



Planning and Development Service
Economy and Infrastructure
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Ian Dickinson,
iDprojects
5, Inkerman Court
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Date: 23-Dec-2020
Our Ref: 2020/93756

Dear Sir

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge conditions 3 and 4 on previous permission 2019/93676 for prior
notification for change of use from agricultural building to 3 dwellings and
associated operational development
Lenacre Farm, Lenacre Lane, Emley Moor, Huddersfield, HD8 9TW
Application Number: 2020/93756**

I write with reference to your application to discharge the conditions for the above
development as submitted on 05-Nov-2020.

Condition 3

The details of surface and foul water drainage as detailed on 'Drainage Plan as Proposed'
ref 429-A20 rev A are considered satisfactory for the purposes of Condition 3. The
applicant will need to secure appropriate Building Regulations approval, and furthermore
the works are likely to require a permit from the Environment Agency.

Condition 4

You have provided plan Ref 'Residential Curtilage and Boundary Plan as Proposed'
drawing reference 429-A19 rev B. The condition requires the proposed curtilage areas to
be in accordance with the definition of "curtilage" in Part X, Part 3 of Schedule 2 of the
Town and Country Planning (General Permitted Development)(England) Order 2015 (as
amended). This states: 'curtilage' means, for the purposes of Class Q, R or S only – a)
The piece of land, whether enclosed or unenclosed, immediately beside or around the
agricultural building, closely associated with and serving the purposes of the agricultural
building, or b) An area of land immediately beside or around the agricultural building no
larger than the land area occupied by the agricultural building.

Outbuilding 1 – The area of curtilage has been reduced in scale from that proposed in a previous application to discharge conditions (ref 2020/91937). It still extends however, beyond the existing red line boundary and agricultural curtilage, and is larger than the land area occupied by the existing agricultural building. Whilst this land could be secured as it is within the applicant's ownership, the proposal would not accord with the definition of "curtilage" in part X.

Outbuilding 2 – As above, whilst the proposed area of curtilage has also been reduced in scale it still extends beyond the existing red line boundary and agricultural curtilage and is larger than the land area occupied by the existing agricultural building. The proposal would not accord with the definition of "curtilage" in part X.

Barn Unit 3 – The proposal is to create an area of curtilage to the front of the building to be converted. The proposed curtilage area would be wholly within the red line boundary and its proposed location and size is considered appropriate.

In summary, condition 4 cannot be discharged, the proposed curtilage areas to serve 'Outbuilding 1' and 'Outbuilding 2' need to be further reduced in size to accord with the definition of "curtilage" as stated in Part X, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This may result in a relatively small curtilage area to serve the proposed converted buildings, however this reflects the extent of the existing agricultural curtilage and the parameters of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

This matter can be addressed as part of this application and a fresh application and fee are not required. Please can you submit revised boundary treatment details that accord with the above definition of 'curtilage' within 28 days of the date of this letter.

Yours faithfully

Mathias Franklin
Head of Planning and Development