

**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/93436/W |
| Site Address | 5, Stone Acre Heights, Meltham, Holmfirth, HD9 4EF |
| 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 3.5m, the height of the eaves of the extension is 3m |
| Recommending Officer | Molly Storer |

DECISION - REFUSED

**I hereby authorise the refusal 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: 08-Jan-2025

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? | The house is detached and the extension would project 6m. |
| 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 - The maximum height of the extension is 3.5m |
| 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 : 6th December 2025

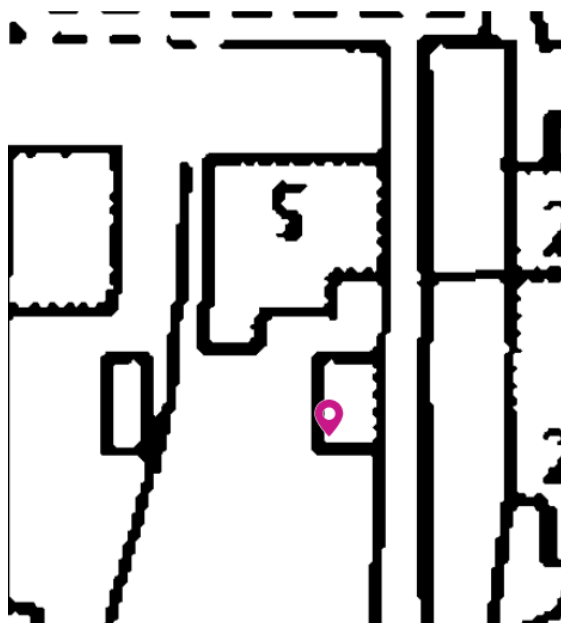
Consultation end date : 27th December 2025

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 beyond an existing part rearward projection. The Council's historical imagery dated 1955 does not show the dwellinghouse to have been built. However, imagery dated 1956 indicates the existing rearward projection was original to the dwellinghouse.



Although it appears that more recent rear extensions have been added since the original rearward projection the original rearward projection nonetheless extends beyond a wall forming a side elevation of the original dwellinghouse. Having regard to the Government's householder guide to permitted development rights (2019) and sub-paragraph A.1(j), Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) development is not permitted under Class A where the proposed extension extends beyond a side elevation of the original dwellinghouse and has a width greater than

half the width of the original dwellinghouse. In this case the submitted plans indicate the proposed extension extends along the whole rear elevation of the property and is therefore contrary to paragraph (j) of Class A and as such cannot benefit from a permitted development.

2. Recommendation

Refused

The proposed enlargement does not 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 (as amended) as the rear projection extends beyond a wall forming a side wall of the original dwellinghouse and has a width greater than half the width of the original dwellinghouse contrary to sub-paragraph A.1(j) of Class A.

This decision is based on the following details(s):-

| Plan Type | Reference | Version | Date Received |
|--|------------------|----------------|----------------------|
| Proposed elevations and floor plans | 2406 0205 P02 | - | 05/12/2024 |
| Existing elevations and block plan | 2406 0205 P01 | - | 05/12/2024 |
| Existing floor plans and location plan | 2406 0201 P01 | - | 05/12/2024 |
| Application form | - | - | 05/12/2024 |

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The application was determined on the submitted information.

Report Dated:

16th January 2025