KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) Section 191/192

DELEGATED DECISION FOR APPLICATION FOR CERTIFICATE OF LAWFUL DEVELOPMENT

Reference no.: 2019/CL/93248/W

Site: 2A, Town End, Golcar, Huddersfield, HD7 4QD

Description: Certificate of lawfulness for existing installation of waste pipe to gable end (within a Conservation Area)

Case Officer**:** Alice Huxley

Decision Reference: EXISTING OPERATIONS GRANT

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Kevin Walton

AUTHORISED OFFICER

Date 09-Dec-2019

Officer Report

Site Description

2A, Town End, Golcar, Huddersfield

Description of Proposal

Permission is sought for a Certificate of Lawfulness for existing installation of waste pipe to a gable end (within a Conservation).

The property has not had its Permitted Development Rights removed.

History of negotiations/amendments received

No negotiations have taken place and no amended plans received.

Relevant Planning History

None.

Consultation Responses

None required.

Issues and Assessment

Applications for Certificates of Lawful Developments for the alterations to dwellings are assessed against the general permission conferred by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Schedule 2, Part 1, Class G of the Order sets out the Permitted Development Rights which relates to the 'the installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse'. In assessing the proposal against this:

Development not permitted

G.1 Development is not permitted by Class G if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Comment*: The dwellinghouse has not been granted as a dwelling/house by the above applications.*

(a) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

***Comment**: The height of the soil pipe would not exceed the highest part of the roof by 1 more or more.*

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the dwellinghouse.

***Comment**: The soil pipe would not be installed on a wall which fronts a highway.*

Conclusion:

The proposal has been considered against the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) and is recommended for approval.

The installation of waste pipe to a gable end (within a Conservation Area) benefits from a general planning permission granted under Schedule 2, Part 1, Class G of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	-	1	14/10/2019
Email from Applicant	-	-	24/10/2019

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. The Case Officer did not enter into negotiations or request amended plans for the proposed development as it was considered that the application was considered acceptable in its submitted form

Dated: 29/11/2019