



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2017/70/94353/W

To: Hamish Gledhill,
Acumen Designers and Architects
Headrow House
Old Leeds Road
Huddersfield
HD1 1SG

For: S Dyson

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 (VEHICLE ACCESS AND PARKING AREAS) ON PREVIOUS PERMISSION 2017/91244 FOR VARIATION OF CONDITION 2 (PLANS) ON PREVIOUS PERMISSION 2015/94062 FOR ERECTION OF ONE DETACHED DWELLING

At: HOLMLEA, 80, LONG LANE, HONLEY, HOLMFIRTH, HD9 6EB

In accordance with the plan(s) and applications submitted to the Council on 22-Dec-2017 [together with those plans and application(s) submitted to the Council on 06-Apr-2017 and incorporated into planning permission ref no. 2017/70/91244/W granted on 13-Jul-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 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 and BE2 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

2. The dwelling hereby approved shall be faced in regular coursed natural stone for the proposed walls and interlocking concrete roof tiles, in accordance with the submitted details as shown on drawing no. 2408 – 08 rev E, pursuant to application no. 2017/91244.

Reason: In the interests of visual amenity and to accord with Policies BE1 (ii), BE2(i), and BE11(i) of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan as well as the aims of chapters 6 and 7 of the National Planning Policy Framework.

3. 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 modification) no development included within Classes A, B, C, or 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: So as not to detract from the amenities of adjoining properties by reason of loss of privacy and to avoid prejudicing the visual amenity of the area and to accord with Policies D2(v, vii &vii) and BE12 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order) any gates or barriers for or over the vehicular access or egress into the site shall be of a sliding nature as shown on the revised site drawing no. 2408 -08 Rev E, pursuant to application no. 2017/91244 so as to slide back adjacent to the boundary wall and not open inwards/outwards into the site or access track. So long as such gates or barriers are in position they shall be retained to be of a sliding nature only.

Reason: In the interests of highway safety and to ensure adequate turning and parking provision is retained and to accord with Policy T10 of the Kirklees Unitary Development Plan and Policy PLP21 of the Kirklees Publication Draft Local Plan.

5. Notwithstanding the submitted details, pursuant to application no. 2017/91244 and prior to 1st October 2018, close-boarded fencing of 2 metres in height, from finished ground levels within the site, shall be constructed along the whole of the northwest, northeast and southwest boundaries. 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 fencing shall thereafter be retained and when necessary replaced for like for like.

Reason: In the interests of residential amenity and in accordance with Policies D2 (v & vii) and BE12 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

6. Prior to 1st October 2018, the openings in the rear elevation at first floor level to serve the en-suite and bathroom shall be obscurely glazed (minimum grade 4). Thereafter notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 (or anything revoking or re-enacting that Act with or without modification) the obscure glazing shall be retained

Reason: So as not to detract from the privacy of the adjoining residential development and to accord with Policies D2 (v) and BE12 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

7. 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 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings other than those expressly authorised by this permission, shall be constructed in the external walls or roof of the dwelling approved at any time without the prior written approval of the Local Planning Authority.

Reason: So as to protect the residential amenity of neighbouring occupants from any loss of privacy and to accord with Policies D2(v) and BE12 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

8. Prior to 1st October 2018, all areas indicated to be used for vehicular access and parking on the approved plans shall have been laid out with a hardened and drained surface, in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 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 modification) this shall thereafter be so retained, free of obstructions and available for the use specified on the submitted plans.

Reason: Confirmation is received that occupation of the dwelling commenced at the beginning of April 2018. As such in accordance with the covering letter accompanying the application and in the interests of amenity and traffic safety, the works under this condition are required to be completed within six months from occupation of the dwelling to ensure adequate space is provided within the site for vehicle movements and parking, in accordance with Kirklees Unitary Development Plan Policy T10 and Policy PLP21 of the Kirklees Publication Draft Local Plan.

9. Prior to 1st October 2018, the underground dry riser and all associated equipment/works as shown on drawing no. 2408-08A, pursuant to application no. 2017/91244, shall be installed and be fully operational. The drainage proposals submitted pursuant to application no. 2017/91244 shall also have been completed in accordance with the following submitted details:

- Calculations for Storm Sewer dated 13th December 2016 by 'Micro Drainage'
- Drawing no. B21553-02 Drainage details
- Drawing no. B21553 -01 Drainage plan
- Letter dated 14 December 2016 from JNP Group Consulting Engineers,

Thereafter the above shall be retained in accordance with these approved details.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policy BE1 (iv), Policy PLP24 of the Kirklees Publication Draft Local Plan and part 10 of the National Planning Policy Framework.

10. Prior to 1st October 2018, the associated works to provide and form the new footway as shown on drawing no. 2408 – 105B titled "proposed footway details" pursuant to application no. 2017/91244, shall have been completed.

Reason: To ensure a suitable access and layout in the interests of highway safety and in accordance with Kirklees Unitary Development Plan Policy T10 and Policy PLP21 of the Publication Draft Local Plan.

11. The development shall be completed in accordance with the sections as shown on submitted drawing no 2408 – 08 Rev E, titled “site plan and site sections as proposed”, pursuant to application no. 2017/91244.

Reason: In the interest of visual and residential amenity and to accord with Policies BE1(i & ii) and BE2 (i & ii) of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, as well as the aims of chapters 6 and 7 of the National Planning Policy Framework.

NOTE: - Adoption under Section 38 of the Highways Act:

It is brought to the Applicants' notice that the Highway Development, Investment & Regeneration, Civic Centre 3, Market Street, Huddersfield HD1 2JR (Kirklees Street Care: 01484 221000 or 'Highways.Section38@kirklees.gov.uk') must be contacted to discuss road adoption arrangements under Section 38 of the Highways Act 1980

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: Please note that the granting of planning permission does not overrule private legal rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works as construction and maintenance may involve access to land outside your ownership.

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 13.00hours , 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, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 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.

NOTE: 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. 01484-225609 who can advise further on this matter

NOTE: Link to Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens' published 13th May 2009 (ISBN 9781409804864):
www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

Plans and specifications schedule:-

Plan	Reference	Date
Location, site plan and sections pursuant to application no. 2017/91244	2408 – 08 Rev E	12/07/17
Floor plans and elevations as proposed pursuant to application no. 2017/91244	2408 - 09	11/04/17
Proposed footway details pursuant to application no. 2017/91244	2408 – 105B	14/06/17
Calculations for Storm Sewer dated 13th December 2016 by 'Micro Drainage' pursuant to application no. 2017/91244		14/06/17
Drawing no. B21553-02 Drainage details pursuant to application no. 2017/91244		14/06/17
Drawing no. B21553 -01 Drainage plan pursuant to application no. 2017/91244		14/06/17
Letter dated 14 December 2016 from JNP Group Consulting Engineers pursuant to application no. 2017/91244		14/06/17
Fire brigade pumping inlet pipe and inlet arrangement pursuant to application no. 2017/91244	UK Standard -003	11/04/17
Application form		22/12/17
Confirmation of occupation of dwelling	Agents email dated 8th June 2018	08/06/18

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. Other than confirmation of occupation no other information was sought. The above conditions have been shared with and agreed by the agent.

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: 08-Jun-2018

Signed:



Karl Battersby
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 2017/70/94353/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
