Kirklees COUNCIL

Planning

| PLAN NO. | | |
|---|---|---|
| DATE LODGED | | |
| RECEIPT NO. | FEE RECEIVED | |
| CASH | CHEQUE | OTHER |
| KIRKLEES COUNCIL - RESPONDING TO THE RECESSION VALIDATION CHECKLIST: SUPPLY 1 COPY (PLUS THE ORIGINAL) | | |

PO Box B93, Civic Centre 3, Huddersfield, HD1 2JR Tel: 01484 414746 Email: planning.contactcentre@kirklees.gov.uk

# Application for removal or variation of a condition following grant of planning permission. Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990

**Publication of applications on planning authority websites.**
Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

## 1. Applicant Name, Address and Contact Details

Title: Mr | First name: J & A | Surname: Marsden

Company name:

Street address: 113 Waterloo Road
Dalton

Town/City: Huddersfield
County: West Yorkshire
Country:
Postcode: HD5 0AB

| | Country Code | National Number | Extension Number |
|---|---|---|---|
| Telephone number: | | | |
| Mobile number: | | | |
| Fax number: | | | |

Email address:

Are you an agent acting on behalf of the applicant? (•) Yes ( ) No

## 2. Agent Name, Address and Contact Details

Title: Mr | First Name: Farrar | Surname: Bamforth

Company name: Farrar Bamforth Associates Ltd

Street address: 51 Trinity Street

Town/City: Huddersfield
County: West Yorkshire
Country: United Kingdom
Postcode: HD1 4DN

| | Country Code | National Number | Extension Number |
|---|---|---|---|
| Telephone number: | | 01484 424008 | |
| Mobile number: | | | |
| Fax number: | | | |

Email address: tony@farrarbamforth.co.uk

## 3. Site Address Details

Full postal address of the site (including full postcode where available)

House: 113 Suffix:

House name:

Street address: Waterloo Road

Town/City: Huddersfield

County:

Postcode: HD5 0AB

Description of location or a grid reference
(must be completed if postcode is not known):

Easting: 417490

Northing: 417115

Description:

## 4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? (•) Yes ( ) No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: Mr First name: Paul Surname: Wood

Reference:

Date (DD/MM/YYYY): 20/03/2013 (Must be pre-application submission)

Details of the pre-application advice received:

From: Paul Wood [mailto:Paul.Wood@kirklees.gov.uk]
Sent: 20 March 2013 15:26
To: 'Tony Bowling'
Subject: RE: 2005/62/90622/W2 - 113 Waterloo Road, Dalton
It's decided on balance of probability – if there is no evidence to the contrary we would accept it. They could apply for a certificate of lawful development first – if approved then they have a cast iron permission.
Regards
Paul Wood
Enforcement Officer
01484 221597
www.kirklees.gov.uk/planning
From: Tony Bowling [mailto:tony@farrarbamforth.co.uk]
Sent: 20 March 2013 15:24
To: Paul Wood
Subject: RE: 2005/62/90622/W2 - 113 Waterloo Road, Dalton
Thanks Paul for your rapid response.
I understand that if challenged the applicant would be required to provide some proof that it was erected in time. It did not require building control but they do have receipts for the construction work, would this normally be sufficient to satisfy yourself?
Again, many thanks.
Regards,
Tony
From: Paul Wood [mailto:Paul.Wood@kirklees.gov.uk]
Sent: 20 March 2013 14:59
To: 'Tony Bowling'
Subject: RE: 2005/62/90622/W2 - 113 Waterloo Road, Dalton
Tony
Without prejudice…
Based only on the information you have provided below I have measured the approved porch and that exceeds what is generally permitted (i.e. PD) and so I would argue that it could only have been lawfully erected by implementing the planning permission you refer to below. If it was erected in accordance with the approved plans prior to the permission expiring, then the permission has been implemented and can be completed.
Regards
Paul Wood
Enforcement Officer
01484 221597
www.kirklees.gov.uk/planning
From: Tony Bowling [mailto:tony@farrarbamforth.co.uk]
Sent: 20 March 2013 14:48
To: Paul Wood
Subject: 2005/62/90622/W2 - 113 Waterloo Road, Dalton
Good Afternoon Paul,
I wonder if you could help, we obtained the above approval in April 2005 for three extensions to a link detached bungalow. There was one to each side and one to the rear, although none of the extensions were particularly large, permission was needed as there are highways to three sides of the building. The applicant built the porch to the side in 2005 and now wants to build the bedroom extensions – does this mean the permission is deemed to have started and we can build the bedroom extension without further applications?
If you would like to discuss it over the phone please do not hesitate to contact me. Many thanks for your assistance in this matter.
Regards,
Tony

## 5. Description of Proposal

Please provide a description of the approved development as shown on the decision letter:

Erection of single storey extension, conservatory and porch

Application reference number: 2005/62/90622/W2 Date of decision: 14/04/2005

Please state the condition number(s) to which this application relates:

Condition number(s):

Condition 2

Has the development already started? (●) Yes ( ) No If Yes, please state when the development was started: 10/10/2005

Has the development been completed? ( ) Yes (●) No

## 6. Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed:

We wish to change condition 2 to allow a design and material change to the proposals. The proposals are to change windows to Bed 1 and Bed 2 to be patio doors.

If you wish the existing condition to be changed, please state how you wish the condition to be varied:

We wish to change condition 2 to allow a design and material change to the proposals. The proposals are to change windows to Bed 1 and Bed 2 to be patio doors.

## 7. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? (●) Yes ( ) No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

(●) The agent ( ) The applicant ( ) Other person

## 8. Certificates (Certificate A)

**Certificate of Ownership - Certificate A**

**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates.

Title: Mr First name: Farrar Surname: Bamforth

Person role: Agent Declaration date: 21/03/2013 ☒ Declaration made

## 8. Certificates (Agricultural Land Declaration)

**Agricultural Land Declaration**

**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of an agricultural holding. (●)

(B) I have/The applicant has given the requisite notice to every person other than myself/the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below: ( )

If any part of the land is an agricultural holding, of which the applicant is the sole tenant, the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

Title: Mr First Name: Farrar Surname: Bamforth

Person role: Agent Declaration date: 21/03/2013 ☒ Declaration Made

## 9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☒ Date 21/03/2013