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.	**2018/HH/90215/W**
Site Address	**12, Hillside View, Linthwaite, Huddersfield, HD7 5SZ**
Description	**The proposal is for erection of single storey rear extension. The extension projects 3.2m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.1m, the height of the eaves of the extension is 2.1m**
Recommending Officer	**Hannah Thickett**

DECISION – REFUSED / WITHDRAWN

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: 01-Feb-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?	Yes
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 : 18-01-18

Consultation end date : 08-02-18

1. **Objections**

1 objection received regarding concerns over the land levels on site and the plans not reflecting what would need to be built in order to raise the extension to existing ground floor levels. Comments were also raised in regards to the window openings on the south elevation.

2. **Assessment**

The proposal does not qualify for the criteria of permitted development as the enlarged part of the dwellinghouse would have an overall height greater than 4 metres. Whilst the plans submitted shows the proposed extension would be built in-line with the original ground floor of the dwellinghouse, due to the topography of the land directly adjacent to the rear of the property, the extension would need to be raised by 2.4 meters giving an overall height to the extension of 5.5 meters This would therefore exceed the limitations set out in the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

3. **Recommendation**

Refuse/ Withdrawn

Report Dated: 01/02/2018