set back in the reveal by 75 - 100mm.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

5. New windows shall be timber fixed or side hung casements. Mouldings and timber sections shall be of a traditional design and profile. Opening casements and fixed lights shall be set within the window frames and shall not protrude proud of the frame. Glazing shall be puttied in position. No works to install new windows shall take place until design and joinery details (at 1/5 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

6. Trickle vents shall not be used in the window sashes, frames or elsewhere.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

7. All external joinery shall have a painted finish in accordance with a colour scheme to be submitted to and approved in writing by the Local Planning Authority before painting works commence. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** : In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

8. All external doors shall be of a timber vertical boarded construction. No works to install new doors shall take place until design (at 1/20 scale) and joinery details (at 1/5 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

9. All new window and door surrounds shall be of natural stone. No works to install window and door surrounds shall take place until design details (at 1/20 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** : In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

10. The gutters shall be timber.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

11. Rainwater pipes shall be cast aluminium and painted black.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

12. Soil and vent pipes shall be internal and shall be painted black where they project above the roof slope.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

13. All garage doors shall be of a timber vertically boarded construction. No works to install new garage doors shall take place until design (at 1/20 scale) and joinery details (at 1/5 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

14. No works to install external extractor vents, heater flues, meter boxes, burglar alarms, and external lights shall take place until full details have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the character and appearance of the Listed Building and to accord with Policy BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Site Layout	3544-033	Z	20.10.17
Proposed Floor Plans	GA200	Rev D	24.05.17
Proposed Elevations	GA200	Rev C	24.05.17
Existing Floor Plans and Elevations	3544-033-PL200		20.03.15
Schedule of Works			14.10.15
Heritage Statement	March 2015		20.10.15
Update to Heritage Statement	3044/1	August 2017	14.08.17
Tree/Arboricultural Survey	11988/Chc		20.03.15
Structural Report			02.02.16
Outline Structural Specification			
Bat Survey	11988c/DR		14.10.15
Design and Access Statement		B	14.10.15
Phase I Habitat Survey Report	11988a/AVP		20.03.15

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 2015 and otherwise actively engaged with the applicant in dealing with the application.

Negotiations took place with the applicant to receive additional information which included an assessment of the value and significance of the listed building and its contribution to the preservation and enhancement of the Conservation Area.

**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**

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he/she may, by notice served within six months of the date of issue of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20-21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. 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/planning-inspectorate>. 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 has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Authority in regard to the proposed works are in progress.

Please note, only the applicant possesses the right of appeal.

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:** 22-Dec-2017

**Signed:** 

**Naz Parkar**  
**Strategic Director Economy and Infrastructure**

### **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 and view existing planning applications and decisions' and by searching for application number 2015/65/90758/E .

If a paper copy of the decision notice or decided plans are required please email [planning.contactcentre@kirklees.gov.uk](mailto:planning.contactcentre@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:** [planning.contactcentre@kirklees.gov.uk](mailto:planning.contactcentre@kirklees.gov.uk)

**Write to:** Planning Services  
Investment and Regeneration  
PO Box B93  
Civic Centre III  
Off Market Street  
Huddersfield  
HD1 2JR

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**APPENDIX 2:**  
**DECISION NOTICE FOR PLANNING APPLICATION**  
**REF: 2015/90759**



**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: 2015/62/90759/E**

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**To:** Keith Southernwood,  
Watson Batty Architects Ltd  
Shires House  
Shires Road  
Guisseley  
Leeds  
LS20 8EU

**For:** Park Farm (Farnley) Ltd

**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 6 DWELLINGS AND CONVERSION OF BARN INTO DWELLING  
AND ASSOCIATED WORKS (LISTED BUILDING WITHIN A CONSERVATION  
AREA)

**At:** 18, MANOR ROAD, FARNLEY TYAS, HUDDERSFIELD, HD4 6UL

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**In accordance with the plan(s) and applications submitted to the Council on  
14-Oct-2015, 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 D2, BE1, BE2 and BE5 of the Kirklees Unitary Development Plan and Policies PLP24 and PLP35 of the Publication Draft Local Plan, as well as the aims of the National Planning Policy Framework.

3. The materials used in the construction of the new dwellings shall consist of natural stone walling and natural stone roofing slates. No development shall take place on the superstructure of the new dwellings until samples of these facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policies PLP24 and PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking or re-enacting that Order) no development or alterations included within Classes A-E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

**Reason:** In the interest of visual amenity and so as to preserve the Farnley Tyas Conservation Area and the character of the surrounding area in accordance with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policies PLP24 and PLP35 of the Publication Draft Local Plan as well as the National Planning Policy Framework.

5. A Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing on the superstructure of the new dwellings. This shall include measures to provide integral bat and bird boxes in the new dwellings within the site.

- **Landscaping:** the retention of trees and vegetation/boundary hedges where possible. There should be additional planting to enhance and develop habitat networks within and beyond the site through the planting of native tree and shrub species.
- **Bat boxes:** the erection of 6 bat boxes, in the form of Schweglar type 1FR/2FR bat boxes or similar installed integral to the new dwellings within the site.
- **Bird boxes:** the erection of 6 bird boxes which could include sparrow terraces and swift boxes integral to the new buildings and woodcrete nest boxes suitable for starlings erected on trees within the site.
- **Lighting:** details of artificial lighting including security lighting. Note that there should be no light spillage into tree habitats and corridors or, areas with bat roost potential including installed bat boxes.
- **Hedgehogs:** Notwithstanding the provisions of Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order (with or without modification)), no boundary walls or fences shall be erected that would impede or obstruct the free movement of hedgehogs.

**Reason:** In the interests of the biodiversity of the site, in accordance with Chapter 11 of the National Planning Policy Framework.

6. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

**Reason:** In the interests of satisfactory and sustainable drainage, in accordance with Chapter 10 of the National Planning Policy Framework.

7. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing and off site works, have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of satisfactory and sustainable drainage, in accordance with Chapter 10 of the National Planning Policy Framework. This information is required 'pre-commencement' so as to ensure that a suitable drainage scheme can be achieved prior to works starting on site.

8. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

**Reason:** In the interests of satisfactory and sustainable drainage, in accordance with Chapter 10 of the National Planning Policy Framework.

9. Details of boundary treatments shall be submitted to the Local Planning Authority before development commences on the superstructure of the new dwellings. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In the interests of visual amenity and to ensure a satisfactory completion of the development to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and government guidance contained within Chapter 7 of the National Planning Policy Framework.

10. Development shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) has been submitted to and 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 G6 of the Kirklees Unitary Development Plan and guidance contained within Chapter 11 of the National Planning Policy Framework. This is a 'pre-commencement' condition to ensure that the site is safe to accommodate the proposed development.

11. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 10, development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and 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 G6 of the Kirklees Unitary Development Plan and guidance contained within Chapter 11 of the National Planning Policy Framework. This is a 'pre-commencement' condition to ensure that the site is safe to accommodate the proposed development.

12. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 11, development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

**Reason:** To identify and remove unacceptable risks to human health and the environment and in accordance with Policy G6 of the Kirklees Unitary Development Plan and guidance contained within Chapter 11 of the National Planning Policy Framework. This is a 'pre-commencement' condition to ensure that the site is safe to accommodate the proposed development.

13. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 12. In the event that 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 works on site (save 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 identify and remove unacceptable risks to human health and the environment and in accordance with Policy G6 of the Kirklees Unitary Development Plan and guidance contained within Chapter 11 of the National Planning Policy Framework.

14. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report 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 for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures 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 G6 of the Kirklees Unitary Development Plan and guidance contained within Chapter 11 of the National Planning Policy Framework.

15. Prior to occupation of the dwellings, in all residential units that have a dedicated parking area and/or a dedicated garage, an electric vehicle recharging point shall be installed. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps

**Reason:** In the interest of sustainable transport and to accord with policy guidance in the National Planning Policy Framework.

16. The development shall not be brought into use until the internal vehicular/pedestrian shared surfaces and parking/driveways have been brought into use, shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (driveways)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained.

**Reason:** To ensure a suitable access and layout in the interests of highway safety and in accordance with Kirklees Unitary Development Plan Policy T10.

17. A landscape plan (hard & soft landscaping) shall be submitted to and approved in writing by the Local Planning Authority before any landscape works take place. The development shall then be carried out in complete accordance with the approved details before the dwellings are first brought into use and shall be retained thereafter. Samples of natural stone paving shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area together with the visual amenities of the surrounding area and openness of the Green Belt and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policies PLP24 and PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

18. Prior to the development being brought into use, the wall to the frontage of Plot 3 and to the east of the eastern access road and the proposed visibility splay to the west of the western access road shall be set back to the rear of the proposed visibility splays as shown on the approved plan number 3544-033 PL01 Rev Z and shall be cleared of all obstructions to visibility and tarmac surfaced to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority. The visibility splays provided shall be thereafter retained.

**Reason:** To ensure adequate visibility in the interests of highway safety and to accord with Policies D2 and T10 of the Kirklees Unitary Development Plan.

19. Prior to the development being brought into use, turning facilities shall be provided in accordance with the details shown on drawing no. 3544-033 PL01 Rev Z. The turning facilities shall thereafter be made available for use at all times by vehicles and shall be kept free from obstruction to such use.

**Reason:** In the interests of highway safety and to achieve a satisfactory layout, in accordance with Policies D2 and T10 of the Kirklees Unitary Development Plan

20. Works to convert the listed building (Plot 2) must be substantially complete prior to occupation of the first new build dwelling.

**Reason:** To ensure that the restoration of the listed building is carried out within an acceptable timeframe in accordance with government guidance contained within Chapter 12 of the National Planning Policy Framework.

21. The window frames shall be set back in the reveal by 75 - 100mm.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

22. New windows shall be timber fixed or side hung casements. Mouldings and timber sections shall be of a traditional design and profile. Opening casements and fixed lights shall be set within the window frames and shall not protrude proud of the frame. Glazing shall be puttied in position. No works to install new windows shall take place until design and joinery details (at 1/5 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

23. Trickle vents shall not be used in the window sashes, frames or elsewhere.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

24. Roof lights shall be traditional conservation roof lights.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

25. All external joinery shall have a painted finish in accordance with a colour scheme to be submitted to and approved in writing by the Local Planning Authority before painting works commence. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

26. All external doors shall be of a timber vertical boarded construction. No works to install new doors shall take place until design (at 1/20 scale) and joinery details (at 1/5 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

27. All new window and door surrounds shall be of natural stone. No works to install window and door surrounds shall take place until design details (at 1/20 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

28. The gutters on the dwelling shall be aluminium and painted black. They shall be supported by metal brackets.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

29. Rainwater pipes shall be aluminium and painted black. They shall be supported by metal brackets.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

30. Soil and vent pipes shall be internal and shall be painted black where they project above the roof slope.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

31. All garage doors shall be of a timber vertically boarded construction. No works to install new garage doors shall take place until design (at 1/20 scale) and joinery details (at 1/5 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within National Planning Policy Framework.

32. No works to install external extractor vents, heater flues, meter boxes, burglar alarms, and external lights shall take place until full details have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to preserve the setting of the adjacent Listed Building and the Conservation Area and to accord with Policies BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan and the guidance contained within the National Planning Policy Framework.

**NOTE:** This planning permission shall be read in conjunction with Listed Building Consent reference 2015/90758.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Site Layout	3544-033	Z	20.10.17
Proposed Floor Plans – 2 Park Farm	GA200	Rev D	24.05.17
Proposed Elevations – 2 Park Farm	GA200	Rev D	24.05.17
Existing Floor Plans and Elevations	3544-033-PL200		20.03.15
Schedule of Works			14.10.15
Heritage Statement	March 2015		20.10.15
Update to Heritage Statement	3044/1	August 2017	14.08.17

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Tree/Arboricultural Survey	11988/Chc		20.03.15
Structural Report			02.02.16
Outline Structural Specification Bat Survey	11988c/DR		21.10.15 14.10.15
Design and Access Statement		B	14.10.15
Phase I Habitat Survey Report	11988a/AVP		20.03.15
Transport Statement		March 2015	20.03.15
Proposed Elevations – 3 Park Farm	GA301	H	24.05.17
Proposed Elevations – 4 Park Farm	GA401	J	24.05.17
Proposed Elevations – 5 Park Farm	GA501	H	24.05.17
Proposed Elevations – 7 Park Farm	GA701	H	24.05.17
Proposed Elevations – 6 Park Farm	GA601	E	24.05.17
Proposed Elevations – 8 Park Farm	GA801	G	24.05.17
Proposed Floor Plans – 8 Park Farm	GA800	J	24.05.17
Proposed Floor Plans – 3 Park Farm	GA300	G	24.05.17
Proposed Floor Plans – 4 Park Farm	GA400	J	24.05.17
Proposed Floor Plans – 5 Park Farm	GA500	H	24.05.17
Proposed Floor Plans – 6 Park Farm	GA600	E	24.05.17
Proposed Floor Plans – 7 Park Farm	GA700	H	24.05.17
Supplementary Information – Very Special Circumstances		Letter dated 2 October 2017 received from Peacock and Smith	06.10.17

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 2015 and otherwise actively engaged with the applicant in dealing with the application. Negotiations took place with the applicant through the course of the application which resulted in amendments to the layout and design of the development, and additional information was submitted in relation to very special circumstances.

**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**

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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/planning-inspectorate> . 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:** 22-Dec-2017

**Signed:**



**Naz Parkar**  
**Strategic Director Economy and Infrastructure**

## 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 2015/62/90759/E .

If a paper copy of the decision notice or decided plans are required please email [planning.contactcentre@kirklees.gov.uk](mailto:planning.contactcentre@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:

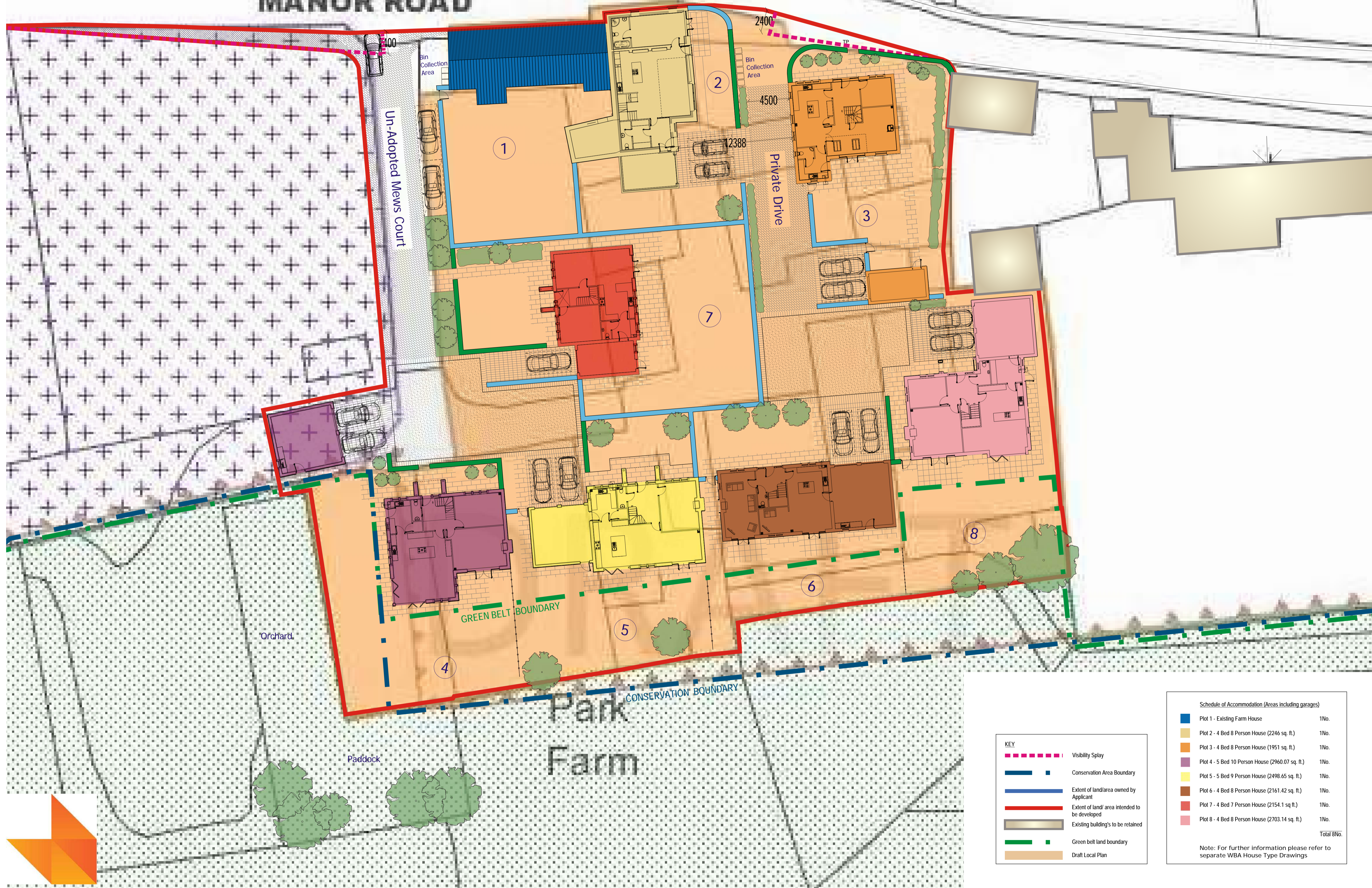
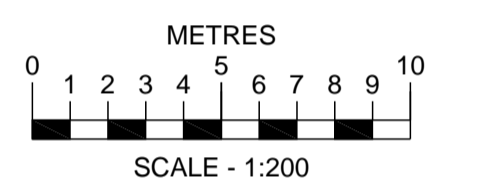
**E-mail:** [planning.contactcentre@kirklees.gov.uk](mailto:planning.contactcentre@kirklees.gov.uk)

**Write to:** Planning Services  
Investment and Regeneration  
PO Box B93  
Civic Centre III  
Off Market Street  
Huddersfield  
HD1 2JR

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**APPENDIX 3:**  
**LAYOUT PLAN OF APPROVED SCHEME**

MANOR ROAD



**Finishes**

- Roads - Permeable paving blocks (Brett Alpha Flow 80mm thick). Colour - Brindle.
- Driveways - Permeable paving blocks (Brett Alpha Flow 80mm thick). Colour - Charcoal.
- Roads - Margins / Run Over strips to be constructed using Setts. Colour - Natural
- Garden Walls - Frontage - 600mm high dry stone walls with rough stone half round cappings.
- Garden Walls - Rear Gardens - 1200mm high dry stone walls with rough stone half round cappings.
- Existing Boundary walls - made good where necessary.
- Paths, Paving & Patios - 600mm square natural stone riven flags.
- Bound Gravel Courtyards

**PLANNING ISSUE**

Project:  
**PARK FARM  
FARNLEY TYAS**

Client: **Park Farm (Farnley) Ltd**

Proposed Site Layout

Job No:	Drawing No:	Revision:
3544-033	PL 01	Z
Date: Oct 2014	Scale: 1:200	Drawn: KMS
CAD Ref:		Checked: RPM

Note: Do not scale from this drawing. All dimensions to be checked on-site.

Watson Batty Architects Limited  
Shires House, Shires Road  
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**WATSON BATTY** architects

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**KEY**

- Visibility Splay
- Conservation Area Boundary
- Extent of land/area owned by Applicant
- Extent of land/area intended to be developed
- Existing building's to be retained
- Green belt land boundary
- Draft Local Plan

**Schedule of Accommodation (Areas including garages)**

Plot 1 - Existing Farm House	1No.
Plot 2 - 4 Bed 8 Person House (2246 sq. ft.)	1No.
Plot 3 - 4 Bed 8 Person House (1951 sq. ft.)	1No.
Plot 4 - 5 Bed 10 Person House (2960.07 sq. ft.)	1No.
Plot 5 - 5 Bed 9 Person House (2498.65 sq. ft.)	1No.
Plot 6 - 4 Bed 8 Person House (2161.42 sq. ft.)	1No.
Plot 7 - 4 Bed 7 Person House (2154.1 sq. ft.)	1No.
Plot 8 - 4 Bed 8 Person House (2703.14 sq. ft.)	1No.
<b>Total 8No.</b>	

Note: For further information please refer to separate WBA House Type Drawings