

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

**Town and Country Planning (General Permitted Development) (England)
Order 2015 - Schedule 2, Part 1, Class A.1 (g) Condition A.4**

**DELEGATED DECISION FOR DISCHARGE OF CONDITION A.4 -
NOTIFICATION OF A PROPOSED ENLARGEMENT TO DWELLINGHOUSE**

Reference no.	2017/HH/93490/E
Site Address	39, Lansdowne Close, Batley, WF17 0EZ
Description	The proposal is for erection of single storey rear extension. The extension projects 4m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 4m, the height of the eaves of the extension is 3m
Recommending Officer	Ian Thomas

DECISION – PRIOR APPROVAL NOT REQUIRED

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

Kevin Walton

AUTHORISED OFFICER

Date: 17-Nov-2017

OFFICER RECOMMENDATION

DISCHARGE OF CONDITION A.4 , SCHEDULE 2, PART 1, CLASS A GENERAL PERMITTED DEVELOPMENT ORDER

1. Procedural Matters

Prior notifications for the erection of single storey rear extensions to dwellings are considered against the requirements as set out by the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) Schedule 2, Part 1, Class A, condition A.4.

Proposals pursuant to Class A are permitted subject to limitations set out in paragraph A.1 and in the case of Class A.1 (ea) subject to the discharge of condition A.4. This proposal relates to development pursuant to Class A where condition A.4 is engaged and for the purposes of this assessment only the limitations for Class A.1 (ea) and requirements condition A.4 are considered. Other limitations within Class A are not considered other than where, in the opinion of the Local Planning Authority, the development does not comply with the limitations within Class A of the Order. Ultimately it is the responsibility to ensure the development is carried out in full accordance with any planning permission rests with the applicant or property owner/occupier.

Limitations for Class A.1(ea) Development

Is the site within a Conservation Area, Article 4 or SSI area?	No
Is any part of the proposal clearly outside the curtilage of the dwellinghouse?	No
If the house is detached and from the information submitted, does the extension extend more than 8 metres from the rear of the original dwellinghouse?	N/A
If the house is not detached and from the information submitted, does the extension extend more than 6 metres from the rear of the original dwellinghouse?	No
Does the proposal exceed 4 metres in height?	No
Have permitted development rights been removed from the property?	Yes – 94/90745 Conditions 4, 8 and 9

Condition A.4

As part of the notification procedure, the Local Planning Authority notify owners or occupiers of adjacent premises of the proposed development by serving notice and allowing 21 days for objections to be made. The Local Authority shall take into account any representations made as a result of the notice given.

Consultation start date : 11 – 10 - 2017

Consultation end date : 1 – 11 - 2017

2. Objections

No objections received

2. Assessment

Although permitted development rights have been removed from Planning Application 94/90745 (conditions 4, 8 and 9), these do not apply to the proposal for the single storey rear extension which projects 4m beyond the rear wall, maximum height of 4m and the height of the eaves of the extension at 3m.

Acknowledging this, as the dimensions of the proposal do satisfy legislation as set out in Schedule 2, Part 1, Class A (g) of the (General Permitted Development) Order 2015, my recommendation is that prior approval is not required.

3. Recommendation

Prior approval is not, therefore, required.

13 – 11 – 2017

Report Dated: