

Enquiries to: Joanna Rednall

Kirklees Direct  
Tel: 01484 414746  
Email: joanna.rednall@kirklees.gov.uk

M Alam  
Designbyma Architectural  
15, Rafborn Grove  
Salendine Nook  
Huddersfield  
HD3 3UB

Date: 21-Jan-2025  
Our Ref: 2024/93340

Dear Sir/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: 43, Oak Road, Bradley, Huddersfield, HD2 1SN  
The proposal is for erection of single storey rear extension. The extension pro**

I refer to your submission of details relative to the proposed extension as described below for the above property and as submitted on 10-Dec-2024.

The proposal is for erection of single storey rear extension. The extension projects 5m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.0m, the height of the eaves of the extension is 2.65m

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);

It is considered the proposed development cannot benefit from a general planning permission under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) as the proposed extension would extend beyond a side elevation of the original dwellinghouse and be more than half the width of the original dwellinghouse contrary to sub-paragraph A.1(j) of Class A.

The proposed rendered walls as indicated on drawing reference HD33UB15-v1 and as stated within the application form are considered to be contrary to condition A.3(a) of Class A which requires the material used on any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

**Development within a Coal Mining Area**

**DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE**

The proposed development lies within an area that has been defined by the Mining Remediation 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 Mining Remediation 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 a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

[Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

<http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)

## 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](mailto: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