

Enquiries to: Molly Storer

Ruth King,
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Mirfield
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Tel: 01484 414746
Email: molly.storer@kirklees.gov.ukDate: 22-Feb-2024
Our Ref: 2024/90069

Dear Madam

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: 14, Lincroft Avenue, Dalton, Huddersfield, HD5 8DS
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 11-Jan-2024.

The proposal is for erection of single storey rear extension. The extension projects 5.1m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3m, the height of the eaves of the extension is 2.8m

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 enlargement does not benefit from a general planning permission under Article 3(1) and Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the rear projection also extends beyond a side wall of the original dwellinghouse and has a width greater than half the width of the original dwellinghouse contrary to sub-paragraph (j) of Class A.

This decision is based on the following details(s):-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	11 January 2024
Proposed block layout plan	-	-	11 January 2024
Proposed and existing floor plans	2023/434/02	-	11 January 2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The application was determined on the submitted information.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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.

Notes to Developer

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

