KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – Sections 93B and 93F
Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – Section 18A

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR ADDITIONAL ENVIRONMENTAL APPROVAL

Reference No:	2020/92753
Site Address:	40, Central Avenue, Fartown, Huddersfield, HD2 1DA
Description:	Application for Additional Environmental Approval to restore planning permission 2017/91845 for erection of single storey rear extension and extend the time limit to implement the development until 1 May 2021
Recommending Officer:	Teresa Harlow

DECISION - Grant Additional Environmental Approval

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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 26-Aug-2020

The application seeks Additional Environmental Approval to restore planning permission 2017/91845 for the erection of a single storey rear extension and extend the time limit to implement the development until 1 May 2021.

The request is pursuant to time-limited measures enacted as part of the Business and Planning Act 2020 as a response to the Covid-19 pandemic. This in turn amended the principal Town and Country Planning Act 1990. Specifically, unimplemented planning permissions with time limits for implementation which passed between 23 March 2020 and 19 August 2020 can be restored and the time limit extended to 1 May 2021, subject to Additional Environmental Approval being granted.

In relation to this application the following information has been provided:

1. The planning permission to which the application relates – application no 2017/91845

2. The condition(s) which set out the time limit(s) for implementation – this is condition 1 of the planning permission which was issued on 20th July 2017. This stated that development was to commence within three years of the grant of permission.

3. Any condition(s) or other agreements which relate to environmental mitigation or enhancement measures – there are no conditions or agreements which relate to environmental mitigation or enhancement measures

4. Whether the original permission was subject to an Environmental Impact Assessment and/or a Habitats Regulation Assessment, or screening for either type of assessment – the original permission was not subject to an EIA and/or a HRA, or screening for either type of assessment.

   The officer's original reported highlighted that the site is within the bat alert layer where there is a 'reasonable likelihood' that bats could be present on site. However, the assessment continued: "the new extension would not affect an existing roof or the principal roof and would be at a low height. For these reasons I have not sought a bat report to accompany the application. However, it is prudent to attach an advisory note in respect of bats to the decision notice"

   The applicant has not provided an explanation of why they consider it remains the case that neither of EIA/HRA would be needed if an application for planning permission was being made now. However, given the scale of the proposed development and its location it is clear that neither would be relevant to the consideration of a future application. The informative note included on the original planning permission continues to provide adequate guidance.

The purpose of the Additional Environmental Approval consent route is to ensure that there have not been any changes since the original consideration of Environmental Impact Assessment and Habitats Regulation Assessment submitted/considered as part of an application which would make that consideration out of date.

Having considered the information submitted by the applicant, and taken into account the assessment of the original application, if an application for planning permission were made now, I am satisfied that this would not need Environmental Impact Assessment or Habitats Regulation Assessment.

In accordance with guidance " Extension of certain planning permissions: guidance" it is recommended that Additional Environmental Approval is granted for the development.

RECOMMENDATION

Grant Additional Environmental Approval

Decision Text:

Having considered the submitted information, and taken into account the assessment of the original application, if an application for planning permission were made now, this would not need Environmental Impact Assessment or Habitats Regulation Assessment.