

**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.	<b>2018/HH/92804/W</b>
Site Address	<b>30, Marten Drive, Netherton, Huddersfield, HD4 7JX</b>
Description	<b>The proposal is for erection of single storey rear extension. The extension projects 3.7m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.7m, the height of the eaves of the extension is 2.3m</b>
Recommending Officer	<b>Hannah Thickett</b>

**DECISION - REFUSED**

**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: 08-Oct-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 (g) 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 (g) 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 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(g) 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?	No
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?	n/a
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 : 28 -08-18

Consultation end date : 19-09 -18

#### **1. Objections**

None received

#### **2. Assessment**

The proposed development would fail to meet the criteria set out under Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) Schedule 2, Part 1, Class A sub section (j)(iii). Historical imagery shows that the dwelling at 30 Marten Drive, Netherton has an original rear projecting element. Whilst the proposal submitted shows the extension to be half the width of the dwelling, as it is attached to an existing single storey element, the extension has to be considered as a whole. In this instance the proposed extension would fail to meet the requirements as set out in the permitted development order as it extends beyond a side wall forming an original part of the dwelling and is greater than half the width of the original dwellinghouse.

#### **3. Recommendation**

Refuse

**Report Dated:**

08/10/18
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