Planning Application Decision Notice

To: Mike Hardill,
JMH Design
12, Liversedge Hall Lane
Liversedge
WF15 7DB

For: S SHERRIFF

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2010

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2013/62/90741/E

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 TWO STOREY REAR EXTENSION AND DECKING AREA

At: 13, FAIR VIEW, LIVERSEDGE, WF15 6LL

In accordance with the plan(s), documents and application submitted to the Council on 05-Mar-2013, except as amended or specified, details of which can be found in the table below 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 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, BE13 and BE14 of the Kirklees Unitary Development Plan.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and to accord with Policy BE13 of the Kirklees Unitary Development Plan.

4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings other than those expressly authorised by this permission shall be constructed in the external walls of the extension at any time without the prior written approval of the local planning authority.
Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy BE14 of the Kirklees Unitary Development Plan.

5. The development shall not be occupied until the first floor en-suite window in the side (south east) elevation of the extension hereby approved has been obscure glazed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) the obscure glazing shall thereafter be retained for the lifetime of the development.
Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy BE14 of the Unitary Development Plan.

NOTE If bats are found to use these structures DEFRA will need to be contacted. All species of bat in Britain are protected under UK and European legislation (Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c.) Regulations 1994. It is illegal to kill, injure or disturb bats, obstruct access to bat roosts or damage or disturb bat roosts. Under the law, a roost is any structure or place used by bats for shelter or protection. Because bats tend to re-use the same roosts year after year, the roost is protected whether or not bats are present at the time.

The proposal is considered acceptable having regard to all materials planning considerations including National Planning Policy and Guidance, and policies and proposals of the Development Plan set of below:

Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)

National Planning Policy Framework

- Section 7 – Requiring good design

The design is of an acceptable standard which would not adversely affect the character of the area nor the amenity of nearby residents.

There are no other material considerations which outweigh these findings.

This decision is based on the following plan(s):-

Plan Type	Reference	Version	Date Received
Location Plan	SS/01		05.03.13
Existing and Proposed Floor Plans and Elevations	SS/02	A	25.04.13

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 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 Leeds City Region Development Management Pledge and otherwise actively engaged with the applicant in dealing with the application.

Building Regulations

- 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. Please contact Kirklees Building Control on 01484 221550 or via e-mail to building.control@kirklees.gov.uk, alternatively visit www.kirklees.gov.uk/pbc for more information.

Site Notice

- The application has been publicised by notice(s) in the vicinity of the site. Please would you now remove the notice(s) and responsibly dispose of to avoid harm to the appearance of the local area.

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. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.

Amendment(s) to Approved Plans

- This permission relates to the plans and documents listed on this decision notice. Should the proposal change significantly, a new application will be required.

- If however the change proposed is small, such as an altered window or door, you can apply for the change to be considered as a non-material amendment. The forms and supporting guidance for non material amendments are available online at the Planning Portal's website at www.planningportal.gov.uk, alternatively the forms can also be found at www.kirklees.gov.uk/planning.

Highways Structures

- It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section

for works near or abutting highway and any retaining structures. Contact the Kirklees Highways Structures Section on 0800 731 8765 or via e-mail to highways.ross@kirklees.gov.uk who can advise further on this matter.

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 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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.

- As this is a decision for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.

- 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 the local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

- Planning Appeals can be made online at www.planningportal.gov.uk/pcs or in writing on a form that must be obtained the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website www.planning-inspectorate.gov.uk.

- 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 the owner 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 the owner's interest in the land
in accordance with the provisions of Chapter I 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 fill in the online form www.kirklees.gov.uk/PlanningApplication so that we can work on continually improving our customer service. Thank you.

Dated: 26-Apr-2013

Signed: J. Gedman

Jacqui Gedman
Director of 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 planning applications and decisions' and by searching for application number 2013/62/90741/E.

If a paper copy of the decision notice or decided plans are required please email 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

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