



KIRKLEES COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)**

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

REFUSAL OF CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Application Number: 2019/CL/91035/W

To: J Taylor-Barron
31, Hollins Row
Slaithwaite
Huddersfield
HD7 5LA

For: J Taylor-Barron

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR EXISTING
REPLACEMENT ROOF AND EXTERNAL CLADDING TO
DORMER (WITHIN A CONSERVATION AREA)

SECOND SCHEDULE 60, Brougham Road, Marsden, Huddersfield, HD7 6BJ

KIRKLEES COUNCIL HEREBY REFUSES TO CERTIFY THAT ON 28-MAR-2019 THE OPERATIONS DESCRIBED IN THE FIRST SCHEDULE THERETO IN RESPECT OF THE LAND SPECIFIED IN THE SECOND SCHEDULE HERETO AND EDGED RED ON THE SUBMITTED PLANS WAS LAWFUL WITHIN THE MEANING OF SECTION 191 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), FOR THE FOLLOWING REASONS:

The proposed recladding of the dormer, which is not original, consists of works that protrude more than 0.15 metres beyond the original roof slope and therefore cannot benefit from a general planning permission granted by virtue of Part 1 Class C of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Form		1	02/04/19
Photos (x2)		1	02/04/19
Location Plan		1	02/04/19

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 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.

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) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse an application for a certificate of lawfulness of development, in whole or part (including any modification or substitution of the description of the use, operations or any other matter), 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>.
- (2) This decision is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended)

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: 23-May-2019

Signed:



Karl Battersby
Strategic Director Economy and Infrastructure

Address to which all communications should be sent:-

Planning
Investment & Regeneration Service
PO Box B93
Civic Centre 3
Off Market Street
Huddersfield
HD1 2JR