

**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.	2020/HH/90606/W
Site Address	217, Long Lane, Dalton, Huddersfield, HD5 9SG
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 2.8m, the height of the eaves of the extension is 2.8m
Recommending Officer	Alice Huxley

DECISION - REFUSED

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: 30-Mar-2020

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 – the extension extends 3.97 metres from the rear of the original dwellinghouse.
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 – the proposal is at a height of approximately 3.2 metres.
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 : 26/02/2020

Consultation end date : 18/03/2020

2. Objections

No objections received

2. Assessment

The proposal is for a 4 metre single storey enlargement to the dwelling across the whole rear elevation. Historic maps held by the Local Planning Authority published 1958 show the dwellinghouse largely in its existing form. This is the earliest dated evidence of the dwellinghouse in its original state. This evidence shows the dwellinghouse to include a rear and side projection on the north east corner of the building. This is also evident today. As the materials and design of the projection match the main part of the dwellinghouse and by virtue of historic maps it is considered, on the balance of probabilities, that the rear and side projection was part of the original dwellinghouse. The west elevation of this rear projection is therefore to be considered to form a side elevation of the original dwellinghouse when having regard to Government Technical Guidance for Permitted Development rights.

The proposed extension projects beyond this side elevation and has a proposed width along the whole rear elevation. As such the proposed enlargement extends beyond a side elevation of the original dwellinghouse and has a width greater than half the width of the original dwellinghouse contrary to paragraph (j)(iii) of Part 1, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

3. Recommendation

Refusal

Report Dated: 19/03/2020

