

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/24/3347400

A. APPELLANT DETAILS

Name	MR RAHEEL AKHTAR
Address	51 Woodside Road HUDDERSFIELD HD4 5JF
Phone number	+4
Email	
Preferred contact method	Email <input type="checkbox"/> Post <input checked="" type="checkbox"/>

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 SHAHANA ALI
Appeal Reference: APP/Z4718/C/24/3347401

B. AGENT DETAILS

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

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Kirklees Metropolitan Council
Date of issue of enforcement notice	24/05/2024
Effective date of enforcement notice	05/07/2024

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes No

Address 51 Woodside Road

HUDDERSFIELD
HD4 5JF

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

the box below

Personal Circumstances:

The structure was built primarily for my son, Zakariya, who is autistic. This facility provides him with a safe and controlled environment to engage in outdoor activities, which are crucial for his development and well-being. The space is designed to cater to his specific needs, helping to manage his sensory processing issues and providing him with a therapeutic outlet.

Reduction in Height:

During the initial visit by a member of the planning department, the structure had a cover on, which has since been removed. We have also reduced the height of the structure by approximately 3 to 4 feet to address the concerns raised about its scale and dominance. The current structure is significantly less intrusive and blends better with the surrounding environment.

Improved Design Compliance:

The modifications made to the structure aim to align it more closely with the local planning policies, particularly LP24 – Design, House Extensions and Alterations SPD, and the National Planning Policy Framework Chapter 12 (Achieving Well-Designed Places). The alterations have ensured that the structure is less visually imposing and more in harmony with the character of the area.

Lack of Planning Permission Awareness:

At the time of construction, we were unaware that planning permission was required for this type of structure. Once informed, we took immediate steps to comply with the regulations by seeking guidance and making the necessary adjustments.

(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

Please explain.

Amendments have been made to the structure to ensure compliance as detailed in the grounds for appeal question.

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](#)

02. Plan (if applicable and not already attached)

[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 knowledge.

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 RAHEEL AKHTAR

Date

02/07/2024 22:31:05

Name

MR RAHEEL AKHTAR

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: SUPPORTING DOCUMENTS
Document Description: 01. The Enforcement Notice.
File name: IMG_0634.jpeg
File name: IMG_0635.jpeg

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 02. The Plan.
File name: IMG_0636.jpeg

Completed by MR RAHEEL AKHTAR

Date 02/07/2024 22:31:05