



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2017/70/92557/W

To: Jonathan Ainley,
Savills UK Ltd
12, Booth Street
Manchester
M2 4AW

For: Jones Homes (Yorkshire) Limited

**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 CONDITION 1 (PLANS) ON PREVIOUS PERMISSION 2016/93365
FOR RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE
PERMISSION 2014/91533 FOR ERECTION OF 30 DWELLINGS

At: LAND OFF, ST MARY'S AVENUE, NETHERTHONG, HOLMFIRTH, HD9 3XN

**In accordance with the plan(s) and applications submitted to the Council on
20-Jul-2017 [together with those plans and application(s) submitted to the Council
on 04-Oct-2016 and incorporated into planning permission ref no.
2016/61/93365/W granted on 17-Feb-2017] and subject to the condition(s)
specified hereunder:-**

1. 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 BE1, BE2, BE5 and T10 of the Kirklees Unitary Development Plan and guidance in the National Planning Policy Framework.

2. The development shall be carried out in accordance with proposed site plans 16-029 PL02 Rev T and 16-029 PL03 Rev E and drawing number 16-029 PL12 Rev J (Proposed Street Scenes) with the exception of plot 30 which shall be carried out in accordance with drawing numbers NOR-1167-PLAN30 Rev A and NOR-1167-PLAN1630 Rev A.

Reason: In the interests of clarity and for the avoidance of doubt as to what is being permitted because the site plan and street scene drawings have not been updated to reflect the revision to plot 30 as indicated on drawing number NOR-1167-PLAN1630 Rev A and NOR-1167-PLAN30 Rev A. This is to accord with Policies BE1, BE2 and BE12 of the Kirklees Unitary Development Plan and guidance in the National Planning Policy Framework.

3. The tree, shrub and hedge planting forming part of the landscaping details hereby approved shall comprise native species of plants and shall be retained as such.

Reason: To enhance the biodiversity of the development and to accord with guidance in the National Planning Policy Framework.

4. The hedge planting in front of existing stone wall to the southern boundary of plots 23, 24 and 29, as indicated on approved drawing number JHY/1167/202 Rev B, shall be provided at a minimum height of 1.7 metres before any of these plots are first occupied. A screen hedge of at least 1.7m in height shall be provided along this boundary thereafter.

Reason: In the interests of the amenity of adjacent residential properties and to accord with guidance in the National Planning Policy Framework (Core planning principles).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Design & Access Statement	16-029 / 4.01 / 08.16	Rev B	4/10/16
Planning Statement	Prepared by Savills Sept 2016	-	4/10/16
Topographical Survey	sut4818091	-	7/2/17
Proposed Site Plan	16-029 PL02	Rev T	20/7/17
Proposed Site Plan (colour)	16-029 PL03	Rev E	20/7/17
Location Plan & Plot 16 & 30 Layout as Proposed	NOR-1167-PLAN1630	Rev A	14/9/17
Plot 30 Plans & Elevations (Northwood house type with double garage & conservatory)	NOR-1167-PLAN30	Rev A	14/9/17
Proposed Boundary Treatment Plan	JHY/1167/202	Rev B	18/1/17
Banbury House Type	16-029 / PL04	Rev A	20/7/17
Langley House Type	16-029 / PL05	-	4/10/16
Davenham House Type	16-029 / PL06	-	4/10/16
Northwood House Type	16-029 / PL07	-	4/10/16
Styal House Type	16-029 / PL08	-	4/10/16
Sutton House Type	16-029 / PL09	Rev A	4/10/16
Stratton House Type	16-029 / PL10	-	4/10/16
Thornton House Type	16-029 PL11	Rev A	12/12/16
Proposed Street Scenes	16-029 / PL12	Rev J	20/7/17
Garage Details	16-029 / PL14	-	4/10/16

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. Negotiations were undertaken to amend the garage of plot 30 in order to mitigate the impact on an adjacent property.

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: 19-Oct-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 2017/70/92557/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
