



Town and Country Planning Act 1990

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

APPROVAL OF RESERVED MATTERS

Application Number: 2020/61/90805/W

To: Laura Mepham,
JRP
14, Mariner Court
Calder Park
Wakefield
WF4 3FL

For: Narbourne Ltd

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority, having considered your application submitted to the Council for approval of:-

RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PERMISSION 2015/90430 FOR ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING (USE CLASS C3) AND INCORPORATING ASSOCIATED NEW ACCESS (TO CROSSLEY LANE AND COLD ROYD LANE), AND ASSOCIATED WORKS (122 DWELLINGS)

At: LAND TO NORTH AND SOUTH OF, CROSSLEY LANE, DALTON,
HUDDERSFIELD, HD5 0QP

NOTE Development pursuant to the outline planning permission to which this approval of reserved matters relates, must be commenced no later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

In accordance with the plan(s) and applications submitted to the Council on 12-Mar-2020, being matters reserved in a permission granted on 14-Mar-2017 the Council have approved the said matters in terms of, and subject to compliance with the details specified in your application, subject to the following conditions:-

1. 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 Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

2. Prior to development commencing, a scheme detailing the proposed widening and re-alignment works at the Crossley Lane/Cold Royd Lane junction shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines together with independent safety audits covering all aspects of the work. Before any dwelling is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

Reason: To ensure that suitable layout of the highway improvement works, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.

3. Prior to development commencing, notwithstanding the submitted information, 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, and percolation tests, where appropriate) shall be submitted to, and approved in writing by, the Local Planning Authority. None of the dwellings shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and thereafter retained.

Reason: To deliver effective sustainable drainage systems that will be operated, maintained and managed for the lifetime of the development that it will serve, in accordance with Policy LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure adequate assessment and implementation may take place at the appropriate stage of the development process.

4. Prior to development commencing, a scheme detailing the proposed internal adoptable estate roads shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with independent safety audits covering all aspects of work. Before any building is brought into use, unless a phasing strategy for implementation is agreed, the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

Reason: To ensure that suitable layout and design of the access road, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.

5. Prior to development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing by, the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities.
- This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- Dust arising from all construction related activities.
- Artificial lighting used in connection with all construction related activities and security of the construction site.

The agreed plan shall be adhered to throughout the construction of the development.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policies LP24 and LP52 of the Kirklees Local Plan. This is a pre-commencement condition, given the need for adequate consideration of mitigation measures (for the amenity of residents) prior to works commencing on site.

6. Prior to development commencing (including demolition, ground works, vegetation clearance), a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- a. Risk assessment of potentially damaging construction activities that refers to the most up-to-date site-specific survey information and specifically to nesting birds, badgers and invasive plant species.
- b. Identification of “biodiversity protection zones”, where appropriate.
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate.
- f. Responsible persons and lines of communication.
- g. Use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect biodiversity during construction by avoiding direct impacts to protected species and preventing the spread of non-native plants, and to accord with Policy LP30 of the Kirklees Local Plan. This is a pre-commencement condition, given the need for adequate consideration of mitigation measures (the protection of ecology) prior to works commencing on site.

7. Prior to development commencing, a scheme detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) shall be 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 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 prevent and manage flooding and drainage issues during the construction period, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary mitigations (against flood risk) are considered and implemented at the appropriate stage

8. Prior to development commencing an Ecological Design Strategy (EDS) addressing measures to secure the ecological enhancement of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The EDS shall include, but not be limited to:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare (5 year minimum) and long-term maintenance (30 year minimum).
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The approved EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure a scheme that provides a net biodiversity gain, safeguards and enhances the function of the application site, in line with the aims and objectives of Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure ecological measures are capable of being fully integrated into the construction phase.

9a. Prior to the erection of any of the approved dwellings' superstructure commencing, notwithstanding the submitted details, a strategy detailing the maintenance and management regime for any proposed drainage infrastructure, open and piped watercourses, and ancillary structures such as outfalls, weirs, and safety barriers shall be submitted to, and approved in writing by, the Local Planning Authority. The approved maintenance and management regimes shall be implemented for the lifetime of the development.

9b. Prior to the erection of any of the approved dwellings' superstructure commencing, details of the legal and funding mechanism(s) by which the long-term management and maintenance of the site's drainage infrastructure, open and piped watercourses, and ancillary structures such as outfalls, weirs, and safety barriers will be secured by the developer, with the management body(ies) responsible for it's the management and maintenance, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interest of securing appropriate long-term management and maintenance of necessary infrastructure on site, as well as securing appropriate management bodies, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

10. Prior to the installation of any windows / external glazing within the approved dwellings, a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development (including road traffic and nearby commercial premises) shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

- a) Determine the existing noise climate
- b) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development
- c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: In the interest of residential amenity, to ensure appropriate noise mitigation, in accordance with Policies LP24 and LP51 of the Kirklees Local Plan.

11. Prior to the occupation of the hereby approved dwellings or the installation of external lighting, a 'lighting design strategy for biodiversity' shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

Reason: To avoid indirect impacts to bats and other local species in the interest of ecological mitigation, to comply with LP30 of the Kirklees Local Plan

12. Prior to the occupation of the hereby approved dwellings, the refuse collection points as shown on plan ref. 'P09:4267:75 rev. N' shall be made ready for use. Thereafter the refuse collection points shall be retained.

Reason: In the interest of amenity and highway safety, to comply with Policies LP21 and LP24 of the Kirklees Local Plan.

13. Prior to the occupation of the hereby approved dwellings, details of secure cycle parking for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall then be implemented in accordance with the approved details before each dwelling is occupied and therefore retained.

Reason: To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.

14. Prior to the occupation of the hereby approved dwellings, the dwelling's dedicated boundary treatments, as specified on plan ref. 'P09:4267:75 rev. N' shall be erected with the exception of the 1.2m high property division fencing, which may be substituted for the proposed 1.8m timber fence at will, unless otherwise agreed in writing by the Local Planning Authority. Thereafter the boundary treatment shall be so retained.

Reason: In the interest of visual and residential amenity, and highway safety, to comply with Policies LP21 and LP24 of the Kirklees Local Plan.

15. Prior to the occupation of each dwelling, the associated vehicle parking area(s) for the respective dwellings, as shown within the submitted plans, shall be constructed and made ready for use. The vehicle parking areas shall thereafter be retained and available for use as vehicle parking.

Reason: To ensure that sufficient parking is provided and retained to serve the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan.

16. The hereby approved road shall be constructed in accordance with the level details shown within plans ref. '906/03/22/01 rev. C' and '906/03/22/02 rev. C', unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure exceedance event flood water and flood water sourced from the pump station, in the event of a failure, has an appropriate route avoiding domestic curtilages, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

17. The landscape scheme shall be implemented in accordance with landscape plans referenced 'P09:4267:101 rev. D, 'P09:4267:102 rev. C' and 'P09:4267:103 rev. C' prior to first occupation of the development, or within the first planting season following first occupation. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate and healthy landscape scheme in the interests of visual amenity and biodiversity, in accordance with Policies LP24 and LP30 of the Kirklees Local Plan.

18. The hereby approved dwellings shall be externally faced and roofed with materials in accordance with the materials detailed on plans ref. 'P09:4267:80 rev. D' and 'P09:4267:81 rev. C', unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity, in accordance with LP21 of the Kirklees Local Plan.

19. Where implementation of the development hereby approved is to be phased, and/or any of the dwellings hereby approved are to become occupied prior to the completion of the development, details of temporary arrangements for the storage and collection of wastes from those residential units, and details of temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of those residential units. The temporary arrangements so approved shall be implemented prior to first occupation of those residential units, and shall be retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

20. The removal of vegetation should be undertaken outside of the bird breeding season, March to August inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or disturbance to the resident birds must cease until the young have fledged.

Reason: In the interests of preserving the biodiversity of the site, in accordance with LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework

Note: Pursuant to condition 10, a ventilation scheme that meets the performance specification given in Part 6 of Schedule 1 of the Noise Insulation Regulations 1975 is likely to be acceptable. Acoustic trickle ventilation alone is unlikely to provide sufficient ventilation to help control thermal comfort without the need to open windows and would therefore not be acceptable.

Note: All new storm water attenuation tanks/pipes/culverts with internal diameter/ spans exceeding 0.9m must be located off the adoptable highway. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment and maintenance regime in compliance with the CDM Regulations 2015 requirements.

The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally binding agreement to the Highway Authority explicitly stating that they will be fulfilling their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with CS450- Inspection of Highway structures.

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) regarding 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: The responsibility of securing a safe development rests with the developer and land owner.

Note: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	P09:4267:10	Rev. A	02.11.2022
Grouped Plans and Elevations	P09:4267:11		02.11.2022
Grouped Plans and Elevations	P09:4267:13		17.03.2020
Grouped Plans and Elevations	P09:4267:14		17.03.2020
Grouped Plans and Elevations	P09:4267:15		17.03.2020
Grouped Plans and Elevations	P09:4267:16		17.03.2020
Grouped Plans and Elevations	P09:4267:17		17.03.2020
Grouped Plans and Elevations	P09:4267:18		17.03.2020
Grouped Plans and Elevations	P09:4267:19		17.03.2020
Grouped Plans and Elevations	P09:4267:20		17.03.2020
Grouped Plans and Elevations	P09:4267:21	Rev. A	12.03.2021
Grouped Plans and Elevations	P09:4267:23		29.01.2021
Grouped Plans and Elevations	P09:4267:24		29.01.2021
Grouped Plans and Elevations	P09:4267:25		29.01.2021
Grouped Plans and Elevations	P09:4267:26		29.01.2021
Grouped Plans and Elevations	P09:4267:27		28.06.2022
Grouped Plans and Elevations	P09:4267:28		28.06.2022
Grouped Plans and Elevations	P09:4267:29		28.06.2022
Grouped Plans and Elevations	P09:4267:33		21.09.2022
Grouped Plans and Elevations	P09:4267:34		21.09.2022
Block Plan	P09:4267:75	Rev. N	02.11.2022
Location Plan	P09:4267:76		17.03.2020
Block Plan	P09:4267:80	Rev. D	02.11.2022
Block Plan	P09:4267:81	Rev. C	21.09.2022
Proposed Landscape Layout	P09:4267:101	Rev. D	02.11.2022
Proposed Landscape Layout	P09:4267:102	Rev. C	28.06.2022
Proposed Landscape Layout	P09:4267:103	Rev. C	28.06.2022
Proposed Elevations	P19:4267:06		17.03.2020
Proposed Elevations	P19:4267:07		17.03.2020
Proposed Elevations	P19:4267:08		17.03.2020
Grouped Plans and Elevations	P19:4267:30		17.03.2020
Grouped Plans and Elevations	P19:4267:32		17.03.2020
Grouped Plans and Elevations	P19:4267:33		17.03.2020
Block Plan	937A 01	Rev. D	10.05.2022
Block Plan	906/03/21/02	Rev. B	20.10.2021
Block Plan	906/03/21/01	Rev. B	20.10.2021
Design and Access Statement			17.03.2020
Transport Assessment		Rev. 1	10.05.2022
Transport Assessment	Road Safety Audit		10.05.2022
Transport Assessment	Road Safety Audit – Designer’s Response		10.05.2022
Drainage / Foul Sewerage	906/03/22/01	Rev. C	17.01.2022

Assessment			
Drainage / Foul Sewerage Assessment	906/03/22/02	Rev. C	17.01.2022
Drainage / Foul Sewerage Assessment	906/03/20/01	Rev. C	29.10.2021
Drainage / Foul Sewerage Assessment	906/03/20/02	Rev. C	29.10.2021
Drainage / Foul Sewerage Assessment	906/03/10.01		29.10.2021
Drainage / Foul Sewerage Assessment	906/03/10.02		29.10.2021
Drainage / Foul Sewerage Assessment	Micro Drainage		29.10.2021
Supporting Information	Exceptions Test		29.10.2021
Ecological Survey	ER-5301-01	Rev. A	16.04.2021

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 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.

Digital Infrastructure: Fibre To The Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- **Economic prosperity – workforces that are digitally-literate enables business to thrive.**
- **Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.**
- **New services – digital delivery can lower costs and provide innovative public and health services more conveniently.**

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speedier installation at a later date.

To discuss the benefits that FTTP may have for your development, please contact Carl Tinson in Kirklees Council's Digital Team at carl.tinson@kirklees.gov.uk

Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.

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 Telephone: (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.

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

If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them responsibly to avoid harm to the appearance of the local 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 the Planning Inspectorates website](#). Further information on the Planning Appeal process can be found online [at the Planning Inspectorates website](#).
- 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: **24-Nov-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](#), and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2020/61/90805/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
