



**Town and Country Planning Act 1990**

**Town and Country Planning (General Development Procedure) Order 1995**

**OUTLINE PLANNING PERMISSION**

---

**Application Number: 2005/60/94611/E2**

---

**To:** MR J A OLDROYD

**For:** MR & MRS HUTCHINSON

**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:-**

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT

**At:** Adjacent 26 Walkley Terrace, heckmondwike, WF16 0PA

---

**In accordance with the plan(s) and applications submitted to the Council on**

**2 Nov 2005, subject to the condition(s) specified hereunder:-**

(1) Approval of the details of the siting, design and external appearance of the building(s) and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

(2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the siting, design and external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

(3) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(4) The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case or approval on different dates, the final approval of the last such matter to be approved.

(5) No development shall take place until details of the siting, design and materials to be used in the construction of walls or fences for boundaries, screens or retaining walls have been approved in writing by the Local Planning Authority. The approved walls/fences shall be erected before the development hereby approved is occupied/brought into use and shall thereafter be maintained.

(6) No development shall take place until plans detailing arrangements for access, layout, parking and 2 off street parking spaces have been submitted to and approved in writing by the Local Planning Authority.

(7) No direct vehicular access shall be taken to the site from Walkley Terrace.

(8) Nothing shall be permitted to be planted or erected within a strip of land 2.0m deep measured from the carriageway edge of Low Cliffe Walk along the full frontage of the site which exceeds 1m in height above the level of the adjoining highway.

(9) The areas to be used by vehicles including parking, loading and unloading areas shall be surfaced, sealed and drained before the development is occupied/brought into use and thereafter retained.

(10) The garage or parking space intended to serve the dwelling(s) shall be provided and the parking spaces shall be drained, sealed and surfaced in accordance with details to be approved by the Local Planning Authority before the dwelling(s) is/are occupied and shall not thereafter be used for any purpose other than parking and turning of vehicles.

(11) The gradient of the access shall not exceed 1 in 8 with suitable vertical curves at the access and any change in gradient.

(12) Before development begins, detailed plans indicating existing and proposed site, road and building levels related to Ordnance Datum or an identifiable temporary datum shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

(13) Before development commences the conservatory shown cross hatched in green on the approved plans shall be removed from 26 Walkley Terrace.

(14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order) no development falling within classes A to E of part 1 of schedule 2 of the said order shall be carried out without the prior written permission of the Local Planning Authority.

NOTE The proposed development lies within a coal mining area. In the circumstances, Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at [www.coal.gov.uk](http://www.coal.gov.uk)

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 on Sundays or Bank Holidays

In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60, Kirklees Environmental Services are able to control noise on construction sites by serving a Notice which may include specifying the hours during which the works may be carried out.

**The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions specified are:-**

(1/2) No details of the matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

(3/4) Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

(5) In the interests of residential and visual amenity and to accord with Policies D2, BE1 and BE12 of the Kirklees Unitary Development Plan.

(6/11) In the interests of the free and safe use of the highway and to accord with Policies D2, BE2 and T10 of the Unitary Development Plan.

(12) For the avoidance of doubt and in the interests of visual amenity and to accord

with Policies D2, BE1 and BE2 of the Kirklees Unitary Development Plan.

(13) For the avoidance of doubt and in the interests of residential amenity and to accord with Policies D2 and BE12 of the Kirklees Unitary Development Plan.

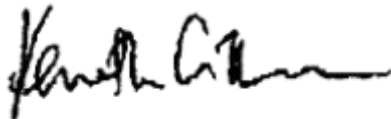
(14) To allow the Local Planning Authority to retain adequate control over the development given the size of the site and to accord with Policies D2, BE1, BE2 and BE12 of the Kirklees Unitary Development plan.

**The decision to grant planning permission has been taken having regard to the policies and proposals in the Kirklees Unitary Development Plan set out below, and to all other relevant material considerations:**

BE1 - Design principles  
BE2 - Quality of design  
BE12 - Space about buildings  
D2 - Unallocated land  
T10 - Highway safety

**Dated:** 13 Dec 2005

Signed:



**Ken Gillespie**  
**Director of Regeneration**

Address to which all communications should be sent:

Planning Services, PO Box B93, Civic Centre, Off Market Street, Huddersfield, HD1 2JR