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.	**2025/HH/90622/E**
Site Address	**7, Shillbank Lane, Mirfield, WF14 0QA**
Description	**The propsoal is for erection of single storey rear extension. The extension projects 4m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 2.8m, the height of the eaves of the extension is 2.8m**
Recommending Officer	**Joanna Rednall**

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: 15-Apr-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?	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
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 : 7th March 2025

Consultation end date : 28th March 2025

1. Objections

1.1 Summary of representations: -None received

1. Assessment

The proposal is for erection of single storey rear extension. The extension projects 4m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 2.8m, the height of the eaves of the extension is 2.8m.

Historic imagery held by the Council indicate a partial rearward projection that appears consistently on maps dated 1955 and 1965 indicating it is an original projection to the dwellinghouse. The submitted plans show this projection would be demolished to facilitate the proposed extension, nonetheless officers consider the side of the original projection constitutes a side elevation of the original dwellinghouse and is an original feature. Therefore, the proposed extension would extend beyond his with a width greater than half the width of the original dwellinghouse. Therefore, the proposed enlargement cannot benefit from a general planning permission under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class A as the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse contrary to sub-paragraph (j) of Class A.

2. Recommendation

Refusal

Report Dated: 15/04/2025