Planning and Development Service
Economy and Infrastructure
PO Box B93, Civic Centre 3,
Off Market Street, Huddersfield, HD1 2JR

Enquiries to: Laura Yeadon

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Joe Hinchliffe,
Hinchliffe Architecture & Design Ltd
24, Carr View Road
Hepworth
Holmfirth
HD9 1HX

Date: 03-Aug-2021
Our Ref: 2021/92295

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (as amended) - SCHEDULE 2, PART 1, CLASS AA
AT: 1, Viewlands, Fixby, Huddersfield, HD2 2HY
Prior approval for enlargement of dwellinghouse by erection of additional storey

I refer to your submission of details relative to the proposed extension as described below for the above property and as submitted on 04-Jun-2021.

Prior approval for enlargement of dwellinghouse by erection of additional storey

In accordance with paragraph AA.3(13) the Local Planning Authority hereby confirms prior approval is given for the above development. The requirements under condition AA.2(3) of Class AA, Part 1, Schedule 2 of the General Development Order (as amended) is satisfied.

Notwithstanding the above I would draw your attention to the further provisions of Schedule 2, Part 1, Class AA.2 of the General Development Order (as amended), which states that development is permitted subject to the following conditions:

Development is permitted subject to the following conditions:

- The development shall be carried out in full accordance with the details provided unless otherwise agreed in writing with this Authority.
- The materials used in any exterior must be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
- The development must not include a window in any wall or roof slope forming a side elevation of the dwelling house.
- the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse.
- Following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

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- Before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated.
- The development must be completed within a period of 3 years starting with the date prior approval is granted.

You are also required to notify this Authority of the completion of the development in writing as soon as reasonably practicable after completion, the information submitted shall include, the name of the developer, the address or location of the development and the date of completion.

Whilst reasonable effort has been made to check the accuracy of your submitted details you are reminded that development is **not** permitted by Class AA if-

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

(b) the dwellinghouse is located in—
(i) a Conservation area; or
(ii) a site of special scientific interest;

(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—
(i) 3.5 metres, where the existing dwellinghouse consists of one storey; or
(ii) 7 metres, where the existing dwellinghouse consists of more than one storey;

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—
(i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or
(ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—
(i) 3 metres; or
(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;

(i) any additional storey is constructed other than on the principal part of the dwellinghouse;

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(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

NOTE: The Council's GIS system indicates that a bat roost may 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 to 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	047-21-PL03		4th June 2021
Existing site plan, elevations and floor plans	047-21-PL01		4th June 2021
Proposed site plan, elevations and floor plans	047-21-PL02 – Rev: B		4th June 2021

If you wish for the Local Authority to make a formal determination upon the lawfulness of the proposal, it remains open for you to submit an application for a Certificate of Lawful Development. Further details for such applications can be found at:-
http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/ldc

Notes to Developer

Building Regulations

- Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Please contact Kirklees Building Control on 01484 221550 or via e-mail to building.control@kirklees.gov.uk, alternatively visit www.kirklees.gov.uk/planning for more information.

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Protected Trees

- Be aware that your site has been identified as hosting / being in close proximity to a Protected Tree. Permitted development rights for domestic extensions under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) **do not** override Tree Preservation Orders under the Town and Country Planning (Tree Preservation)(England) Regulations 2012 . It is your responsibility to ensure the continued health and viability of the protected tree. There is advice on the Kirklees Website, if you do need further information. http://www.kirklees.gov.uk/beta/trees-listing-and-conservation/work-on-trees.aspx

Listed Building

If the extensions are to a listed building then listed building consent will be required from this Authority.

Customer Feedback

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.

Yours faithfully

Mathias Franklin
Head of Planning and Development