

The Planning Inspectorate

QUESTIONNAIRE (s78) HOUSEHOLDER APPEAL (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter.

Appeal Reference

APP/Z4718/D/22/3294603

Appeal By

MR BASHARET ALI

Site Address

33 Foster Avenue
HUDDERSFIELD
HD4 5LN

PART 1

- | | | | | |
|--|-----|-------------------------------------|----|-------------------------------------|
| 1. Do you agree that the Householder Appeals Service (HAS) written representation procedure is appropriate for this appeal? Please note there must be exceptional reasons for us to agree to a procedure other than HAS. | Yes | ☒ | No | ☐ |
| 2.a. Are there any appeals or matters relating to the same site still being considered by us or the Secretary of State? | Yes | ☐ | No | ☒ |
| 2.b. Are there any appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? | Yes | ☐ | No | ☒ |
| 3. Can the Inspector see the relevant parts of the appeal site from public land? | Yes | ☐ | No | ☒ |
| 4. Will the reasons for refusal/grounds of appeal require the Inspector to enter: | | | | |
| 4.a. the appeal site or property to judge the appeal proposal? | Yes | ☒ | No | ☐ |
| To gain access to rear of site, to assess proposal cumulatively. | | | | |
| 4.b. a neighbour's land or property to judge the appeal proposal? | Yes | ☐ | No | ☒ |
| 5. Are you aware of any specific health and safety issues, from your Officer's visits to the site or otherwise, which would need to be taken into account when the inspector visits the site? | Yes | ☐ | No | ☒ |
| 6.a. Is the site within a Conservation area? | Yes | ☐ | No | ☒ |
| 6.b. Is the site adjacent to a Conservation Area? | Yes | ☐ | No | ☒ |
| 6.c. Is the site within a green belt? | Yes | ☐ | No | ☒ |
| 6.d. Is the site in an Area of Outstanding Natural Beauty? | Yes | ☐ | No | ☒ |
| 7.a. Does the proposed development involve the demolition, alteration or extension of a listed building? | Yes | ☐ | No | ☒ |
| 7.b. Would the proposed development affect the setting of a listed building? | Yes | ☐ | No | ☒ |
| 8. Did you give publicity, as required, for the site being within a Conservation Area or affecting a listed building? | Yes | ☐ | No | ☒ |
| 9. Is any part of the site subject to a Tree Preservation Order? | Yes | ☐ | No | ☒ |

PART 2

Environmental Impact Assessment - Schedule 2

10.a.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes ☐ No ☒

Screening

10.c.i. Have you issued a Screening Opinion (SO)? Yes ☐ No ☒

Environmental Statement (ES)

10.d. Has the appellant supplied an environmental statement? Yes ☐ No ☒

Publicity

10.e. If applicable, please send a copy of the site notice and local advertisement published under Article 15 of the DMPO 2015, as required for EIA development with your case file. Applies ☐ N/A ☒

11.a. the development hereby permitted shall begin not later than three years from the date of this decision. Yes ☒ No ☐

11.b. the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building. Yes ☒ No ☐

11.c. the development hereby permitted shall be carried out in accordance with the approved plans. Yes ☒ No ☐

11.d. any other conditions you regard as necessary? Yes ☒ No ☐

Details of the condition(s) and reasons you regard the condition(s) as necessary are:

☒ the box below

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) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created at ground floor within the eastern facing side elevation of the two storey side extension hereby approved.

Reason: So as not to detract from the amenities of neighbouring properties by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

5. Prior to the development being brought into use, the sightlines of 2.4m x 43m along Foster Avenue shall be shown on a plan and presented to the local planning authority for written approval and afterward these visibility splays be cleared of all obstructions to visibility exceeding 0.9 m in height and these shall be retained free of any such obstruction throughout the lifetime of the development.

Reason: To ensure adequate visibility in the interests of highway safety, to accord with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

6. Before development commences, details of suitable storage, bin presentation points and access for collection of wastes from the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: In the interests of amenity and highway safety and to meet the requirements set out in Policy

PART 3

- 12.a.i. All the plans submitted with the application; ☒
- ☒ [see 'Questionnaire Documents' section](#)
- 12.a.ii. A list of the plans submitted with the application, stating each reference number and clearly indicating which of these plans was under consideration at the time the application was decided; ☒
- ☒ [see 'Questionnaire Documents' section](#)
- 12.b.i. A copy of the letter/site notice with which you notified interested parties about the householder planning application and a list of the addresses to which it was sent if applicable; ☒
- ☒ [see 'Questionnaire Documents' section](#)
- ☒ [see 'Questionnaire Documents' section](#)
- 12.b.ii. All representations received from interested parties about the application, including comments from internal and external consultees; ☒
- ☒ [see 'Questionnaire Documents' section](#)
- 12.c. A copy of the letter with which you notified people about the appeal and a list of the addresses to which it was sent; ☒
- ☒ [see 'Questionnaire Documents' section](#)
- ☒ [see 'Questionnaire Documents' section](#)
- 12.d. The Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes; ☒
- ☒ [see 'Questionnaire Documents' section](#)
- 12.e. Design and Access Statement (if submitted); ☐
- 12.f. Extracts from any statutory development plan policy (inc front page, title and date of approval/adoption and status); ☒
- ☒ [see 'Questionnaire Documents' section](#)
- ☒ [see 'Questionnaire Documents' section](#)
- 12.g. Extracts from relevant policies which have been saved by way of a direction; ☐
- 12.h. Extracts from any supplementary planning guidance that you consider necessary (and/or any supplementary planning guidance published under previous provisions still in place) together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when. In the case of emerging documents, please state what stage they have reached; ☒
- ☒ [see 'Questionnaire Documents' section](#)
- 12.i. Relevant planning history only (e.g. previous relevant permissions if appropriate), including a list of relevant documents taken into account when considering the application. ☒
- ☒ [see 'Questionnaire Documents' section](#)
- 12.j. If any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded; ☐
- 12.k. If any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to ☐

this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

12.l. Your Authority's CIL charging schedule is being/has been examined;

☐

12.m. Your Authority's CIL charging schedule has been adopted.

☐

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.



LPA's reference

2021/94494

Completed by

Ellie Worth

On behalf of

Kirklees Metropolitan Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Ellie Worth

Phone no (including dialling code)

01484 221000 ex76061

Email

ellie.worth@kirklees.gov.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/Z4718/D/22/3294603

Appeal By MR BASHARET ALI

Site Address
33 Foster Avenue
HUDDERSFIELD
HD4 5LN

The documents listed below were uploaded with this form:

Relates to Section: PART 3

Document Description: 12.a.i. All the plans submitted with the application

File name: location plan.pdf

File name: existing and proposed floor plans.pdf

File name: site plan and streetscene.pdf

File name: existing and proposed elevations.pdf

Relates to Section: PART 3

Document Description: 12.a.ii. A list of the plans submitted with the application, stating each reference number and clearly indicating which of these plans was under consideration at the time the application was decided

File name: List of plans.docx

Relates to Section: PART 3

Document Description: 12.b.i. A copy of the letter with which you notified interested parties about the householder planning application.

File name: copy of NNL.pdf

Relates to Section: PART 3

Document Description: 12.b.i. A list of the addresses of the people who were notified of the householder planning application.

File name: Neighbours notified 2021.94494.pdf

Relates to Section: PART 3

Document Description: 12.b.ii. All representations received from interested parties about the application.

File name: Interested parties 2021.94494.pdf

Relates to Section: PART 3

Document Description: 12.c. A copy of the letter with which you notified people about the appeal.

File name: CV-19 Appeal Letter (HAS)_470.docx

Relates to Section: PART 3

Document Description: 12.c. A list of the addresses of the people who were notified of the appeal.

File name: Neighbours notified 2021.94494.pdf

Relates to Section: PART 3

Document Description: 12.d. The Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes.

File name: Officer report.pdf

Relates to Section: PART 3

Document Description: 12.f. Extracts from any statutory development plan policy including the front

	page, title and date of approval/adoption and status.
File name:	KLP cover sheet and introduction.pdf
File name:	LP list.docx
Relates to Section:	PART 3
Document Description:	12.f. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status.
File name:	Policy LP22.docx
File name:	Policy LP1.docx
File name:	Policy LP2.docx
File name:	Policy LP24.docx
File name:	Policy LP21.docx
Relates to Section:	PART 3
Document Description:	12.h. Extracts from any supplementary planning guidance that you consider necessary (and/or any supplementary planning guidance published under previous provisions still in place) together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when. In the case of emerging documents, please state what stage they have reached.
File name:	house-extensions-alterations-spd.pdf
Relates to Section:	PART 3
Document Description:	12.i. Relevant planning history only (e.g. previous relevant permissions if appropriate), including a list of relevant documents taken into account when considering the application.
File name:	2020-92418 previous refusal.PDF
Completed by	Not Set
Date	29/03/2022 13:49:49
LPA	Kirklees Metropolitan Council