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Planning Development

Planning Supporting Statement for a Certificate of Lawful Proposed Development at 24 Arkenley Lane, Almondbury, Huddersfield, HD4 6SQ

Introduction

This planning statement accompanies a Certificate of Lawful Proposed Development application at 24 Arkenley Lane, Almondbury, Huddersfield. The property is a relatively large two-storey stone built detached house. The property is located in a semi-rural location, approximately 0.5km south-east of the centre of Almondbury. Neighbouring residential properties are situated either side of the application site along Arkenley Lane with King James's school located on the opposite side of Arkenley Lane to the front and open fields to the rear. Access to the property is via a driveway from Arkenley Lane.



Photograph from the rear of the dwelling

Planning History

2004/94867 – Erection of detached garage with studio over - Refused

2007/90344 – Erection of two storey and single storey extensions - Approved

2007/94984 – Erection of two storey and single storey extensions (modified proposal) – Withdrawn

2020/93122 – Certificate of lawfulness for formation of first floor office in existing garage and installation of windows and roof lights – Granted

This residential property retains its permitted development rights.

The Proposals

The proposed development comprises of a single storey side extension and two rear dormers.

The extension would project out from the original dwelling by 8.2 metres and would be 6.2 metres in length. The roof of the extension is proposed to be pitched with a height of 2.9 metres to the eaves and 3.9 metres to the ridge. Two windows are proposed on the both the front and rear elevations. All materials would match the existing dwelling.

The dormer proposed on eastern side of the rear elevation would measure 5.7 metres in length and the dormer proposed on the western side of the rear elevation would measure 3.6 metres in length. Both dormers would be set down from the ridge of the roof and set up from the eaves. Two windows are proposed on the larger dormer with one window proposed on the smaller dormer. All materials would match the existing dwelling.

Permitted Development

This application is made under Class A and Class B, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The reasons the proposal is considered to be permitted development are as follows, dealing with each of the conditions/restrictions in Class A and B in turn (responses in blue):

Class A – The enlargement, improvement or other alteration of a dwellinghouse.

A.1 Development is not permitted by Class A if:

- a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this schedule (changes of use);

[Permission to use the dwellinghouse as a dwellinghouse was not granted under Class G, M, MA, N, P, PA or Q of Part 3 of this schedule \(changes of use\).](#)

- b) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of curtilage (excluding the ground area of the original dwellinghouse);

[As the Location Plan and the proposed plans & elevations demonstrate, the proposed extension would not result in the total area of ground covered by buildings within the curtilage](#)

of the dwellinghouse (other than the original dwellinghouse) exceeding 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

- c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The height of the proposed extension is 3.9 metres which as can be seen from the proposed plans and elevations falls below the highest part of the roof on the existing dwellinghouse.

- d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The height of the eaves is 2.9 metres which as can be seen from the proposed plans and elevations falls well below the height of the eaves on the existing dwellinghouse.

- e) The enlarged part of the dwellinghouse would extend beyond a wall which –

- i) Forms the principal elevation of the original dwellinghouse; or
- ii) Fronts a highway and forms a side elevation of the original dwellinghouse;

The proposed extension would be located on the south-western side elevation. As can be seen from the proposed plans and elevations, the extension would not extend beyond the principal (north-western) elevation and it does not front a highway.

- f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and –

- i) Extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
- ii) Exceed 4 metres in height;

N/A

- g) For a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –

- i) Extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
- ii) Exceed 4 metres in height;

N/A

- h) The enlarged part of the dwellinghouse would have more than a single storey and-

- i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
- ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse.

N/A

- i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

The proposed extension would be built within 2 metres of the boundary of the curtilage of the dwellinghouse. However, the height of the eaves at 2.9 metres is acceptable under this clause.

- j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-
 - i) Exceed 4 metres in height,
 - ii) Have more than a single storey, or
 - iii) Have a width greater than half the width of the original dwellinghouse;

The proposed extension would be single storey with a height of the 3.9 metres. The width of the extension would be 8.2 metres. The width of the original dwellinghouse is 16.4 metres. The extension would therefore not have a width greater than half the width of the original dwellinghouse.

- ja) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs e) to j);

The proposed extension would be joined to the original dwellinghouse only and would not be joined to any previous extensions. The proposed extension would therefore not exceed the limits set out in sub-paragraphs e) to j).

- k) It would consist of or include –
 - i) The construction or provision of a veranda, balcony or raised platform,
 - ii) The installation, alteration or replacement of a microwave antenna,
 - iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - iv) An alteration to any part of the roof of the dwellinghouse.

The proposals would not include any of the above.

- l) The dwellinghouse was built under Part 20 of this Schedule (construction of new dwellinghouses).

The dwellinghouse was not built under Part 20 of this Schedule.

A.2 This section relates to dwellinghouses on article 2(3) land. The proposed extension is on a dwellinghouse not on article 2(3) and therefore this section does not apply.

A.3 Conditions

- a) The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

All materials would be similar in appearance with those on the existing dwellinghouse, as shown on the proposed plans (natural coursed stone, slate roof tiles and timber framed windows).

Conditions b) and c) relate to extensions of two storeys or more. The proposed extension is only single storey and therefore these conditions do not apply.

A.4 This section relates to conditions which apply to development permitted by Class A which exceed the limits in paragraph A.1 f) but is allowed by paragraph A.1 g) (larger home extensions). This application is not seeking approval for a larger home extension and therefore these conditions do not apply.

Class B – The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

B.1 Development is not permitted by Class B if:

- a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Permission to use the dwellinghouse as a dwellinghouse was not granted under Class G, M, MA, N, P, PA or Q of Part 3 of this schedule (changes of use).

- b) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

The proposed dormers would be set down from the ridge on the roof of the existing dwellinghouse. As such, the proposed works would not exceed the height of the highest part of the existing roof.

- c) Any part of the dwellinghouse would, as a result of the works, extend beyond the plans of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

The proposed dormers would be located on the rear facing roof slope which is neither the principal elevation nor does it front a highway.

- d) The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than –

- i) 40 cubic metres in the case of a terrace house, or
- ii) 50 cubic metres in any other case;

The original roof space has not been extended previously and the proposed dormers would result in the addition of 26 cubic metres. The proposals therefore comply with this clause.

- e) It would consist of or include –

- i) The construction or provision of a verandah, balcony or raised platform, or
- ii) The installation, alteration or replacement of a chimney, flue or soil vent pipe;

The proposals would not include any of the above.

- f) The dwellinghouse is on article 2(3) land;

The dwellinghouse is not on article 2(3) land.

- g) The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or

The dwellinghouse was not built under Part 20 of this Schedule.

- h) The existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

The existing dwellinghouse has not been extended by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

B.2 Conditions

- a) The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

All materials would be similar in appearance with those on the existing dwellinghouse, as shown on the proposed plans (natural coursed stone and slate cheeks and timber framed windows).

- b) The enlargement must be constructed so that –

- i) Other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –

aa) The eaves of the original roof are maintained or reinstated; and

bb) The edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

- ii) Other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

The proposed dormers would be set up from the existing eaves by 0.2 metres – measured along the roof slope - and the original eaves would be maintained. The proposed dormers would also not extend beyond the outside face of the external rear elevation as shown on the proposed plans and elevations.

- c) Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –

i) Obscure-glazed; and

ii) Non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

No windows are proposed on a wall or roof slope forming a side elevation.

Conclusion

Based on fulfilling the above criteria, it is considered that the proposed development falls within permitted development rights for both Part 1 Class A (side extension) and Class B (rear dormer extensions).

We therefore respectfully request that the enclosed Certificate of Lawful Proposed Use is granted accordingly.

Please do not hesitate to contact us should you have any queries.

Robert Halstead Surveyors & Town Planners

May 2024