



Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England) Order
2015**

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2016/62/90153/W

To: Tim Hemingway,
Wake Architects Ltd
1, Dunford Road
Holmfirth
HD9 2DP

For: D HEYWOOD

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 DETACHED DWELLING

At: REAR OF 330, LEYMOOR ROAD, GOLCAR, HUDDERSFIELD, HD7 4QL

In accordance with the plan(s) and applications submitted to the Council on 21-Jan-2016, subject to the condition(s) specified hereunder:-

1. The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.

Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Order 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: 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 T10 of the Kirklees Unitary Development Plan as well as the aims of the National Planning Policy Framework.

3. The hereby approved dwelling shall be externally faced in natural coursed stone "Woodkirk" and natural blue roofing slate as stated in the submitted design and access statement.

Reason: In the interests of visual amenity and to accord with Policies D2, BE1 and BE2 of the Kirklees Unitary Development Plan.

4. Prior to the development being brought into use, the approved vehicle parking areas and area adjacent to the west boundary, following demolition of the existing boundary wall as shown on drawing no. (PL2) 02 Rev D 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on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained. 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) the parking areas shall be so retained, free of obstructions and available for access, parking and turning.

Reason: In the interests of sustainable urban drainage and to accord with the National Planning Policy Framework: Meeting the challenge of climate change, flooding and coastal change.

5. The hereby approved dwelling shall only be occupied on completion of the submitted drainage proposals as shown on drawing no. 1114-900 Rev P4 and supporting technical information BV- EW-D-02. The works comprising the approved scheme shall thereafter be maintained and managed in accordance with the manufacturers details at all times.

Reason: In the interests of sustainable drainage and to accord with the National Planning Policy Framework: Meeting the challenge of climate change, flooding and coastal change.

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 sustainable drainage and to accord with the National Planning Policy Framework: Meeting the challenge of climate change, flooding and coastal change.

7. There shall be no new buildings, structures or raised ground levels within 3 metres either side of the centre line of ordinary watercourses within or along the boundary of the site.

Reason: In the interests of sustainable drainage and to accord with the National Planning Policy Framework: Meeting the challenge of climate change, flooding and coastal change.

8. 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 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no buildings or extensions shall be erected in the area of land outlined in red on the approved plans without the prior written approval of the Local Planning Authority.

Reason: To ensure that unsatisfactory extensions do not result in close overlooking of adjoining property and to accord with Policies D2 and BE1 of the Kirklees Unitary Development Plan

9. 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 doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created in the elevations of the dwelling hereby approved.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy D2 of the Unitary Development Plan.

NOTE: Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Design & Access statement			
Existing site plan, elevation and location plan	(PL2) 01	A	21 st Jan 2016
Proposed site plan and floor plans	(PL2) 02	D	21 st Jan 2016
Proposed elevations and perspectives	(PL2) 03	D	21 st Jan 2016
Drainage proposals	1114-900 Rev P4		17 th March 2016
Technical drainage details	BV- EW-D-02		17 th March 2016

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 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. In this instance other than the request for drainage proposals no negotiations were considered necessary as the submissions with the application are acceptable.

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. 01484-225397 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. Alternatively the forms and supporting guidance for submitting an application can be found online at 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.

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://acp.planninginspectorate.gov.uk> . 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 so that we can work on continually improving our customer service. Thank you.

Dated: 23-Mar-2016

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 2016/62/90153/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
