

HG/JC/2782

22nd April 2022

Kirklees Council
Development Management
PO Box B93
Huddersfield
HD1 2JR

Dear Sir/Madam

Certificate of Lawful Development

Demolition of existing outbuildings and erection of detached dwelling on land adjacent to 17 Jagger Lane, Kirkheaton, Huddersfield. HD5 0QZ

Please find enclosed an application for a Certificate of Lawful Development for the demolition of the existing outbuildings and the erection of a detached dwelling on land adjacent to 17 Jagger Lane.

Planning permission was granted for the above development on 15th December 2017 (Ref: 2017/92564). There were no pre-commencement conditions attached to the planning permission. Development commenced in September 2020, with the demolition of the larger existing building on the site and the digging of footings for the new dwelling.

There is a condition that requires the buildings identified as 'existing buildings to be removed' on approved drawing number 1284-15-005 Rev B that lie to the south of the site, to be surveyed for the presence of bat roosts. A survey has been completed and submitted to the Council under application Ref:2022/90405. It should be noted that the buildings identified as 'existing buildings to be removed' on approved drawing number 1284-15-005 Rev B, does not include the large building on the site that has been removed.

The officer report for the approved planning application explains "*The Ecology Unit provided comment on the 2013 application and were of the opinion that the pitched roof outbuilding was unlikely to have any significant bat roost potential. The condition of the building has not changed significantly, and it remains in good order and well-sealed. As such it is still considered to have limited bat roost potential.*" The report then continues to explain the other buildings to be demolished have a greater roost potential and it was considered reasonable to impose a condition requiring an assessment of that building to ascertain any potential impacts on bats before being demolished. As such the demolition of the larger building could take place without the requirement to submit any information to be approved by the Council.

Demolition of the building took place in September 2020.

Appended to this letter is an email exchange between the former owner of the site and the Council's Building Control Section, with confirmation that work in accordance with the approved planning permission (Ref:2017/92564) had commenced. The email was dated 30th September 2020. This provides confirmation that the works had begun within three years of the date of the planning approval.

A further letter from our client was sent to Kirklees Building Control seeking confirmation for when the work had started. Appended to this letter is the response dated 8th April 2022 that confirms that Kirklees Building Control inspected the site on 25th September 2020 and deemed the works had commenced.

We therefore conclude that the work to implement the planning permission lawfully commenced within 3 years of the planning approval, and therefore the planning application is live in perpetuity.

Yours faithfully

Hamish Gledhill BSc (Hons), Dip TP, MRTPI



Appendix 1 – Email exchange with Kirklees Building Control, confirming a start on site before 30 September 2020.



Appendix 2 – Email from Kirklees Building Control dated 8th April, confirming the site inspection took place on 25th September 2020.

