



Enquiries to: Callum Harrison

Planning and Development Service
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Ryan Marshall,
WHP Telecoms Ltd
1a, Station Court
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Leeds
LS20 8EY

Our Ref: 2021/94296
Date: 05-Jan-2022

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 - APPLICATION NO:2021/N /94296/E
DEVELOPMENT: PRIOR NOTIFICATION FOR THE INSTALLATION OF A 16.0M
PHASE 8 MONOPOLE C/W WRAPROUND CABINET AT BASE AND ASSOCIATED
ANCILLARY WORKS (WITHIN A CONSERVATION AREA) LANE HEAD ROAD,
SHEPLEY, HUDDERSFIELD, HD8 8DB**

I refer to your submission of details relating to the above development received by the Council on the 12-Nov-2021.

The proposal is not acceptable to the Council, and notice is hereby given that the details submitted have been refused.

The reason for this is:

1. The proposed mast, by reason of its siting, size and appearance in regard to form and colour would be a visually intrusive and incongruous feature in the streetscape appearing wholly out of scale with the surrounding residential properties and failing to respect the character of the area. The siting, size and appearance would also fail to conserve or respect the character of the Shepley Conservation Area setting as required by Local Plan policy. The proposed development would therefore be contrary to Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning policy Framework.

2. The proposed mast, by reason of its siting, size and appearance would not ensure a good standard of amenity for neighbouring occupiers. The siting of a 16m mast in such a close proximity to the principal elevation of dwellings would appear overbearing and cause undue harm. To permit the development would be contrary to Kirklees Local Plan Policy LP24 with regard to the impact on the residential amenity of neighbouring occupiers.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Existing Elevations	150	1	12/11/2021
Existing Site / Block Layout	100	1	12/11/2021
Location Plan	001	1	12/11/2021
Proposed Elevations	260	1	12/11/2021
Proposed Site / Block Layout	210	1	12/11/2021
ICNIRP Certificate	KKS18557_ICNIRP	1	12/11/2021
Covering Letter	KKS18557 GDPO Covering Letter	1	12/11/2021
Covering Letter	KKS17095 Site Provider Letter	1	12/11/2021
General	KKS18557 NEW SITE 2020 England v7	1	12/11/2021
Supp Info KKS17095	KKS17095 Developers Notice England	1	12/11/2021

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. Given the proposal was a prior notification and the issues relate to the siting, there were no possible amendments what could be made to overcome the issues under the scope of this notification procedure.

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

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse details of the proposed development, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of issue of this notice. 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://acp.planninginspectorate.gov.uk>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that approval of details could not have been granted by the Local Planning Authority having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order.

Further correspondence regarding this application should bear the reference on this letter.

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.

Yours faithfully

Mathias Franklin
Head of Planning and Development