Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL

Enquiries to: Nina Sayers

Kirklees Direct
Tel: 01484 414746
Email: nina.sayers@kirklees.gov.uk

Paul Ibberson,
Cadvis3d
The Towers, 237, Wakefield Road
Lepton
Huddersfield
HD8 0DH

Date: 30-Nov-2022
Our Ref: 2022/93432

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 – SCHEDULE 2, PART 1, CLASS A.1 (g)
AT: 38, The Crofts, Emley, Huddersfield, HD8 9RU
Prior notification for single storey rear extension

I refer to your submission of details relative to the proposed extension as described below for the above property and as submitted on 19-Oct-2022.

The proposal is for erection of single storey rear extension. The extension projects 6m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 2.9m, the height of the eaves of the extension is 2.9m

The Authority has considered your application and it has been determined that the proposal is not acceptable and prior approval is hereby **Refused** for the following reason(s);

The proposed rear extension would not benefit from a general planning permission under Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015(as amended) as the eaves height of the proposed extension would exceed the eaves height of the existing dwellinghouse, contrary to sub-paragraph (d) of Class A.

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL

Development within a Coal Mining Area

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL

Appeals to the Secretary of State

If you are aggrieved by the decision of the Local Planning Authority to refuse details of the proposed development, you may appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 within **twelve weeks** of the date of issue of this notice.

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/appeal-planning-decision**. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website https://www.gov.uk/government/organisations/planning-inspectorate.
The Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Please note, only the applicant possesses the right of appeal.

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