

Enquiries to: Elenya Jackson

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Tom Gallivan
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Date: 28-Feb-2023
Our Ref: 2023/90060

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015
APPLICATION NO: 2023/90060
DEVELOPMENT: PRIOR NOTIFICATION FOR PROPOSED 5G TELECOMS
INSTALLATION: H3G 15M STREET POLE AND ADDITIONAL EQUIPMENT CABINETS.
ADJ, 88, GREENFIELDS, HECKMONDWIKE, WF16 9HD**

I refer to your submission of details relative to telecommunications development proposals as described above.

The proposal as submitted is acceptable and, subject to all works being carried out in accordance with the submitted details and plans, the Council will not require the submission of further details. Prior approval is, therefore, granted and the works described may be carried out.

I would draw your attention to the provisions of Schedule 2, Part 16, of the General Permitted Development Order as amended, which requires that any works notified to the Council under these provisions must be carried out within a period of 5 years from the date on which the Local Planning Authority granted prior approval. As such the development proposed must be completed before 27-Feb-2028. Failing this, if you intend to carry out the works after this date, further notification will be required.

NOTE: Details of the provision to be made for the safe parking, loading and unloading of equipment by crane and the parking of the workforce during construction works, including details of any traffic management and appropriate licenses or legal agreements should be agreed with the Kirklees Street Works Team. This should also include permissions for the temporary closure of the bus box adjacent to stop 22764 on Acre Street.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 9318765) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
265 Proposed Site Elevation	KKS25992_KKS286_TBC_WF0505_GA_REV_A	A	09.01.2023
215 Proposed Site Plan	KKS25992_KKS286_TBC_WF0505_GA_REV_A	A	09.01.2023
002 Site Location Plan	KKS25992_KKS286_TBC_WF0505_GA_REV_A	A	09.01.2023
Ionising Statement	KKS25992_KKS286_TBC_WF0505_GA_REV_A		09.01.2023
Gov Statement			09.01.2023
Site Specific Supplementary Information			09.01.2023
5G Briefing			09.01.2023
Developers Notice			09.01.2023

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 Planning 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. No additional information requested.

Development within a Coal Mining Area

DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

If approval under the Building Acts is required for the development, you should ensure that such approval has been obtained before carrying out any works. Contact the Council's Building Control Section for further advice. (Telephone: 01484 221550)

I would advise however that you contact the Area Engineer for Highways at Flint Street, Fartown, Huddersfield to ensure that your siting is compatible with the location of underground services, the movement of pedestrians and emergency vehicles and road safety in general. The siting of such an item of street furniture is likely to require a licence from Highway Services.

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