



KIRKLEES COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 192
(as amended by Section 10 of the Planning and Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 2015: ARTICLE 39**

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Application Number: 2017/CL/91615/W

To: Stephen Mitchell,
Colne Valley Design
8, Meadow Lane
Slaithwaite
Huddersfield
HD7 5EX

For: I Simpson

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR PROPOSED
ERECTION OF SINGLE STOREY REAR EXTENSION (WITHIN
A CONSERVATION AREA)

SECOND SCHEDULE 18, PENNINE GARDENS, LINTHWAITE, HUDDERSFIELD,
HD7 5TN

**KIRKLEES COUNCIL HEREBY CERTIFY THAT ON 11-MAY-2017 THE
OPERATIONS DESCRIBED IN THE FIRST SCHEDULE THERETO IN RESPECT
OF THE LAND SPECIFIED IN THE SECOND SCHEDULE HERETO AND EDGED
RED ON THE PLANS SUBMITTED WITH THIS APPLICATION WOULD BE
LAWFUL WITHIN THE MEANING OF SECTION 192 OF THE TOWN AND
COUNTRY PLANNING ACT 1990 (AS AMENDED), FOR THE FOLLOWING
REASONS:**

The proposed rear extension as shown in the submitted plans listed in this decision notice benefits from general planning permission granted by virtue of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, subject to the conditions stated in paragraph A.3 (a) of Class A.

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|------------------------------|--------------------|----------------|----------------------|
| Grouped Plans and Elevations | 17 J 20. Dwg No 01 | - | 11/05/2017 |

No negotiations or amendments were made for this application.

Note: There is potential for a bat roost to be present on site. Bats are a European protected species under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

If 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

NOTES:

- (1) This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
- (2) It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would be lawful on the specified date and, thus, was not liable to enforcement action under Section 172 of the 1990 Act on that date.
- (3) This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation(s) which are materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
- (4) The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
- (5) If the applicant is aggrieved by the decision of the Local Planning Authority to issue a certificate of lawfulness of development, for any part development applied for (including any modification or substitution of the description of the operations), s/he may appeal to the Secretary of State in accordance with Sections 195 and 196 of the Town and Country Planning Act 1990 (as amended).

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 <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.

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: 04-Jul-2017

Signed:



Naz Parkar
Strategic Director Economy and Infrastructure

Address to which all communications should be sent:-

**Planning
Investment & Regeneration Service
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR**