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

Application Number: 2026/CL/90180/W

To: Christopher Lee,
Lucas Lee & PartnersLtd
2, Park Square
Leeds
LS1 2NE

For: P SAHOTA

FIRST SCHEDULE	CERTIFICATE OF LAWFULNESS FOR PROPOSED SINGLE STOREY SIDE EXTENSION
SECOND SCHEDULE	11, Fenay Lea Drive, Fenay Bridge, Huddersfield, HD5 8RR

KIRKLEES COUNCIL HEREBY REFUSES TO CERTIFY THAT ON 26-JAN-2026 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 single storey rear extension does not 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 development would extend beyond a wall forming the principal and side elevation of the original property and would front a highway contrary to sub-paragraph A.1(e) of Class A. The proposed enlargement would also exceed 4 metres in height and extend beyond a side elevation contrary to sub-paragraph A.1(j) of Class A.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form	PP-14624093		20th January 2026
Location plan	PP-14624093v2		20th January 2026
Existing and proposed floor plans			20th January 2026
Existing elevations and floor plan	25-2113 -LL -ZZ -ZZ - DR -B -2100		20th January 2026
Existing 3D views	25-2113 - LL - ZZ - ZZ - DR - B - 2101		20th January 2026
Proposed elevations and floor plans	25-2113 -LL -ZZ -ZZ - DR -B -2110		20th January 2026
Proposed 3D views	25-2113 - LL - ZZ - ZZ - DR - B - 2111		20th January 2026

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 so that we can work on continually improving our customer service. Thank you.

Dated: **17-Mar-2026**

Signed: 

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