

**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.	2024/HH/91569/W
Site Address	Pendlehurst, 34, Sandbeds, Honley, Holmfirth, HD9 6RD
Description	The proposal is for a single storey rear extension. The extension projects 8 metres beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.5 metres. The height of the eaves of the extension is 3.5 metres.
Recommending Officer	Joanna Rednall

DECISION – PRIOR APPROVAL NOT REQUIRED

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: 29-Jul-2024

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 : 4 June 2024

Consultation end date : 25 June 2024

1. Objections

1.1 Summary of representations: -None received

1. Assessment

It is noted from the Council's historic mapping dated 1965, which appears to be the original property, that the dwelling had a rear conservatory on part of the width of the building. Consequently, the side of this projection would appear to form part of the side elevation of the original dwellinghouse as defined with the General Permitted Development Order. As the proposed development projects near the full width of the original dwellinghouse, it would result in the proposed enlargement having a width more than half the width of the original dwellinghouse if the conservatory is original to the house.

However, photographs submitted by the applicant's agent on 16th July show that the stonework to the rear elevation is consistent in terms of its coursing, size and nature, indicating that the conservatory is not original to the dwellinghouse. Moreover, the coursing and stone type used for the low walling of the conservatory is different in size, facing and pointing thus indicating it was not original. The applicant has also submitted a questionnaire indicating the conservatory was built in 2000 although it is clear from the 1982 historic map the rearward projection was in existence prior to 2000. On the balance of

probability, this indicates the rear conservatory is not original to the dwellinghouse and therefore the development would comply with sub paragraph A.1 (j).

Amended plans submitted 18th July show the height of the eaves of the enlargement level with the height of the eaves of the existing dwellinghouse and would comply with sub paragraph A.1 (d)

2. Recommendation

Prior Approval is not required.

Report Dated:

22/07/2024