

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/93049/E
Site Address	Briar Mead, Pinfold Lane, Mirfield, WF14 9JA
Description	The proposal is for erection of single storey rear extension. The extension projects 6m 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 2.9m
Recommending Officer	Molly Storer

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: 04-Dec-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

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?	No – the extension would extend 6m beyond the rear wall of the original dwellinghouse.
Does the proposal exceed 4 metres in height?	No - The maximum height of the extension is 4m
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 : 25th October 2024

Consultation end date : 15th November 2024

1. Objections

Summary of representations: -None received.

1. Assessment

The proposed extension projects from the rear of the original dwellinghouse by 6 metres along part of the rear elevation and 4.5 metres beyond an existing part rearward projection. The Council's historical imagery dated 1933 do not show the dwellinghouse to have been built. However, imagery dated 1955, 1956, 1968 & 1968 consistently indicate the existing rearward projection was original to the dwellinghouse. However, additional information sent by the agent shows the original dwelling as built in 1931 with no rear projection to Briar Mead or to Midway adjacent. The images sent show the original stone quoins returning where the single storey extension has been built and the original stone walling can also be seen on the rear elevation behind where the current extension is, showing that the existing projection was in all probability not part of the original building. However this does not demonstrate a previous rearward projection existed as shown on the historical imagery. Notwithstanding this, it is clear the original block plan from 1931 indicates the property did not have a rear projection at that time before 1948 but may have had one built between 1931 and 1955 when considering the Council's historical imagery. Consequently it cannot be said without doubt the historic rearward projection existing on the appointed date in 1948.

Furthermore an elevation plan was submitted showing the elevations for the property. It presented that there would be two dual pitch hipped roof projections and a flat roof extension. It was suggested that the ridge

height could be the same height as the existing ridge which when looking at photographs within sale details appears more than 4 metres in height.

However the elevation plan clarified that the height to the eaves would be 2.5m with an overall height of 3.7m.

It is therefore considered that the proposed enlargement does benefit from a general planning permission under Article 3(1) and Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

2. Recommendation

Prior approval not required

Report Dated:

06/12/2024
