Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2021/62/94497/W

To: Steve West,
Corstorphine and Wright
5, Aldergate
Tamworth
B79 7DJ

For: ROB JAMES, ASSURA MEDICAL PROPERTIES 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:-

DEMOLITION OF EXISTING MEDICAL CENTRE AND ERECTION OF TWO STOREY MEDICAL CENTRE (CLASS E(E)) WITH ASSOCIATED LANDSCAPING AND CAR PARKING

At: 62, ACRE STREET, LINDLEY, HUDDERSFIELD, HD3 3DY

In accordance with the plan(s) and applications submitted to the Council on 30-Nov-2021, 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.

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 Policies LP1, LP2, LP3, LP7, LP20, LP21, LP22, LP24, LP27, LP28, LP30, LP33, LP35, LP43, LP47, LP49, LP51, LP52 and LP53 of the Kirklees Local Plan and Chapters 2, 4, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. Prior to the construction of the GP Practice building hereby approved above slab level, and notwithstanding the details of the materials specified in the submission, details of all the external facing materials of the walls and roof of the GP Practice building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the GP Practice building shall be carried out in accordance with the approved details and retained as such.
Reason: In the interest of the visual amenity of the area, to preserve the significance of the nearby Grade II listed buildings and to comply with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

4. Prior to the first occupation of the GP Practice building hereby approved, and notwithstanding the details of the solar pv panels displayed on the submitted drawings, full design details of the solar pv panels, including siting, specification, quantity, scale and projection beyond the roof plane, shall be submitted to and approved in writing by the Local Planning Authority. The solar pv panels approved shall be installed in accordance with the details hereby approved prior to the first occupation of the GP Practice building and retained as such.
Reason: In the interests of visual amenity, to preserve the significance of the nearby Grade II listed buildings, to mitigate the development's impact on climate change, and to accord with Policies LP24, LP35 and LP51 of the Kirklees Local Plan and Chapters 12, 14 and 16 of the National Planning Policy Framework.

5. Prior to the first occupation of the GP Practice building hereby approved, and notwithstanding the details of the cycle storage area displayed on the submitted drawings (including Drawing No. 1921-102 Revision P-01), full design details of the temporary and permanent cycle storage areas shall be submitted to and approved in writing by the Local Planning Authority, including elevations and materials. The approved temporary cycle storage area shall be installed in accordance with the details hereby approved prior to the first occupation of the GP Practice building and retained as such until the approved permanent cycle storage area is installed in accordance with the details hereby approved, which shall be within 1 year of the first occupation of the GP Practice building, and thereafter retained as such.
Reason: In the interests of visual amenity, to preserve the significance of the nearby Grade II listed buildings, to encourage low carbon forms of transport, and to accord with Policies LP20, LP24, LP35 and LP51 of the Kirklees Local Plan and Chapters 12, 14 and 16 of the National Planning Policy Framework.

6. Prior to the first occupation of the GP Practice building hereby approved, and notwithstanding the details of the bin storage area on the submitted plans (including Drawing No. 1921-102 Revision P-01), details of the temporary and permanent bin storage

and collection areas, including elevations, materials and confirmation of how clinical wastes are to be managed, shall be submitted to and approved in writing by the Local Planning Authority. The approved temporary bin storage and collection area(s) shall be installed in accordance with the details hereby approved prior to the first occupation of the GP Practice building and retained as such until the approved permanent bin storage and collection area(s) is installed in accordance with the details hereby approved, which shall be within 1 year of the first occupation of the GP Practice building, and thereafter retained as such.
Reason: In the interests of residential and visual amenity, in the interests of highway and pedestrian safety, to ensure that sufficient provision has been made for the storage of waste and to accord with Policies LP24, LP43 and LP52 of the Kirklees Local Plan and Chapters 9, 12 and 15 of the National Planning Policy Framework.

7. Prior to the first occupation of the GP Practice building hereby approved, a scheme detailing the boundary treatments of all the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the position, height and materials of the boundary treatments. Thereafter, and prior to the first occupation of the GP Practice building hereby approved, the boundary treatments shall be constructed in accordance with the approved details and retained thereafter.
Reason: In the interests of visual and residential amenity, and to comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

8. The development shall be carried out in accordance with the Landscape Scheme (Drawing No. R3-438-03-LA-01 Revision D) and Landscape Management Plan by Root 3 (Ref: R3-438-03-LA-02 Revision A) dated 19th September 2021. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the completion of the development.
Reason: To ensure the satisfactory landscape treatment of the site in the interest of the visual amenity of the area, to enhance biodiversity and to comply with Policies LP24, LP30 and LP33 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

9. Two bat boxes and two bird boxes shall be incorporated into the GP Practice building hereby approved; the boxes shall be long-lasting Schwegler `woodcrete' type or similar and shall be located away from sources of light, at least 5 metres above ground. The bat and bird boxes shall be provided prior to first occupation of the building hereby approved and thereafter be retained.
Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

10. The development shall be carried out in complete accordance with the measures outlined within the Tree Protection Plan (Drawing No. R3-438-03-AR-03 Revision C) and Sections 4 and 5 of the Arboriculture Report by Root 3 (Ref: R3-438-03-AR-01) dated 8th September 221. These shall be implemented and maintained throughout the construction phase.
Reason: To protect trees in the interests of visual amenity, to preserve the significance of the nearby Grade II listed buildings and to accord with Policies LP24, LP33 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

11. Prior to the first occupation of the GP Practice building hereby approved, details of the temporary areas to be used by vehicles and/or pedestrians shall be submitted to and approved in writing by the Local Planning Authority. The temporary areas to be used by vehicles and/or pedestrians shall be laid out in accordance with the details hereby approved prior to the first occupation of the GP Practice building and retained as such until the approved area to be used by vehicles and/or pedestrians has been laid out. Within 1 year of the first occupation of the GP Practice building, the permanent areas to be used by vehicles and/or pedestrians shall be surfaced and laid out in accordance with details that have previously been approved in writing by the Local Planning Authority and thereafter retained.
Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements, parking, and in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

12. Within 1 year of the GP Practice building hereby approved first being occupied, electric vehicle recharging points shall be installed at 4 of the parking spaces as displayed on Drawing No.1921-102 P-01. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16Amps and a maximum demand of 32Amps. The electric vehicle charging points so installed shall thereafter be retained.
Reason: In the interest of supporting low emission vehicles and to accord with Policies LP20, LP24 and LP51 of the Kirklees Local Plan and Chapters 9 and 15 of the National Planning Policy Framework.

13. The Travel Plan by Sanderson Associates (Consulting Engineers) Ltd (ref: 300299 – 02) dated October 2021 shall be implemented upon the commencement of the development hereby approved and in line with the provisions and timescale set out within the Travel Plan. The Travel Plan shall thereafter be retained throughout the lifetime of the development.
Reason: In the interest of supporting the use of sustainable forms of transport, in the interest of highways safety and to accord with Policies LP20, LP21, LP24 and LP51 of the Kirklees Local Plan and Chapters 9 and 15 of the National Planning Policy Framework.

14. The development hereby permitted shall not be open to patients outside the hours of 07:00 to 20:00 Monday to Sundays.
Reason: To ensure the amenities of nearby noise sensitive properties are not compromised and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

15. Notwithstanding the drainage information submitted alongside this application, development shall not commence until a scheme detailing foul, surface water and land

drainage, (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a maintenance and management plan for surface water infrastructure. The building shall not be brought into use until such approved drainage scheme has been provided on the site to serve the development and retained thereafter.
Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 12 and 14 of the National Planning Policy Framework.

16. Notwithstanding the drainage information submitted alongside this application, development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.
Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 12 and 14 of the National Planning Policy Framework.

17. Notwithstanding the drainage information submitted alongside this application, development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after hard surface, soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
- the strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.
Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policies

LP24 and LP28 of the Kirklees Local Plan and Chapters 12 and 14 of the National Planning Policy Framework.

18. In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework

19. No development shall take place, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Management Plan shall provide details of:

a) timetable of all works;
a) vehicle sizes and routes (including means of access for construction traffic), times of vehicle movements, identification of the location of any HGV waiting areas and inclusion details of the management of said areas;
b) the parking of vehicles of site operatives and visitors;
c) details and location of signage;
d) loading and unloading of plant and materials;
e) storage of plant and materials used in constructing the development;
f) measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision, use and retention of adequate wheel washing facilities within the site;
g) measures to control and monitor the emission of dust and dirt during construction;
h) a Site Waste Management Plan, detailing recycling/disposing of waste resulting from demolition and construction works;
i) mitigation of noise and vibration arising from all construction related activities to (these details should also include suitable restrictions on the hours of working on the site including times of deliveries);
j) artificial lighting used in connection with all construction related activities and security of the construction site;
k) site manager and resident liaison officer contact details (including their remit and responsibilities); and
l) details of engagement with local residents and occupants or their representatives.

The development shall be carried out strictly in accordance with the approved CMP and no change there from shall take place without the prior written consent of the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of nearby properties, in the interest of highways safety and in accordance with Policies LP21 and LP52 of the Kirklees Local Plan and Chapters 9 and 15 of the National Planning Policy Framework.

20. Prior to the first occupation of the building hereby approved, the six most rear upper floor windows on the north side elevation and the three most rear upper floor windows on the south side elevation in the approved building shall be obscurely glazed (Level 3 or above) and shall be retained as such thereafter.
Reason: To restrict overlooking so as to preserve the amenity of neighbouring residents and to comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

21. The combined noise from any fixed mechanical services, extract and ventilation systems and external plant and equipment, including air source heat pumps, shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. “Rating level” and “background sound level” are as defined in BS 4142:2014+A1:2019.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, and to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

NOTE: The applicant’s attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

NOTE: Planning permission only means that in planning terms a proposal is acceptable to the Local Planning Authority. Just because you have obtained planning permission, this does not mean you always have the right to carry out the development. Planning permission gives no additional rights to carry out the work, where that work is on someone else's land, or the work will affect someone else's rights in respect of the land. For example there may be a leaseholder or tenant, or someone who has a right of way over the land, or another owner. Their rights are still valid and you are therefore advised that you should seek legal advice before

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group

NOTE: Public Right of Way Footpath Huddersfield 349 is adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works.

NOTE: Birds and their nests are fully protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally take, damage or destroy the eggs, young or nest of a bird whilst it is being built or in use. Disturbance to nesting birds can be avoided by carrying out vegetation removal or building work outside the breeding season, which is March to August inclusive.

NOTE: This decision notice does not grant permission for advertisements, which may require advertisement consent.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Form	-	-	1st December 2021
Site Location Plan	1921-100	P-01	1st December 2021
Existing Floor Plans	1921-201	P-01	1st December 2021
Existing and Proposed Site Section	1921-400	P-01	1st December 2021
Proposed Site Plan	1921-102	P-01	1st December 2021
Proposed Elevations	1921-300	P02	25th March 2022
Proposed Roof Plan	1921-201	P-01	1st December 2021
Proposed Floor Plans	1921-200	P-01	1st December 2021
Proposed Visualisations	-	-	25th March 2022
Surface Water Drainage Calculation by ARP Associates dated February 2022	2102/07/r3	a	17th March 2022
Proposed Private Drainage Layout	2102/07/08	T1	25th February 2022
Drainage Standard Details	2102/07/01.1	T1	25th February 2022
Proposed Site Level Plan	2102/06/05	T1	25th February 2022
Proposed Private Drainage Schedule	2102/07/08.1	T1	25th February 2022
Flood Risk Assessment by ARP Associates dated	2102/07r1	a	1st December 2021

Plan Type	Reference	Version	Date Received
November 2021			
Foul and Surface Water Drainage Strategy by ARP Associates dated November 2021	2102/07/r2	a	1st December 2021
Preliminary Ecological Assessment Report and BREEAM UK New Construction 2018 Pre-Assessment by Root 3 dated 12th July 2021	R3-438-03-EC-01	3	4th May 2022
GN40: BREEAM, CEEQUAL, HQM Ecology Assessment Issues Reporting Template	-	-	4th May 2022
Biodiversity Metric Table	-	-	4th May 2022
Tree Constraints Plan	R3-438-03-AR-02	-	1st December 2021
Arboricultural Report by Root 3 dated 8th September 2021	R3-438-03-AR-01	-	1st December 2021
Tree Protection Plan	R3-438-03-AR-03	C	4th May 2022
Landscape Management Plan by Root 3 dated 19th September 2021	R3-438-03-LA-02	A	4th May 2022
Landscape Scheme/Proposal	R3-438-03-LA-01	D	4th May 2022
Climate Change Guidance Statement	-	-	1st December 2021
Heritage Assessment by West Yorkshire Archaeological Services dated November 2021	3672	-	1st December 2021
Travel Plan by	300299 002	02	1st

Plan Type	Reference	Version	Date Received
Sanderson Associates (Consulting Engineers) Ltd dated October 2021			December 2021
Transport Assessment by Sanderson Associates (Consulting Engineers) Ltd dated October 2021	300299 001	-	1st December 2021
Planning Statement by Peacock + Smith dated November 2021	-	-	1st December 2021
Design and Access Statement by Corstorphine & Wright dated November 2021	-	P-01	1st December 2021
Report of Findings on the Engagement for 'Lindley Practice Group' dated August 2018	-	-	1st December 2021
Kirklees RAPID Health Impact Assessment	-	-	1st December 2021
Letter from Lindley Group Practice dated 14th November 2021	-	-	1st December 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.

A pre-application advice request was submitted prior to the submission of this planning application, and the application has addressed a number of comments raised within the pre-application response. However, with this application, Officers initially raised a number of concerns with the proposal.

Of note, Officers raised concerns with the design of the scheme, including with the layout, form and appearance of the building and requested a number of amendments. Whilst some amendments were provided, notably to the finishing materials, others were not. However, on balance, Officers considered the design acceptable in the context of the public benefits. Visualisations were requested too, and these were provided and helped Officers gain a better understanding of the finished appearance of the proposed development.

Further arboriculture and soft landscaping details were requested and were later provided thereby addressing concerns of both KC Trees and KC Landscape. In addition, clarity was requested in relation to the potential for harm to bats and biodiversity enhancement, and these concerns were also addressed.

Furthermore, the applicant's agent has raised no objections to the conditions put forward.

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

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.**

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: **29-Jun-2022**

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 2021/62/94497/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: Kirklees Council
Planning and Development Service
PO Box 1720 Huddersfield
HD1 9EL