

**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**

<b>Reference no.</b>	<b>2025/HH/90757/E</b>
<b>Site Address</b>	<b>4, Ashworth Road, Eightlands, Dewsbury, WF13 2NJ</b>
<b>Description</b>	<b>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 3m</b>
<b>Recommending Officer</b>	<b>Joanna Rednall</b>

**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: 29-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	No

from the rear of the original dwellinghouse?	
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 : 21<sup>st</sup> March 2025

Consultation end date : 11<sup>th</sup> April 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 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 3m.

Historic imagery of the property held by the Council, dated 1933, 1955, and 1968, consistently shows a flat-roofed, single-storey rear projection, indicating that the projection is original to the dwellinghouse. Although the submitted plans propose demolishing the existing rear extension to facilitate the new extension, nonetheless this rearward projection does consist of a wall that forms part of the original side elevation of the dwellinghouse. Consequently, the proposed enlargement would extend beyond this side elevation and also has a width more than half the width of the original dwellinghouse contrary to paragraph (j) of the Town and Country Planning (General Permitted Development)(England) Order 20156 (as amended).

## 2. Recommendation

Refuse.

The proposed rear enlargement cannot benefit from a general planning permission under Article 3(1) and Schedule 2, Class A, Part 1 of the Town and Country Planning (General Permitted Development)(England) Order 20156 (as amended) as the proposed enlargement would extend beyond a wall forming a side elevation of the original dwellinghouse and has more than half the width of the original dwellinghouse.

**Report Dated:**

23/04/2025