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.	**2022/HH/92140/E**
Site Address	**5, Park Drive, Shelley, Huddersfield, HD8 8JE**
Description	**The proposal is for erection of single storey rear extension. The extension projects 8m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 4m, the height of the eaves of the extension is 2.5m**
Recommending Officer	**Alice Downham**

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-Aug-2022

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	N/A

from the rear of the original dwellinghouse?	
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 : 24th June 2022

Consultation end date : 15th July 2022

1. **Objections**

One representation was received in response to the publication of this application. The following concerns were raised:

- Proposed ridge line and gable end will be prominent when viewed from neighbouring property to the north.
- Odour issues/extraction system – as proposed extension would accommodate a kitchen. *Officer comment – as this would be an extension to an existing residential property, it is considered that any odour impacts from cooking would not be significant over and above the existing situation on site.*

2. **Assessment**

Site description
5 Park Drive is a detached bungalow located in Shelley. It is faced in stone to the front elevation and render to the side and rear elevations. It had a dual-pitched roof form with front and rear facing gables. It benefits from off-street parking to the front leading to an attached garage to the side. There are gardens to the front and rear. The dwelling is located on a residential street with other properties of a similar age, style and design and materials.

Description of proposal
The proposal is for the erection of a single-storey rear extension. The extension would project 8.0m beyond the rear wall of the original dwellinghouse. The

maximum height of the extension is 4.0m, the height of the eaves is 2.3m. The extension would be approximately 4.6m wide.

Assessment
The guidance published with respect to prior notifications for the erection of single storey rear extensions to dwellings states that "If any adjoining neighbour raises an objection within the 21-day period, the local authority will take this into account and make a decision whether the impact on the amenity of all adjoining neighbours is acceptable".

Policy LP24 (b) of the Kirklees Local Plan sets out that, *inter alia*, proposals should promote good design by providing a high standard of amenity for future and neighbouring occupiers.

An analysis of the site has been carried out to assess the impact on the amenities of the neighbouring properties as one objection has been received.

Impact on 3 Park Drive

This is the neighbouring property to the west of the application site. This neighbouring property is a bungalow which is set forward in the street scene relative to no.5. There would be no windows inserted in the western side elevation of the proposed extension, so there would be no additional overlooking impact on no.3. Moreover, the existing boundary treatment masks the amenity space of no.3 to ensure no overlooking should any windows be inserted in the future. It is acknowledged that the proposed extension would increase the level of built development along the shared boundary with this neighbour. However, given that the proposed extension would be single-storey and would be set off from the shared boundary by approximately 0.15m, and that it would have a dual-pitched roof form to match the existing which would take the vertical emphasis away from the shared boundary, it is considered that there would be no significant overbearing impact on no.3. Taking the above into account, along with the fact that the proposed extension would be located to the northeast of this neighbour, it is considered that there would be no significant additional overshadowing impacts on no.3. Officers are satisfied that there would be no significant additional impacts on the residential amenity of 3 Park Drive as a result of the proposed extension.

Impact on 7 Park Drive

This is the neighbouring property to the east of the application site. This neighbouring property is a bungalow which is set back in the street scene relative to no.5. It is noted that there are two openings on the western side elevation which are both thin horizontal windows, set just below the eaves of the property. One serves the garage, which is not an inhabited space, and the other serves a secondary window to a bedroom. There would be glazed sliding doors inserted in the eastern side elevation of the proposed extension. These would face the western side elevation of no.7. Due to the topography of the site, the proposed extension would be sunk into the ground, and therefore set down from the bedroom window at no.7. Taking this into consideration, along with the

design of the windows at no.7, it is considered, on balance, that no significant overlooking harm would occur as a result of the proposed extension.

A separation distance of 9.85m would be maintained to the proposed single-storey rear extension. As such, it is considered that there would be no significant overbearing impact on no.7. Taking the above into account, along with the fact that the proposed extension would be located to the west of this neighbour, it is considered that there would be no significant additional overshadowing impacts on no.7. Officers are satisfied that there would be no significant additional impacts on the residential amenity of 7 Park Drive as a result of the proposed extension.

Impact on 12 Park Close

This is the neighbouring property to the rear (north) of the application site. This neighbouring property is a bungalow which is set at a slightly higher elevation relative to the applicant property. There would be no windows inserted in the rear elevation of the proposed extension, so there would be no additional overlooking impact on 12 Park Close. The proposed extension would bring built development closer to this neighbour than at present; however, a separation distance of approximately 9m would be maintained by the gardens of both dwellings. As such, it is considered that there would be no significant overbearing impact on 12 Park Close. Furthermore, given the single-storey nature of the proposed extension and that it would be located at a lower elevation relative to this neighbour, it is considered that there would be no significant additional overshadowing impacts on 12 Park Close.

3. Recommendation

Approval.

Report Dated: 05/08/2022