

**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.	2019/HH/91818/E
Site Address	2, Squirrel Hall Drive, Dewsbury, WF13 4AH
Description	The proposal is for erection of single storey rear extension. The extension projects 4.2m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 2.65m, the height of the eaves of the extension is 2.525m
Recommending Officer	Rebecca Westley

DECISION - DETAILS APPROVED

**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: 05-Jul-2019

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?	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 : 31/05/2019

Consultation end date :28/06/2019

1. **Objections**

One representation has been made in objection to the proposal. As a summary to the objections the key points that have been raised are:

- Concerns pertaining to the rear wall of the proposed extension distance from the rear boundary
- Existing high hedges affecting natural light and heat to the proposed extension

These will be assessed and set out in the report below.

2. **Assessment**

Site description

2 Squirrel Hall Drive is a detached brick built bungalow built on the corner of Squirrel Hall Drive, Cullingworth Street and Fox View. There is a patio area to the front and side of the dwelling with a drive and former garage base to the rear.

There are similar dwellings to the front and north west side with two storey dwellings to the rear. The hospital is located opposite the south east side.

Development description

The proposal is for erection of single storey rear extension. The extension projects 4.2m beyond the rear wall of the original dwelling house. The maximum height of the extension is 2.65m; the height of the eaves of the extension is 2.525m.

Permitted Development Rights

Firstly, assessing the proposal it is considered to satisfy all permitted development rights as the extension projects 4.2m beyond the rear wall, the maximum height is 3.6m and the height of the eaves is 2.5m. The local planning authority has no reason to believe the extension exceeds

the limitations stated within Class A, Schedule 2, Part 1 of the (General Permitted Development) (England) Order 2015 (as amended). Under permitted development rights outlined in Class A, Schedule 2, Part 1 the applicant could erect an extension projecting up to 3 meters with an overall height of 4 meters and eaves height of 3 meters.

Assessment

The local development plan for Kirklees requires development on unallocated land to be assessed with respect to policy LP24

LP24 of the proposed draft local plan also aims to achieve good quality design minimising impact upon amenity.

A site visit has been carried out to consider the impact on the amenities of the neighbouring properties as an objection has been received. The proposed enlargement extends beyond the rear of the property along the shared boundary with 4 Squirrel Hall Drive. Immediately adjacent the proposed enlargement is an existing garage within the garden of no 4. This garage wholly masks the proposed extension resulting in negligible impact upon the amenity of no. 4.

Beyond the rear wall of the proposed extension is the driveway of 100 Cullingworth Street. A substantial hedge existing between the two properties limiting the impact of the proposed extension to a limited degree.

The concerns raised included only the impact on the new development as a whole not the impact on neighbouring properties which are not material considerations for the purposes of this application.

Overall, the impact upon adjoining properties is limited and as such in accordance with policy LP24.

2. Recommendation

Prior approval is granted

Report Dated:

25/06/2019
