



**KIRKLEES COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 192  
(as amended by Section 10 of the Planning and Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015: ARTICLE 39**

**REFUSAL OF CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

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**Application Number: 2025/CL/90661/W**

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To: Northedge Design  
190, Lindley Moor Road  
Lindley Moor  
Huddersfield  
HD3 3UE

For: N BLAKEMORE

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR PROPOSED  
ERECTION OF SINGLE STOREY REAR EXTENSION

SECOND SCHEDULE 190, Lindley Moor Road, Lindley Moor, Huddersfield, HD3  
3UE

**KIRKLEES COUNCIL HEREBY REFUSES TO CERTIFY THAT ON 11-MAR-2025 THE OPERATIONS DESCRIBED IN THE FIRST SCHEDULE THERETO IN RESPECT OF THE LAND SPECIFIED IN THE SECOND SCHEDULE HERETO AND EDGED RED ON THE SUBMITTED PLANS WOULD BE LAWFUL WITHIN THE MEANING OF SECTION 192 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), FOR THE FOLLOWING REASONS:**

The proposed single-storey rear extension 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 amended)) as it would be within 2 metres of the boundary of the dwellinghouse and the height of the eaves of the enlarged part would exceed 3 metres, it would also extend beyond the rear wall of the original detached dwellinghouse by more than 3 metres and due to the shape of the property, the enlarged part would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width more than half the width of the original dwellinghouse contrary to sub-paragraphs A.1(f), (i) & (j) of Class A.

<b>Plan type</b>	<b>Reference</b>	<b>ID</b>	<b>Date received</b>
Application form	-	1080531	11/03/2025
Proposed elevations	A103	1080534	11/03/2025
Proposed floor plans	A101	1080533	11/03/2025
Existing plans and elevations	A102	1080532	11/03/2025

### **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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)

**If the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area**

### **NOTES:**

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse an application for a certificate of lawfulness of development, in whole or part (including any modification or substitution of the description of the use, operations or any other matter), s/he may appeal to the Secretary of State in accordance with Sections 195 and 196 of the Town and Country Planning Act 1990 (as amended). 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 [the Planning Inspectorate website](#). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](#).
- (2) This decision is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended)

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.

Dated: **14-May-2025**

Signed:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, resembling the letters 'DS'.

David Shepherd  
Executive Director for Place

**Address to which all communications should be sent:-**

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