



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2020/62/90182/W

To: Nick Charlton,
FCS Consultants
3, Dene Road
Skelmanthorpe
Huddersfield
HD8 9BU

For: Messrs Charlton & Armitage

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 TWO SEMI-DETACHED DWELLINGS AND OFF ROAD
PARKING

At: ADJ HIGH BEECHES, 585, MANCHESTER ROAD, LINTHWAITE,
HUDDERSFIELD, HD7 5QX

In accordance with the plan(s) and applications submitted to the Council on 20-Jan-2020, 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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

2. The hereby approved dwelling shall be faced in natural stone and artificial roof tiles. Prior to their use, details of all the walling and roofing external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.

Reason: In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. One bat box, in the form of a Schwegler type 1FR woodcrete bat box or similar, and one bird box, in the form of woodcrete or long-lasting nest box suitable for starlings or sparrows shall be installed on the exterior of the hereby approved dwellings before either dwelling is first occupied. The bat box shall be installed on a south facing wall and the bird box on a north facing wall. The boxes shall be sited 4 metres above the ground and not located above windows or doors. The boxes shall thereafter be retained.

Reason: In the interests of enhancing the biodiversity value of the site, in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework

4. Prior to the hereby approved development being brought into use, an electric vehicle recharging point shall be installed within the dedicated parking area of the approved dwelling. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point so installed shall thereafter be retained.

Reason: In the interest of supporting low emission vehicles, to accord with the guidance contained in Policies LP24 and LP51 of the Kirklees Local Plan and Chapters 9 and 15 of the National Planning Policy Framework.

5. Prior to the hereby approved residential unit being brought into use, a noise mitigation strategy outlining the measures to protect the future residential occupiers of the development from noise arising from road traffic and nearby commercial uses shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall include, but not be limited to;

- a) Determine the existing noise climate
- b) Predict the noise climate in bedrooms (night-time) and other habitable rooms of the development
- c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The residential unit development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: To mitigate against undue noise pollution, in the interest of residential amenity, in accordance with the aims and objectives of LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

6. Prior to the hereby approved development being brought into use, the bin areas as shown on plans ref. 'HBBP/2019/20 Rev. A' and 'HBBP/2019/21' shall be erected and made ready for use. Thereafter the bin areas shall be retained.

Reason: In the interest of visual amenity and the efficient use of the Highway, to comply with the aims and objectives of LP21 and LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

7. The development shall not be brought into use until all areas indicated to be used for access, parking and turning as shown on the approved plans have 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) this area shall be so retained, free of obstructions and available for access, parking and turning thereafter.

Reason: In the interests of highway safety and to achieve a satisfactory layout, in the interests of highway safety and efficiency, to comply with the aims of Policy LP21 of the Kirklees Local Plan.

8. The hereby approved development shall not be brought into use until sightlines of 2.4m x 70m have been provided from the access in both directions and these shall be kept free of any obstruction to visibility exceeding 1.0m in height thereafter.

Reason: To ensure adequate visibility at the access point, in the interests of highway safety and efficiency, to comply with the aims of Policy LP21 of the Kirklees Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A 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: In the interest of visual amenity and residential amenity, as further development of the site would result in an overdevelopment that would harm these material considerations, in accordance with the aims and objectives of LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Note: The granting of planning permission does not authorise the carrying out of works within the highway and the changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Note: The approved vehicle parking areas will need be surfaced and drained 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 (ISBN 9781409804864) as amended or superseded;

www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan			20.01.2020
Proposed Site Sections	14	Rev. A	20.02.2020
Proposed Floor Plans	18	Rev. A	20.02.2020
Proposed Elevations	19	Rev. A	20.02.2020
Proposed Block Plan	20	Rev. A	20.02.2020
Proposed Elevations	21		20.02.2020
Supporting Information	Design and Access Statement		20.01.2020
Supporting Information	Response to Planning Comments		20.02.2020

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.

Amendments were secured following officers expressing concerns over residential and visual amenity. Discussions took place regarding the condition for noise mitigation measures, which officers deemed to be reasonable and necessary.

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.

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://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: 16-Mar-2020

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 planning applications and decisions' and by searching for application number 2020/62/90182/W .

If a paper copy of the decision notice or decided plans are required please email dc.admin@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: dc.admin@kirklees.gov.uk

Write to: Planning Services
Investment and Regeneration
PO Box B93
Civic Centre III
Off Market Street
Huddersfield
HD1 2JR
