



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2017/70/91588/W

To: D Blakey
142, Wessenden Head Road
Meltham
Holmfirth
HD9 4HR

For: D Blakey

**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:-**

VARIATION OF CONDITION 8 (GARAGE USE) ON PREVIOUS PERMISSION
2002/92481 FOR ERECTION OF DETACHED DOUBLE GARAGE

At: 142, WESSENDEN HEAD ROAD, MELTHAM, HOLMFIRTH, HD9 4HR

**In accordance with the plan(s) and applications submitted to the Council on
09-May-2017 [together with those plans and application(s) submitted to the
Council on 18-Jul-2002 and incorporated into planning permission ref no.
2002/62/92481/W granted on 02-Sep-2002] and subject to the condition(s)
specified hereunder:-**

1. The areas to be used for the external parking of vehicles as shown on drawing
02-052-02 Rev A shall be retained and kept clear of all obstructions to their use for the
parking of vehicles.

Reason: So as to ensure that adequate space is retained within the site for the parking
of motor vehicles in the interests of highway and to accord with the aims of Policies T10
and T19 of the Kirklees Unitary Development Plan.

2. The garage shall be used for: (i) the garaging of private motor vehicles or for uses ancillary to the enjoyment of the dwellinghouse as such; (ii) as an office and workshop solely by a permanent resident of 142 Wessenden Head Road; and for no other purposes.

Reason: So as not to detract from the amenities of nearby properties arising from noise disturbance or uses inappropriate within a residential area, to ensure that the use of the garage does not give rise to highway safety problems by intensifying the use of a sub-standard access track, and to accord with Policy D2 and T10 of the Kirklees Unitary Development Plan.

3. Notwithstanding the provisions of Section 55(2)(a)(ii) of the Town and Country Planning Act 1990 there shall be no use of power tools within the garage outside the hours of 9am to 6pm Mon-Fri and 9am to 4pm Saturdays, with no working on Sundays.

Reason: So as not to detract from the amenities of nearby properties arising from noise disturbance at unsocial hours, and to accord with the aims of Policies D2 and EP4 of the Kirklees Unitary Development Plan and Chapter 11 of the National Planning Policy Framework.

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 Telephone: (01484) 221550 for more information.

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.

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

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 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.
- If an enforcement notice is served or has been 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:
 - i) 28 days from the date of this notice where the enforcement notice has been served,
 - ii) 28 days of the date of service of the enforcement notice or,
 - iii) the specified period starting from 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://www.gov.uk/planning-inspectorate>. 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: 04-Jul-2017

Signed:



Naz Parkar
Strategic Director Economy and Infrastructure

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 and view existing planning applications and decisions' and by searching for application number 2017/70/91588/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
