



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2021/70/90090/E

To: Emma Winter,
Carter Jonas
Carter Jonas, Floor One, 9, Bond Court
Leeds
LS1 2JZ

For: Andrew Ratcliffe, Knight Key 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:-**

**VARIATION CONDITION 2 (PLANS) ON PREVIOUS PERMISSION 2017/91596
FOR CHANGE OF USE OF BARN TO 2 DWELLINGS, ERECTION OF REAR
EXTENSION TO EXISTING COTTAGE, DEMOLITION OF EXISTING CATTLE
SHED, ERECTION OF TRACTOR AND HAY STORE AND ALTERATIONS TO
LAYOUT**

At: EGYPT FARM, CLIFFE LANE, GOMERSAL, BD19 4EU

**In accordance with the plan(s) and applications submitted to the Council on 30-
Jan-2021 [together with those plans and application(s) submitted to the Council
on 09-May-2017 and incorporated into planning permission ref no. 2017/62/91596/E
granted on 18-July-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 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 Policies LP24 and LP57 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

2. Within 3 months of the date of this decision notice, an electric vehicle recharging point for each of the dwellings in the barn conversion hereby approved shall be installed. Cable and circuitry ratings shall ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. Thereafter the electric vehicle recharging point provided shall be retained.

Reason: In the interests of promoting modes of transport with ultra-low emissions and to accord with the aims of Policy LP51 and LP52 of the Kirklees Local Plan as well as the sustainability principles of the National Planning Policy Framework.

3. Within 6 months of the date of this decision notice, the parking shown on plan (20843)10 Rev C shall be provided. Any new vehicle parking areas 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; and thereafter retained.

Reason: In the interests of highway safety and to achieve a satisfactory layout and in the interests of sustainable drainage and to accord with Policies LP21 and LP22 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework.

4. Within 3 months of the date of this decision notice, the windows annotated as obscure glazed on plan (20843)10 Rev C shall be obscurely glazed and have a restricted opening of no more than 10cm and thereafter retained.

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

5. Within 3 months of the date of this decision notice, all unauthorised roof lights on the barn that are not detailed on approved plan (20843)10 Rev C shall be removed and roof to be restored to match the existing roof and retained thereafter.

Reason: To protect the amenity of the listed building and in the interests of the visual amenity of the barn, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 13 of the National Planning Policy Framework.

6. 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) no development included within Classes A, B, D, D and 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: To preserve the openness and rural character of the Green Belt as well as the visual amenity of the barn, in accordance with Policies LP24 and LP57 of the Kirklees Local Plan and Chapters 12 and 13 of the National Planning Policy Framework.

7. Notwithstanding the plans hereby approved, no windows or openings other than those shown on plan (20843)10 Rev C shall be provided in any elevation of the barn unless submitted to and approved in writing by the Local Planning Authority.

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

8. Within 3 months of the date of the decision notice, the provision of black pressed metal guttering to barn and in accordance with plan (20843)10 Rev C will be provided and retained thereafter.

Reason: In the interests of preserving the character of the barn and the setting of the adjacent listed building and to accord with Policy LP24 and LP35 of the Kirklees Local Plan as the aims of chapters 12 and 16 of the National Planning Policy Framework.

9. Notwithstanding the approved plans, within 3 months of the date of the decision notice, black pressed metal downpipes shall be provided to the barn conversion and retained thereafter.

Reason: In the interests of preserving the character of the barn and the setting of the adjacent listed building and to accord with Policy LP24 and LP35 of the Kirklees Local Plan as the aims of chapters 12 and 16 of the National Planning Policy Framework.

10. Within 3 months of the date of the decision notice, the doors and windows (excluding the roof lights) shown on the approved plan in the barn conversion (20843)10 Rev C shall be of timber with a painted finish and retained thereafter.

Reason: In the interests of preserving the character of the barn and the setting of the adjacent listed building and to accord with Policy LP24 and LP35 of the Kirklees Local Plan as the aims of chapters 12 and 16 of the National Planning Policy Framework.

11. The conservation style bar fitted to the roof lights as shown on plan (20843)10 Rev C is to be retained unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of preserving the character of the barn and the setting of the adjacent listed building and to accord with Policy LP24 and LP35 of the Kirklees Local Plan as the aims of chapters 12 and 16 of the National Planning Policy Framework.

12. The external facing wall and roofing materials shall match the existing external facing materials of the barn conversion in respect of visual appearance including size, design and colour.

Reason: In the interests of preserving the character and visual amenity of the barn and the setting of the adjacent listed building and to accord with Policy LP24 and LP35 of the Kirklees Local Plan as the aims of chapters 12 and 16 of the National Planning Policy Framework.

13. The bat box installed on the easter side gable shall be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proposal provides an ecological net gain for bat roosting and as to accord with LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Plans and Specifications Table:-

Grouped Plans and Elevations	(20843)10	Rev C	20/05/2021
Design and Access Statement	-	1	12/01/2021
Contaminated Land Report	Letter Report 181121 (Updated)	3	03/01/2023
Contaminated Land Report	Gas Report 1 - Business Development Device Report 21st Sep - 20th Oct	1	28/02/2022
Contaminated Land Report	Gas Report 2 - Business Development report 20th Oct - 1st Nov	1	28/02/2022

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 has, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Officers have engaged with the applicant and there have been various amendments made to this scheme relating to the red line boundary, the quantity of rooflights, privacy, the proposed garage, and parking, as well as the submission of contaminated land reports.

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

Digital Infrastructure: Fibre To The Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- Economic prosperity – workforces that are digitally-literate enables business to thrive.
- Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.
- New services – digital delivery can lower costs and provide innovative public and health services more conveniently.

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speedier installation at a later date.

To discuss the benefits that FTTP may have for your development, please contact Carl Tinson in Kirklees Council's Digital Team at carl.tinson@kirklees.gov.uk

Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost-effective provision of fibre infrastructure in the future.

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.

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/appeal-planning-decision>. 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: 04-Apr-2023

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 2021/70/90090/E.

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: Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
