

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/90953/W
Site Address	90, Kaye Lane, Almondbury, Huddersfield, HD5 8XU
Description	The proposal is for erection of single storey rear extension. The extension projects 4.5m beyond the rear wall of the original dwellinghouse. the maximum height of the extension is 2.7m, the height of the eaves of the extension is 2.7m
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: 14-May-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 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 will project 4.5m from the rear of the original dwellinghouse
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

Have permitted development rights been removed from the property?	No
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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 : 4th April 2025

Consultation end date : 25th April 2025

1. Objections

2.1 Summary of representations:- None received.

2. Assessment

Plans show that there is a projecting reward element to the property which appears on the Council's Ordnance Plotting sheets although it appears to have been a drawn addition to the original survey. Moreover, it also appears the construction of the property was carried out pursuant to a pre-1974 planning permission for which plans are not available prior to determination. Historic maps held by the Council indicate the dwellinghouse was a replacement of a previous dwelling sited closer to Kaye Lane and as such offer no evidence to suggest the rearward projection is original to the dwellinghouse. The matching stonework of the rear projection offers some suggestion the projection was built at the same time as the dwellinghouse although this is not conclusive.

Or the purposes of Class A.4, it is considered there is no clear evidence to suggest in the opinion of the Local Planning Authority that the rearward projection is original of the dwellinghouse. It is considered prudent to add a footnote advising the potential of the proposed enlargement exceeding the limitations of Class A and in particular sub-paragraph A.1(j).

No requirement to assess amenity as no representations have been received.

3. Recommendation

Prior approval not required.

NOTE: It is noted that the existing dwellinghouse features a rearward porch projection. It is advised that steps are taken to confirm whether or not this projection was constructed with the dwellinghouse. If the rearward projection is original to the dwellinghouse it may affect the lawfulness of the proposed enlargement as it would be considered to project beyond a side elevation of part of the original dwellinghouse. As such the proposed enlargement would exceed the limitations as set out in sub-paragraph A.1(j) of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015(as amended). If you wish to ascertain the lawfulness of the proposed enlargement it is advised you consider applying for a certificate of lawful development under section 192 of the Town and Country Planning Act 1990 and submit evidence to demonstrate the existing rear porch projection was not original to the dwellinghouse.

Report Dated:

06/05/2025