



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2013/62/93489/W

To: Richard Langley,
Langley Architectural
3 Richmond House
Caldene Business Park
Burnley Road
Mytholmroyd
HX7 5QJ

For: MR & MRS M GEORGE

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:-

ALTERATIONS TO CONVERT EXISTING OUTBUILDING TO DWELLING
INCLUDING FORMATION OF NEW ACCESS

At: 17, JAGGER LANE, KIRKHEATON, HUDDERSFIELD, HD5 0QZ

**In accordance with the plan(s) and applications submitted to the Council on
31-Oct-2013, 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 51 of the Planning and Compulsory Purchase Act 2004.

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 BE13 and BE14 of the Kirklees Unitary Development Plan.

3. Notwithstanding the approved plans, the domestic curtilage to the dwelling house hereby approved, shall be limited to the area outlined in red on the "Location Plan 1:500" as set out on the submitted plan entitled, "Conversion To Dwelling Proposed Details" Drawing Ref 1284-13-002 Revision B, as submitted on 31 October 2013.

Reason: In the interests of protecting the openness, character and visual amenity of the Green Belt and to accord with the National Planning Policy Framework.

4. 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) no development included within Classes A, B and 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 interests of the protection of the openness and character of the Green Belt and to accord with Policy 12A of the Kirklees Unitary Development Plan and Policies set out in Chapter 9 of the National Planning Policy Framework.

5. Development of any area to be used by vehicles and/or pedestrians shall not commence until the areas to be used by vehicles and/or pedestrians have been surfaced and drained in accordance with details that have submitted to and approved in writing by the Local Planning Authority. The dwellinghouse shall not be occupied until such approved works have been carried out. The approved works shall be retained for the lifetime of the development.

Reason: In the interests of amenity and traffic safety, and the character and appearance of the Green Belt. To ensure adequate space within the site for vehicle movements and parking and in accordance with Kirklees Unitary Development Plan Policy T10 and Policies in Chapter 9 of the National Planning Policy Framework.

6. Notwithstanding the submitted plans and information, one new bat box shall be erected at the top of the south east facing gable of the hereby approved dwelling before the dwelling is first occupied. The bat box shall be of the Schweglar 1 FQ or similar, and shall be retained throughout the lifetime of the development.

Reason: To ensure compliance with the Wildlife & Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 and, compliance with the National Planning Policy Framework.

7. The dwelling shall not be occupied until a scheme detailing the boundary treatment of all the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the works comprising the approved scheme have been completed and thereafter retained for the lifetime of the development.

Reason: In the interests of visual amenity, openness of the green belt, provision of acceptable visibility splays along Jagger Lane and protection of privacy for the occupiers of 17 Jagger Lane and to accord with Policies T10, BE2 & BE12 of the Kirklees Unitary Development Plan and Policies set out in Chapter 7 & 9 of the National Planning Policy Framework.

8. Below ground drainage ducts and service entry points shall be sealed where they enter the building.

Reason: So as to protect the development from any potential landfill gas hazard and to accord with Policy G6 of the Kirklees Unitary Development Plan and Policies in the National Planning Policy Framework.

9. Cavities adjacent to or below ground level and trenches serving the items referred to in condition 8 shall be ventilated.

Reason: So as to protect the development from any potential landfill gas hazard and to accord with Policy G6 of the Kirklees Unitary Development Plan and Policies in the National Planning Policy Framework.

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	1284-13-001	-	31/10/2013
Proposed Plans and Elevations	1284-13-002 Revision B	-	31/10/2013
Design and Access Statement	-	-	31/10/2013

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 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 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 Highways Structures Section on Tel No: (01484) 225397 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

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 Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- 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 fill in the online form

www.kirklees.gov.uk/business/PlanningApplication/planning_application_feedback.asp so that we can work on continually improving our customer service. Thank you.

Dated: 24-Dec-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, and by clicking on the 'search planning applications and decisions' and by searching for application number 2013/62/93489/W.

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
