Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2016/62/93616/W

To: Sarah Greenwood,
Farrar Bamforth Associates
51, Trinity Street
Huddersfield
HD1 4DN

For: V BAINS

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 EXTENSIONS AND ALTERATIONS TO EXISTING COACH HOUSE TO FORM ANNEXE ACCOMMODATION ASSOCIATED WITH COACHWAYS, 1A DINGLEY ROAD, EDGERTON, HUDDERSFIELD, HD3 3AY AND PARTIAL DEMOLITION OF EXISTING BUNGALOW WITH RE-BUILD TO FORM 2 STOREY DWELLING (WITHIN A CONSERVATION AREA)

At: COACHWAYS, 1A DINGLEY ROAD, EDGERTON, HUDDERSFIELD, HD3 3AY

In accordance with the plan(s) and applications submitted to the Council on 06-Dec-2016, 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 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, BE13 and BE14 of the Kirklees Unitary Development Plan.

3. The dwelling hereby approved and as shown on drawing no. 13/D62/03 Rev A shall be faced in coursed natural stone. A sample of the coursed natural stone shall be submitted to and approved in writing by the Local Planning Authority before development commences. The dwelling shall then be faced in the approved material.
Reason: In the interests of visual amenity to ensure the development compliments surrounding development and the Edgerton Conservation Area and in accordance with Policies D2, BE1, BE2, BE5 and BE11 of the Kirklees Unitary Development Plan and Policies in Chapters 7 and 12 of the National Planning Policy Framework.

4. A sample of the roofing material to be used in the construction of the hereby approved dwelling and as shown on drawing no. 13/D62/03 Rev A shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then be completed using the approved material.
Reason: In the interests of visual amenity to ensure the development compliments surrounding development and the Edgerton Conservation Area and in accordance with Policies D2, BE1, BE2 and BE5 of the Kirklees Unitary Development Plan and Policies in Chapters 7 and 12 of the National Planning Policy Framework.

5. The extensions to the annex accommodation hereby approved and as set out on drawing no. 11/D07/03 Rev B shall be constructed in natural stone and with natural slate roof tiles to match that used on the existing building in terms of type, colour, texture and scale.
Reason: In the interests of visual amenity to ensure the development compliments surrounding development and the Edgerton Conservation Area and in accordance with Policies D2, BE1, BE2 and BE5 of the Kirklees Unitary Development Plan and Policies in Chapters 7 and 12 of the National Planning Policy Framework.

6. The development shall not be brought into use until all private areas indicated to be used for access and parking on the approved block plan drawing no. 13/D62/01 has been laid out with a hardened and drained surface 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 any successor guidance; 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 with or without amendment) this shall be so retained, free of obstructions and available for the uses specified on the submitted/listed plans for the lifetime of the development.
Reason: In the interests of amenity, traffic safety and to ensure adequate space within the site for vehicle movements and parking, to avoid potential flood risk and in accordance with Kirklees Unitary Development Plan Policy T10 .

7. All new window frames installed shall be timber and be set back in the reveal by 78-100mm and they shall not be mounted flush with the external face of the wall. The windows frames shall be retained as such thereafter.
Reason: In the interests of visual amenity and to ensure the development compliments surrounding development and the Edgerton Conservation Area and to comply with policies BE1, BE2, BE13 and BE5 of the Kirklees Unitary Development Plan and Chapter 7 and 12 of the National Planning Policy Framework.

8. All external joinery shall be treated with a painted finish after first installation and be retained as such thereafter.
Reason: In the interests of visual amenity and to ensure the development compliments surrounding development and the Edgerton Conservation Area and to comply with policies BE1, BE2, BE13 and BE5 of the Kirklees Unitary Development Plan and Chapter 7 and 12 of the National Planning Policy Framework.

9. All external doors shall be constructed of timber and have a 4 panel design.
Reason: In the interests of visual amenity and to ensure the development compliments surrounding development and the Edgerton Conservation Area and to comply with policies BE1, BE2, BE13 and BE5 of the Kirklees Unitary Development Plan and Chapter 7 and 12 of the National Planning Policy Framework.

10. Any new gutters fitted shall be of timber construction and of an ogee profile and painted black. The gutters shall not be fixed to a timber fascia and shall be retained as such thereafter.
Reason: In the interests of visual amenity and to ensure the development compliments surrounding development and the Edgerton Conservation Area and to comply with policies BE1, BE2, BE13 and BE5 of the Kirklees Unitary Development Plan and Chapter 7 and 12 of the National Planning Policy Framework.

11. All new rainwater pipes shall be painted black.
Reason: In the interests of visual amenity and to ensure the development compliments surrounding development and the Edgerton Conservation Area and to comply with policies BE1, BE2, BE13 and BE5 of the Kirklees Unitary Development Plan and Chapter 7 and 12 of the National Planning Policy Framework.

12. Any pointing shall be carried out within the confines of the joint and shall be recessed. Weatherstruck, strap or ribbon pointing shall not be used and the pointing shall be retained as such thereafter.
Reason: In the interests of visual amenity and to ensure the development compliments surrounding development and the Edgerton Conservation Area and to comply with policies BE1, BE2, BE13 and BE5 of the Kirklees Unitary Development Plan and Chapter 7 and 12 of the National Planning Policy Framework.

13. The roof lights hereby approved shall be fitted with obscure glazing on first installation and be retained as such thereafter.
Reason: So as not to detract from the amenities of the adjoining property (by reason of loss of privacy and to accord with policies BE1 and BE14 of the Kirklees Unitary Development Plan.

14. The two parking spaces as shown on drawing no. 11/D07/03 Rev B shall be provided surfaced and drained before the development is first commenced and be retained as such thereafter.
Reason: In the interests of highway safety and to ensure there is sufficient provision of off street parking at the property and to accord with policy T10 of the Kirklees Unitary Development Plan.

15. The annex accommodation hereby approved and as set out on drawing no. 11/D07/03 Rev B shall be used solely as ancillary accommodation for no. 1a Dingley Road and for no other use. The accommodation shall at no time be used as an independent dwelling.
Reason: For the avoidance of doubt and in the interests of highway safety and to accord with policy T10 of the Kirklees Unitary Development Plan.

16. 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 expressly authorised by this permission shall be constructed in the external walls or roof of the coach house at any time without the prior written approval of the Local Planning Authority.
Reason: So as not to detract from the amenities of the adjoining property (by reason of loss of privacy and to accord with policies BE1 and BE14 of the Kirklees Unitary Development Plan.

NOTE: The responsibility for securing a safe development rests with the developer and/or landowner. It is advised where a site could be affected by land stability issues this be taken into account and dealt with appropriately by the developer and/or landowner

NOTE: The granting of planning permission does not override any private ownership rights or legal covenants that apply to the land forming part of this planning application.

NOTE: The Council's Environment Officer has commented that a bat roost may be present on site. 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.

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 Sundays or Public Holidays
In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

Plan Type	Reference	Version	Date Received
Plans- Location Plan	-	-	27/10/2016
Plans- Existing Grouped Plans & Elevations	11/D07/02	A	27/10/2016
Plans- Proposed Grouped Plans & Elevations	11/D07/03	B	27/10/2016
Plans- Site Layout	13/D62/01	C	27/10/2016
Plans- Existing Grouped Plans & Elevations	13/D62/02	-	27/10/2016
Plans- Proposed Grouped Plans & Elevations	13/D62/03	A	27/10/2016

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 Planning 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. The Agent was contacted in regards to submitting the incorrect Certificate, in which Certificate B was signed. The submission was considered to be 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. 01484-221000 Ext 74199 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.**

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 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:
www.**gov.uk/government/organisations/the-coal-authority**

Property specific summary information on past, current and future coal mining activity can be obtained from: 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 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: 30-Jan-2017

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 2016/62/93616/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