



Application Number	
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KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL
E-mail: planning.portal@kirklees.gov.uk Tel: 01484 414746

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x) Northing (y)

Description

Applicant Details

Name/Company

Title

Mrs

First name

Emma

Surname

Kaye

Company Name

Address

Address line 1

75 Hightown Road

Address line 2

Address line 3

Town/City

Cleckheaton

County

Country

United Kingdom

Postcode

BD19 5JP

Are you an agent acting on behalf of the applicant?

- ☐ Yes
☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☒ Yes
☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

Proposed alteration to conditionally approved planning application No.2023/91973 at 75 Hightown Road, BD19 5JP

1. Re-roof of the existing dwelling with the new roof on the planning approved rear extension to match. The existing red rosemary tile to be replaced with a red Marley tile (Marley Duo Edgemere - Old English dark red). Ground floor side extension and roof above ground floor bay window to match also.
2. Porch - Timber frame side porch to be replaced with block and white render to match the planning approved alterations to the ground floor side extension.

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☐ Yes
☒ No

Has the proposal been started?

- ☐ Yes
☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

1. The proposed alterations to the roof is to the tile only. There will be no physical change to the size or features of the roof so will not violate any of the restrictions outlined in class C of the permitted development right guidelines.
2. The requested change will be on the same footprint as the existing porch and will not be in any direct violation of the restrictions outlined in class D of the permitted development right guidelines.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

1. Elevation and plan drawings from the conditionally approved planning application No.2023/91973 at 75 Hightown Road, BD19 5JP
2. Proposed Elevation and plan drawings showing requested alterations.
3. Picture of proposed new roof tile.

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- ☒ Permanent
- ☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

1. The existing tiled roof is showing signs of wear and tear and is in need of improvement. The new roof will improve energy efficiency while addressing any maintenance issues. There will be no physical change to the roof other than a change of tile so does not violate any of the restrictions outlined in class C of the permitted development right guidelines. The new style roof tile is a close colour match the original red colour of the existing tile. All changes to be made in accordance with building control requirements.
2. The existing porch is in need of major repair. The requested change will be on the same footprint as the existing porch but will be made of a more robust and energy efficient material. The block and render will match the already approve changes to be made to the ground floor side extension so will also be more aesthetically pleasing. Non of the requested improvements are in violation of any of the restrictions outlined in class D of the permitted development right guidelines.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
- ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
- ☒ The applicant
- ☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
- ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

2023/91973: 75 Hightown Road

Date (must be pre-application submission)

23/11/2023

Details of the pre-application advice received

An email received from Nicole leading to me applying for the lawful development certificate. Hoping it is of use.

Dear Mark,

Thank you for your email and apologies for the delayed response.

Having looked at the planning history for the site, your property does still benefit from its permitted development rights and therefore some alterations can be undertaken without the need for planning permission.

You could re-roof the original dwellinghouse and the approved extensions under permitted development. Furthermore, you could also replace the side door and render the porch under permitted development. However, the materials used in any exterior work will need to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. This does not mean that they need to be the same materials or match exactly.

The technical guide to permitted development for householders provides useful illustrations and plain interpretation of what the permitted development rules mean and apply to. Please refer to Class A for alterations to materials and fenestration/openings and Class C for alterations to the roof such as re-roofing:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/830643/190910_Tech_Guide_for_publishing.pdf

If after reviewing the guidance you consider that the works would be permitted development, and would like written, formal confirmation that is legally binding, you can apply for a Certificate of Lawful Development. You can submit an application through the Planning Portal website and would be required to submit an application form, scaled drawings and a planning fee. Guidance on how to apply can be found online by visiting the Planning Portal at www.planningportal.co.uk/

This reply to your enquiry is given in good faith, and is based on information, which you have supplied, or is held by the Council. Although every effort has been made to ensure the accuracy of the response, it should be understood that neither the Council nor any of its Officers should be held legally responsible for the advice given. Furthermore, it should not be construed that this advice will be considered binding in the event of a subsequent planning application.

Kind regards,

Nicole Helliwell

Planner/Planning Assistant
Development Management (East)
Planning and Development Service
Growth & Regeneration

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Emma Kaye

Date

2023/11/27