

**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/92174/W
Site Address	190, Lindley Moor Road, Lindley Moor, Huddersfield, HD3 3UE
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 3m
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: 08-Sep-2025

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 contrary to sub-paragraph A.1(j) of Class A.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA - STANDING ADVICE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk)

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?	The proposal is semi-detached by the extension has a projection of 6 metres.
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 : 1st August 2025

Consultation end date : 22nd August 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 190 Lindley Moor Road, held by the Council and dated 1963 show a partial rearward projection, strongly indicating that this feature is original to the dwelling. The submitted plans illustrate that the proposed extension would project from the side of this existing projection—a wall that forms part of the original side elevation of the house. Supporting this, the adjoining property, No. 188, has a mirrored rearward projection, suggesting that Nos. 188 and 190 were built as a matching pair of semi-detached homes. This design pattern is also evident along this section of Lindley Moor Road, with Nos. 186 and 184 displaying a similar layout. 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 2015 (as amended).

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 5 metres across rear elevation of the property which is greater than half the width of the original dwellinghouse, and is therefore contrary to paragraph (j) of Class A and as such cannot benefit from a permitted development.

2. Recommendation

Refusal.

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 contrary to sub-paragraph A.1(j) of Class A.

Report Dated:

05/09/2025