



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2020/70/91815/W

To: Tim Hemingway,
Wake Morley Architects
1, Dunford Road
Holmfirth
HD9 2DP

For: D Antich

**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 2. (PLANS AND SPECIFICATIONS) ON
PREVIOUS PERMISSION NO. 2015/91839 ERECTION OF ONE DETACHED
DWELLING AND DEMOLITION OF EXISTING DETACHED DWELLING AND
GARAGE WITH ASSOCIATED WORKS TO VEHICULAR ACCESS

At: 32, PARIS ROAD, SCHOLLS, HOLMFIRTH, HD9 1UA

**In accordance with the plan(s) and applications submitted to the Council on
16-Jun-2020 [together with those plans and application(s) submitted to the
Council on 10-Jul-2015 and incorporated into planning permission ref no.
2015/62/91839/W granted on 09-May-2016] 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 LP1, LP2, LP24, LP21 and LP22 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

2. The development shall be completed using natural stone and artificial blue slate, in accordance with the details submitted on 7th May 2021.

Reason: In the interests of visual amenity and to comply with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. 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 (with or without modification)) no buildings or structures included within Classes A, B, C and E of Part 1, Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site and in the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan.

4. Notwithstanding the provisions of Schedule 2, Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order (with or without modification)) no fences, walls, railings or similar such means of enclosure shall be erected or constructed within 5m of the south eastern site boundary (adjacent to Paris Road) and the north eastern site boundary (adjacent to Cherry Tree Walk) without the prior written consent of the Local Planning Authority, with the exception of the boundary treatment indicated on the approved site plan.

Reason: To prevent overdevelopment of the site and in the interests of visual and residential amenity and to accord with Policy LP24 of the Kirklees Local Plan.

5. One bat box, in the form of a Schwegler type 2FR bat box or similar, shall be installed on the exterior of the dwelling hereby approved before the dwelling is first occupied. The box shall be installed on the west elevation at least 4 metres above ground level and not located directly above windows or doors. The bat box so provided shall thereafter be retained.

Reason: To enhance the biodiversity of the development and to accord with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework.

6. One woodcrete sparrow terrace nest box shall be installed on the exterior of the dwelling hereby approved before the dwelling is first occupied. The box shall be installed on the north elevation at least 3 metres above ground level and not located directly above windows or doors. The nest box so provided shall thereafter be retained.

Reason: To enhance the biodiversity of the development and to accord with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework.

7. Prior to the development being brought into use the private parking area/driveway shall be surfaced and drained 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 superseded. 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 (with or without modification)) these areas shall be so retained, free of obstructions and available for access, parking and turning at all times.

Reason: To ensure adequate space within the site for vehicle movements and parking and to mitigate the impact of the development on flood risk and to accord with Policies LP21 and LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

8. An electric vehicle recharging point shall be installed within the dedicated parking area of the approved dwelling before the dwelling first occupied. 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: So as to promote infrastructure which encourages modes of transport with low impact on air quality as outlined within the Planning Practice Guidance, Policies LP24 and LP51 of the Kirklees Local Plan, Chapter 9 of the National Planning Policy Framework and the West Yorkshire Low Emissions Strategy.

9. The construction of the approved dwelling shall be carried out in accordance with the statement prepared by Wake Architects detailing the tree protection measures for the approved works (Rev A, dated 27th April 2016). The protective fencing shall remain in situ for the duration of the construction phase.

Reason: To protect a tree in the interests of visual and residential amenity and to accord with the requirements of Policies LP33 and LP24 of the Kirklees Unitary Development Plan.

10. The first floor bathroom window in the west elevation of the dwelling shall be first installed with obscure-glazing that achieves a minimum privacy level of 4. 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 (with or without modification)) the obscure-glazing shall thereafter be retained as such.

Reason: To prevent a loss of amenity for adjoining occupants of the site and to accord with Policy LP24 of the Kirklees Local Plan.

11. The development shall be constructed in accordance with the levels information as shown on the approved site plan. The development shall thereafter be retained as such.

Reason: In the interests of visual and residential amenity and to accord with Policies LP21 and LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

12. Details of the treatment of the south western boundary designed to screen the approved dwelling's ground floor windows from the adjacent land at no. 34 Paris Road approved under application no. 2018/93014 shall be erected before the dwelling is first occupied and thereafter retained.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan.

13. Details of the proposed hedge shown on plan references (PL) 03M, to include species, planting heights, number of plants/densities shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission. Thereafter the hedge shall be planted in accordance with these details in the first available planting season following commencement of the superstructure of the dwelling hereby approved. Any plants that die or become seriously damaged within five years of completion of the development shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

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: 0800 7318765) with regard to obtaining this permission and approval of the construction specification, this includes retaining structures. 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: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the demolition, 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: Link to Communities and Local Government; and Environment Agency's '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 Type	Reference	Version	Date Received
Existing Plans & Elevations	(PL) 01	-	10/7/15
Proposed Plans & Elevations	(PL) 02I	-	19th February 2021
Proposed Site Plan	(PL) 03M	-	10th May 2021
Street Scenes & Site Section	(PL) 04F	-	11th February 2021
3D Line Renders	(PL) 06F	-	11th February 2021
Materials	Email		7th May 2021
Bat Report	Prepared by SLR & dated May 2015 (424.05553.00001)	Rev 0	10/7/15
Tree Protection Measures	Prepared by Wake Architects, & dated 27/4/16	Rev A	27/4/16

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 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 reduce the impact of the retaining wall through the site which enabled the application to be considered to be acceptable and in accordance with local and national planning policy.

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: 12-May-2021

Signed:



David Shepherd
Strategic Director Growth and Regeneration

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 2020/70/91815/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
