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/94212/W**
Site Address	**24, Talbot Avenue, Edgerton, Huddersfield, HD3 3BG**
Description	**The proposal is for a single storey rear extension The extension projects 4.0 metres beyond the rear wall of the original dwellinghouse The maximum height of the extension is 3.0 metres The height of the eaves of the extension is 2.6 metres**
Recommending Officer	**Ian Thomas**

DECISION - REFUSE

I hereby authorise the refusal 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: 16-Jan-2018

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?	No

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 – 12 – 2017

Consultation end date : 01 – 01 - 2018

1. Objections

No objections received

2. Assessment

Description of Proposal

The proposal is for erection of a single storey rear extension. The extension projects 4m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3m, the height of the eaves of the extension are 2.6m.

Information retrieved from the location plan, illustrates that the full width of the property is 9m and the proposed width of the single storey rear extension will be 7m.

Permitted Development

Assessing the proposal against the current development, according to our historical imagery (dated 1955), it appears the extension would extend beyond the side elevation which forms part of the original dwellinghouse.

Accepting this, as the proposed enlargement extends beyond the side elevation of the original dwellinghouse and has a width more than half the width of the original dwellinghouse and therefore fails to accord with paragraph (j) of Class A, Part 1 of Schedule 2 of the Town and Country Planning(General Permitted Development)(England) Order 2015 (as amended).

Acknowledging that the proposal disagrees with paragraph (j) Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, my recommendation is to refuse the application.

3. Recommendation

Refuse

Report Dated: 15 – 01 - 2018