**For official use only (date received): 29/05/2024 10:11:52**

# The Planning Inspectorate

ENFORCEMENT NOTICE APPEAL FORM (Online Version)

**WARNING:** The appeal **must** be received by the Inspectorate **before** the effective date of the local planning authority's enforcement notice.

## Appeal Reference: APP/Z4718/C/24/3345243

### A. APPELLANT DETAILS

| | |
|---|---|
| Name | Mr Stephen Molloy |
| Address | Redacted |

Preferred contact method: Email ☑ Post ☐

### A(i). ADDITIONAL APPELLANTS

Do you want to use this form to submit appeals by more than one person (e.g. Mr and Mrs Smith), with the same address, against the same Enforcement notice? Yes ☑ No ☐

**Additional Appellant:** Mrs Nicola Molloy
**Appeal Reference:** APP/Z4718/C/24/3345244

### B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☑ No ☐

| | |
|---|---|
| Name | Mr Nicholas Willock |
| Company/Group Name | Robert Halstead Chartered Surveyors |
| Address | Office G of H, Bridge Mills<br>Huddersfield Road<br>Holmfirth<br>HD9 3TW |
| Phone number | 01484 686322 |
| Email | nick@roberthalstead.co.uk |

Preferred contact method: Email ☑ Post ☐

### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

| | |
|---|---|
| Name of the Local Planning Authority | Kirklees Metropolitan Council |
| Date of issue of enforcement notice | 24/04/2024 |
| Effective date of enforcement notice | 05/06/2024 |

## D. APPEAL SITE ADDRESS

| | | | | |
|---|---|---|---|---|
| Is the address of the affected land the same as the appellant's address? | Yes | ☐ | No | ☑ |
| Does the appeal relate to an existing property? | Yes | ☑ | No | ☐ |

Address

Building between 6 and 8 Giles Street
Netherthong
Holmfirth
HD9 3EF

| | | | | |
|---|---|---|---|---|
| Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? | Yes | ☐ | No | ☑ |

What is your/the appellant's interest in the land/building?

| | |
|---|---|
| Owner | ☑ |
| Tenant | ☐ |
| Mortgagee | ☐ |
| None of the above | ☐ |

## E. GROUNDS AND FACTS

| | | | | |
|---|---|---|---|---|
| Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? | Yes | ☐ | No | ☑ |

| | |
|---|---|
| (a) That planning permission should be granted for what is alleged in the notice. | ☑ |

The facts are set out in

☑ see 'Appeal Documents' section

| | |
|---|---|
| (b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact. | ☐ |
| (c) That there has not been a breach of planning control (for example because permission has already been granted, or it is "permitted development"). | ☐ |
| (d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice. | ☐ |
| (e) The notice was not properly served on everyone with an interest in the land. | ☐ |
| (f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections. | ☐ |
| (g) The time given to comply with the notice is too short. Please state what you consider to be a reasonable compliance period, and why. | ☐ |

## F. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☑

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☑ No ☐

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☐ No ☑

2. Hearing ☐

3. Inquiry ☐

## G. FEE FOR THE DEEMED PLANNING APPLICATION

1. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice? Yes ☐ No ☑

2. Are there any planning reasons why a fee should not be paid for this appeal? Yes ☐ No ☑

If no, and you have pleaded ground (a) to have the deemed planning application considered as part of your appeal, you must pay the fee shown in the explanatory note accompanying your Enforcement Notice.

## H. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☑

## I. SUPPORTING DOCUMENTS

01. Enforcement Notice:

☑ see 'Appeal Documents' section

## J. CHECK SIGN AND DATE

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledege.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

| | |
|---|---|
| **Signature** | Mr Nicholas Willock |
| **Date** | 29/05/2024 10:13:00 |
| **Name** | Mr Nicholas Willock |
| **On behalf of** | Mr Stephen Molloy |

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our privacy notice.

## K. NOW SEND

**Send a copy to the LPA**

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) to the LPA.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:

  https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the enforcement notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

**You may wish to keep a copy of the completed form for your records.**

## L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@planninginspectorate.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

**You will not be sent any further reminders.**

Please ensure that anything you do send by post or email is clearly marked with the reference number.

**The documents listed below were uploaded with this form:**

| | |
|---|---|
| **Relates to Section:** | GROUNDS AND FACTS |
| **Document Description:** | Facts to support that planning permission should be granted for what is alleged in the notice. |
| **File name:** | Appeal Statement of Case.pdf |
| **File name:** | Appendix A - Annotated Location Plan.pdf |
| **File name:** | Appendix B - 2019 planning permission and plans.pdf |
| **File name:** | Appendix C - E-mails 1 Jun 21 and 14 July 21.pdf |
| **File name:** | Appendix D - E-mails 8 - 9 May 23.pdf |
| **File name:** | Appendix E - E-mail 19 Jan 24.pdf |
| **File name:** | Appendix F - Photos.pdf |
| **File name:** | Appendix G - Historic England List Entry - 8 Giles Street.pdf |
| **File name:** | Appendix H - Netherthong Conservation Map.pdf |
| **Relates to Section:** | SUPPORTING DOCUMENTS |
| **Document Description:** | 01. The Enforcement Notice. |
| **File name:** | Enforcement Notice.pdf |

| | |
|---|---|
| **Completed by** | MR NICHOLAS WILLOCK |
| **Date** | 29/05/2024 10:13:00 |