



Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England)
Order 2010**

OUTLINE PLANNING PERMISSION

Application Number: 2014/60/92348/E

To: David Storrie,
David Storrie Planning
Suite 1, Wellington House
Lincoln Street
Huddersfield
HD1 6RX

For: Pat Moore

**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:-**

OUTLINE APPLICATION FOR ERECTION OF ONE DWELLING

At: FORMER THORNHILL PUMPING STATION, OFF OUZLEWELL LANE,
THORNHILL, DEWSBURY

**In accordance with the plan(s) and applications submitted to the Council on
25-Jul-2014, subject to the condition(s) specified hereunder:-**

1. Approval of the details of the scale, appearance, layout and landscaping (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority in writing before development is commenced.

Reason: No details of the matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority and to accord with Policies BE1, BE2 and BE12 of the Kirklees Unitary Development Plan.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the scale, appearance, layout and landscaping, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

Reason: No details of the matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority and to accord with Policies BE1, BE2 and BE12 of the Kirklees Unitary Development Plan.

3. Application for approval of any reserved matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be begun either before 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.

Reason: Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

5. A sample of the proposed wall and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before development commences and the development shall be constructed of the approved material.

Reason: In the interests of visual amenity and to accord with Policies BE1 and BE2 of the Kirklees Unitary Development Plan and the National Planning Policy Framework

6. A plan indicating the location of the bins storage and collection point shall be submitted to and approved in writing by the Local Planning Authority before the dwelling hereby approved is first occupied. The approved bin storage and collection plan shall then be implemented and retained thereafter.

Reason: In the interests of highway safety and to promote a healthy environment in accordance with Policies T10, BE1 and BE2 of the Kirklees Unitary Development Plan and guidance given in the National Planning Policy Framework.

7. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise approved in writing with the local planning authority, works on site shall not recommence until either (a) a Remediation Strategy 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. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the whole 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 safety and stability of the proposed development, in accordance with Policies G6 and BE1 of the Unitary Development Plan and guidance contained within the National Planning Policy Framework.

8. The removal of vegetation present shall 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 shall 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 biodiversity of the site in accordance with the National Planning Policy Framework

9. One bat box, in the form of a Schweglar type 1FR bat box or similar, shall be installed, integral to the new dwelling within the site, during the construction phase and retained thereafter. The box shall be installed in a south or west facing wall at least 5 metres from the ground and not located above windows or doors.

Reason: In the interests of biodiversity of the site in accordance with the National Planning Policy Framework

10. One woodcrete sparrow terrace, shall be installed, preferably on the trunk of the north side of the mature ash tree or, if that is not feasible, fitted integral to the new dwelling within the site, during the construction phase and thereafter retained. The box shall be installed in a north facing wall at least 3 metres from the ground and not located above windows or doors.

Reason: In the interests of biodiversity of the site in accordance with the National Planning Policy Framework

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) no development included within Class(es) A to F of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of safeguarding the water mains supply which cross the site and providing sufficient space for maintenance and repair of them. In accordance with Policy BE1 of the Kirklees Unitary Development Plan and guidance given in the National Planning Policy Framework

12. No building or other obstructions; change in ground level; or planting of new trees shall be located over or within 5.0 metres either side of the centre line of any water mains pipes which cross the site.

Reasons: In the interests of safeguarding the water mains supply which cross the site in order to allow sufficient access for maintenance and repair works at all times. In accordance with Policy BE1 of the Kirklees Unitary Development Plan and guidance given in the National Planning Policy Framework

13. The site shall be developed with separate systems of drainage for foul and surface water on and off site details of which, including any balancing works and off-site works, shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The drainage works shall be completed in accordance with the approved details prior to the dwellings first being occupied.

Reason: In the interests of satisfactory and sustainable drainage to accord with Policy BE1 of the Kirklees Unitary Development Plan and the National Planning Policy Framework.

14. 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, and percolation tests, where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not 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 throughout the lifetime of the development.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental well being and to accord with Policy BE1 of the Kirklees Unitary Development Plan and guidance given in the National Planning Policy Framework

15. Development shall not commence until a scheme detailing measures to protect the underground water pipes during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall then be implemented and retained for the duration of the construction phase.

Reason: To safeguarding the water mains that cross the site during the construction phase in the interests of amenity, environmental wellbeing, in accordance with Policy BE1 of the Kirklees Unitary Development Plan and guidance given in the National Planning Policy Framework

NOTE: With reference to condition 1 and 2, the exact line of the water mains and alignment of all water pipes crossing the site will need to be determined on site under the supervision of Yorkshire Water Services. Details of their current location and any proposed alterations shall be provided as part of the layout reserved matters application.

NOTE: It may be possible for the water mains to be diverted under s.185 of the Water Industry Act 1991. These works would be carried out at the developer's expense. The cost of these works may be prohibitive and any accidental damage to the water mains will be chargeable. For further information and advice, the distribution Asset Manager should be contacted at the following address: The Water Business Unit (Distribution Assets West), Buttershaw Depot, Western Way, Halifax Road, Bradford, BD6 2LZ.

NOTE: The public sewer network is for domestic sewage purposes. Land and highway drainage have no right of connection to the public sewer network.

NOTE: Public footpath / bridleway DEW/6/60; DEW/94/10; DEW/6/50 is adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way unit may be contacted at Civic Centre 3, Huddersfield or by telephone 01484 225575.

NOTE: No works to the public bridleway are authorised by any grant of planning consent.

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 the works may be carried out.

This decision is based on the following plan(s):-

Plan Type	Reference	Version	Date Received
Location plan			25.07.2014
Supplementary information: planning statement			25.07.2014

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 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 Leeds City Region Development Management Pledge and otherwise actively engaged with the applicant in dealing with the application.

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. 01484-225397 for further advice on this matter.

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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:
 - i) 28 days from the date of this notice where the enforcement notice has been served,
 - ii) 28 days of the date of service of the enforcement notice or,
 - iii) the specified period starting from 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 Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pes.
- 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: 15-Jan-2015

Signed: 

Jacqui Gedman
Director of Place

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 and view existing planning applications and decisions' and by searching for application number 2014/60/92348/E.

If a paper copy of the decision notice or decided plans are required please email planning.contactcentre@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: planning.contactcentre@kirklees.gov.uk

Write to: Planning Services
Investment and Regeneration
PO Box B93
Civic Centre III
Off Market Street
Huddersfield
HD1 2JR
