

## **Planning Application Decision Notice**

**To:** J Firth  
Cuttlehurst Villa  
2, Cuttlehurst  
Scissett  
Huddersfield  
HD8 9LF

**For:** J Firth

### **Town and Country Planning Act 1990**

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

### **REFUSAL OF PERMISSION FOR DEVELOPMENT**

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**Application Number: 2013/62/90949/E**

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**In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby refuses to permit:-**

ERECTION OF LOG CABIN TO REAR TO BE USED AS GRANNY FLAT

**At:** CUTTLEHURST VILLA, 2, CUTTLEHURST, SCISSETT, HUDDERSFIELD, HD8 9LF

**In accordance with the plan(s) and applications submitted to the Council on 25-Mar-2013, except as amended or specified, details of which can be found in the table below. The reasons for the Council's decision to refuse permission for the development are:**

1. By virtue of its design and proximity to an existing outbuilding, the proposal would amount to overdevelopment of the site and have a detrimental impact on visual amenity, contrary to Policies BE1 and BE2 of the Unitary Development Plan.
2. The erection of a new building in the Green Belt is inappropriate development by definition. The erection of this building would also form a disproportionate addition to the development which has already taken place within the curtilage of the site. The development would thus detract from the openness of the Green Belt, contrary to guidance contained within Part 9 of the National Planning Policy Framework and no very special circumstances have been demonstrated that would outweigh the harm to the Green Belt by reason of its inappropriateness.

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

Plan Type	Reference	Version	Date Received
Site Location Plan			25.03.13
Block Plan			25.03.13
Proposed Elevations/Section	RPF 13/1		25.03.13
Proposed layout	RPF 13/2		25.03.13

### 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](http://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](http://www.groundstability.com)

### 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.

### 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 your 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](http://www.planningportal.gov.uk/pcs) or in writing on a form that must be obtained from 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 Inspectorate's website [www.planning-inspectorate.gov.uk](http://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.

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](http://www.kirklees.gov.uk/PlanningApplication) so that we can work on continually improving our customer service. Thank you.

**Dated:** 20-May-2013

**Signed:** 

**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](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 2013/62/90949/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  
Strategic Investment Service  
PO Box B93  
Civic Centre III  
Off Market Street  
Huddersfield  
HD1 2JR

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