# 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**

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| **Reference no.** | **2024/HH/92924/E** |
| **Site Address** | **95, Ealand Road, Batley, WF17 8HT** |
| **Description** | **The proposal is for single storey rear extension. The extension projects 6 metres beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 4 metres, The height of the eaves of the extension is 3 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: 21-Nov-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 of 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

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| 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? | N/A |
| 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? | The proposal is semi-detached and the extension has a projection of 6 metres. |

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| Does the proposal exceed 4 metres in height? | No |
| Have permitted development rights been removed from the property? | Yes - 2016/93600 – however this does not relate to extensions to the dwellinghouse |

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 : 14th October 2024

Consultation end date : 18th November 2024

1. **Objections**

1.1 Summary of representations: -None received

1. **Assessment**

The property's planning history and aerial imagery shows that a two-storey and single storey extension have been erected to the side elevation with a single storey extension to the rear. The two-storey side extension and single storey rear extension was erected pursuant to planning permission (2016/62/93600/E). The submitted plans show the existing 3 metre single storey extension would be demolished to facilitate the proposed 6 metre extension sought under this application, however the submitted plans do not show the two-storey enlargement to the side of the dwelling. The submitted plans show the width of the rear extension as ~6.2 metres whereas historical imagery held by the Council dated 1955 and plans submitted under application 2016/62/83600/E indicate the width of the original dwellinghouse as ~6.6 metres. It is considered the proposed single storey rear enlargement would not adjoin an existing enlargement to the side or rear or the original dwellinghouse and therefore the proposed extension is considered acceptable.

2. **Recommendation**

Prior Approval is not required.

**Report Dated:** 19/11/2024