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/92211/W**
Site Address	**20, Goldington Drive, Oakes, Huddersfield, HD3 3PT**
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 4m, the height of the eaves of the extension is 3m**
Recommending Officer	**Joanna Rednall**

DECISION - DETAILS APPROVED

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: 17-Sep-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	The proposal is semi-detached by the extension has a projection of 4.5 metres.

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 : 6th August 2025

Consultation end date : 27th August 2025

1. **Objections**

One representation was received as a result of the publicity. The material planning considerations raised are summarised as follows:

- Side window would result in overlooking
- Scale of proposed extension

With regard to a procedural matter, the objector requests additional time to allow further comments to be made. Additional time may only be allowed upon written agreement from the applicant by virtue of Article 7(c) of the Town and Country Planning (General Permitted Development)(England) Order 2015(as amended). The Local Planning Authority have no planning reason in this instance to request an extension of time for determination as the Authority have sufficient information to undertake an assessment of the proposed enlargement to the dwellinghouse.

1. **Assessment**

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 4m, the height of the eaves of the extension is 3m.

Amended plans were received during the course of determining the application, following the identification of a raised platform to the rear which would exceed 300mm in height and therefore conflict with sub-paragraph A.1(k). The revised plans, received on 11th September, show that the raised platform has been removed and replaced with steps. The application has been progressed to determination on the basis of these plans.

The requirements of the permitted development legislation with respect to this application for prior notification of a proposed larger home extension state that:

'If any adjoining neighbour raises an objection within the 21-day period, the local authority will take this into account and make a decision whether the impact on the amenity of all adjoining neighbours is acceptable'.

Chapter 12 of the National Planning Policy Framework require that Planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". This is considered to be a useful frame of reference against which to assess this application.

Kirklees Local Plan policy LP24 also aims to achieve high quality design which is supported by the Council's adopted Supplementary Planning Document House Extensions and Alterations ("SPD").

2.1 Assessment

As objections were received, an analysis of the site has been carried out to assess the impact on the amenity of all adjoining neighbouring properties.

22, Goldington Drive

22, Goldington Drive is the attached dwelling to the north. There is no planning history at No.22 other than a refusal for a two and single storey rear enlargements based on the impact of a combination of two and single storey extensions on no. 24 It does not appear to benefit from any existing extensions to the rear.

The proposed extension would project 4.5m from the rear elevation of No20 and would be adjacent to the common boundary. The submitted plans indicate

the extension would incorporate a lean-to roof with the eaves measuring 3m in height.

With regard to overlooking, the submitted plans demonstrate that no windows are proposed on the side elevations. The only windows are situated on the rear elevation, overlooking the rear garden of the application site. Consequently, these details are not considered to give rise to officer concerns in relation to overlooking. For these reasons, the proposed extension is assessed as having an acceptable impact on the privacy of the occupiers of No. 22.

The proposed extension would introduce additional built form in close proximity to the common boundary with No. 22. In assessing the potential impact regarding overbearing and loss of light, consideration has been given to paragraph 4.17 of the Householder Extensions SPD, which evaluates overshadowing effects using the 45-degree guideline. Although the submitted plans do not specify the closest habitable windows on the common boundary side of No. 22, aerial imagery indicates that the extension is likely to breach the 45-degree line measured from the corner of the extension to the centre of the patio doors/ window openings at the rear of No. 22. However, paragraph 4.18 of the SPD acknowledges that deviations from the 45-degree rule may be acceptable where the orientation of the sun provides mitigating factors. Moreover, it is noted that Google Earth imagery indicates that a mature hedge at approximately 2 metres on the side of no. 20 and 1.6 metres on the side of no. 22 provides a visual screen between no. 22 and no. 20. It is also noted that the garden level of no. 20 is lower than no. 22 by approximately 0.4 metres thus reducing the effective height of the proposed extension to 2.6 metres at the side of no.22.

To further assess this, sunlight calculator software has been used to evaluate potential overshadowing. Given that No. 22 is attached to the application dwelling to the north, the sun's path means the proposed development would potentially cause a degree of overshadowing or loss of ambient light to the rear ground floor windows of No. 22. However, any loss of direct sunlight beyond existing arrangement to the ground floor windows of no. 22 would be limited to morning hours between approximately 8am and noon during winter months (Sept – April) only and in any event not significantly greater than a 3 metre projection which would normally be considered acceptable. During summer months any loss of direct sunlight is considered negligible. Any loss of ambient sunlight from any massing on the boundary would be mitigated by the existing hedge, limited projection and change in ground levels. The amenity space of no. 22 would not be unduly affected by the loss of any sunlight given the space available and limited shadowing of the proposed enlargement. It is therefore not considered to pose detriment to the living conditions within this neighbouring dwelling.

On balance, taking into account the SPD guidelines and the sunlight calculator software, officers consider that the proposed extension would not result in a significant or detrimental loss of ambient light to the occupiers of No. 22 Goldington Drive and would have an acceptable impact upon the residential amenity of occupiers of No22.

18, Goldington Drive

18, Goldington Drive is located to the south.

The majority of the proposed extension would be visually screened by the existing outbuilding at the rear of the application site, as well as by the outbuilding on the adjoining property at No. 18. This effective screening significantly reduces the likelihood of visual intrusion or adverse impact on the neighbouring property. Additionally, no windows are proposed on the side elevation of the proposed enlargement facing No. 18, thereby preventing any direct overlooking or loss of privacy for its occupiers. It is noted a new window is proposed within the main dwellinghouse and while this does not form part of the assessment for this application, it is likely to be permitted by virtue of Part 1, Class A of Schedule to of the Town and Country Planning (General Permitted Development)(England) Order 2015(as amended).

The approximately 3.4-metre separation distance between the extension and the common boundary further mitigates potential overbearing or obtrusive effects. Together with the substantial screening provided by the outbuildings, this ensures the extension would not appear overly obtrusive or result in any significant overshadowing. Additionally, the oblique orientation of the two dwellings relative to one another plays a key role in reducing any potential overshadowing or loss of natural light. This relationship ensures that habitable windows at No. 18 will not be subject to significant shading or reduced sunlight as a result of the proposed extension.

In summary, these factors lead to the conclusion that the extension would not have a detrimental impact on the amenity or privacy of the occupiers of No. 18.

There are no other adjoining neighbouring properties to consider.

In conclusion, the rear extension is not considered to result in an unacceptable degree of harm to the amenities of occupiers of any adjoining property.

2. Recommendation

Prior Approval is not required.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Drawing	UD-606-01	-	06/08/2025
Proposed Drawing	UD-606-01	-	11/09/2025
Application form	-	-	06/08/2025

Report Dated: 16/09/2025