



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2020/62/93986/W

To: Michael Owens,
Fibre Architects Ltd
Buckden Mount
8, Thornhill Road
Edgerton
Huddersfield
HD3 3AU

For: Domus Property Developments Ltd

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 DETACHED DWELLING WITH INTEGRAL GARAGE

At: SPRINGWOOD HOUSE, SHEFFIELD ROAD, NEW MILL, HOLMFIRTH, HD9
7EX

**In accordance with the plan(s) and applications submitted to the Council on
20-Nov-2020, subject to the condition(s) specified hereunder:-**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Order 2004.

2. 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 Policy LP24(a) of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

3. The walls of the dwelling hereby approved shall be faced in regular coursed natural stone and the roof shall be faced in slate. Before the superstructure of the dwelling commences, samples of facing and roofing materials shall be left on site for the approval in writing of the Local Planning Authority. The development shall thereafter be undertaken in accordance with the details so approved

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

4. The development shall not be brought into use until all areas indicated to be used for access, parking and turning for the approved dwelling have been laid out with a hardened and drained surface. Any new hard surfacing within the curtilage of the dwelling to be used by vehicles shall be formed 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) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) this shall be so retained, free of obstructions and available for access and parking thereafter.

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 LP22 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

5. The development shall not be brought into use until the boundary wall abutting Butterley Lane to either side of the existing access has been reduced in height to a maximum of 1 metre above the level of the adjacent carriageway for a distance of 15 metres. The boundary wall shall be retained at a maximum height of 1 metre thereafter. Within a strip of land 2.4 metres from the carriageway edge along the length of the reduced boundary wall (equating to 15 metres to either side of the approved access) no new fences, walls or other structures above 1 metre in height shall be erected at any time and there shall be no new or additional planting above 1 metre in height above the adjacent carriageway.

Reason: To ensure that adequate visibility is maintained at all times in the interests of highway safety, and to accord with the aims of Policy LP21 of the Kirklees Local Plan.

6. One no. 'bat brick' or bat box (in woodcrete or a similar durable weatherproof material) shall be installed on the exterior of the approved dwelling before it is first occupied. The box shall be provided on the southern elevation of the dwelling at least 5 metres above ground level close to the eaves. Thereafter the box shall be retained.

Reason: To enhance the biodiversity of the development and to accord with Chapter 15 of the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.

7. One no. woodcrete sparrow terrace nest box shall be installed on the north elevation of the approved dwelling before it is first occupied. The sparrow terrace shall be provided at least 3 metres above ground level and not above a door or window. Thereafter the sparrow terrace shall be retained.

Reason: To enhance the biodiversity of the development and to accord with Chapter 15 of the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.

8. 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 Part1, Schedule 2 to that Order shall be constructed or erected within the land edged red on the approved location plan without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the plot in the interests of visual amenity and to maintain the openness and character of the Green Belt and to accord with guidance in Chapter 13 of the National Planning Policy Framework and Policies LP24 and LP59 of the Kirklees Local Plan.

9. An electric vehicle recharging point shall be installed within the dedicated parking area/garage of the approved dwelling before the dwelling is 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: To accord with the guidance contained in Part 4 of the National Planning Policy Framework "Promoting sustainable transport", Policy LP24(d)(v) of the Kirklees Local Plan and to encourage low carbon forms of transport in accordance with Part 11 of the National Planning Policy Framework.

10. The 1.8m screen fence as indicated on the approved site plan (drawing AL0001 Rev B) shall be provided before the dwelling is first occupied. A screen fence of at least 1.8m in height shall thereafter be retained to this part of the boundary.

Reason: To ensure that the development does not lead to mutual overlooking with respect to the dwelling to the rear of the site in the interests of residential amenity and to accord with Policy LP24(b) of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

11. The first-floor window in the northern elevation of the dwelling (to the area indicated as "void" on the approved first-floor plan) shall be non-opening and shall be fitted with obscure glazing to give a level 5 degree of obscurity before the new dwelling is first occupied. 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) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), windows of this type shall be retained at all times.

Reason: To ensure that the development does not lead to mutual overlooking with respect to the dwelling to the rear of the site in the interests of residential amenity and to accord with Policy LP24(b) of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

Construction Site Working Times – Footnote

It is recommended that noisy construction related activities should not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00hours Saturdays

With no noisy activities on Sundays or Public Holidays

Construction Sites working times – Footnote

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists, or is likely to occur or recur. Failure to comply with a notices served using the above mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	EX0001	Rev A	23-Nov-2020
Site Plan as Existing	EX0002	-	23-Nov-2020
Site Plan as Proposed	AL0001	Rev B	23-Nov-2020
Floor Plans as Proposed	AL0010	Rev C	23-Nov-2020
Elevations & Sections as Proposed	AL0020	Rev B	23-Nov-2020
Tree Survey	11574/LP	-	23-Nov-2020
Design & Access Statement	Prepared by Fibre Architects		23-Nov-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 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. The case officer did not request any amended plans or additional information as these were not considered 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.

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 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: 18-Feb-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 planning applications and decisions' and by searching for application number 2020/62/93986/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
