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

Enquiries to: Nicole Helliwell

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Hamid Dhorat,
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Suite 4
Batley Business Park
Technology Drive
Batley
WF17 6ER

Date: 23-Aug-2023
Our Ref: 2023/92205

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: 17, Waltroyd Road, Cleckheaton, BD19 3AS
Prior approval 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 24-Jul-2023.

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 4m, the height of the eaves of the extension is 3m.

As no representations have been received from the owners or occupiers of adjoining premises **prior approval is not, therefore, required** and the requirements under condition A.4 of Class A, Part 1, Schedule 2 of the General Development Order as amended are satisfied.

Notwithstanding the above I would draw your attention to the further provisions of Schedule 2, Part 1, Class A 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 work (other than the materials used in the construction of a conservatory) shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
- Any upper floor window located in a wall or roof slope forming a side elevation of the dwellinghouse as a result of this development shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

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- You are 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 A if-

- As a result of the works the total floor area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).
- The height of the part of the dwellinghouse enlarged would exceed the height of the highest part of the roof of the existing dwellinghouse
- The height of the eaves of the part of the dwellinghouse enlarged would exceed the height of the eaves of the existing dwellinghouse
- The enlarged part of the dwellinghouse would extend beyond a wall which fronts a highway and form either the principal elevation or the side elevation of the original dwellinghouse.
- The enlarged part of the dwellinghouse would extend beyond a wall which forms a side elevation of the original dwellinghouse and exceeds 4 metres, has more than a single storey or have a width more than half the width of the width of the original dwellinghouse
- The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and the height of the eaves of the enlarged part would exceed 3 metres
- The enlarged part of the dwellinghouse would adjoin an existing enlargement to the original dwellinghouse and the total enlargement exceeds any of the above.
- It would consist or include the provision of a verandah, balcony or raised platform.

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

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

DEVELOPMENT WITHIN A COAL MINING AREA

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

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

Listed Building

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

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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