

**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/92548/W
Site Address	7, Vicarage Meadows, Holmfirth, HD9 1DZ
Description	The proposal is for erection of single storey rear extension. The extension projects 6.19m 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 2.68m
Recommending Officer	Molly Storer

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: 21-Oct-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?	The house is detached and the extension would have a projection of 6.19 metres.
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 – the maximum height of the extension is 4m.
Have permitted development rights been removed from the property?	Yes

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 : 10th September 2025

Consultation end date : 1st October 2025

1. Objections

2.1 Summary of representations:- None received.

2. Assessment

It is noted that the proposed enlargement would project beyond the side elevation of an original part of the dwellinghouse. However, the proposed enlargement does not have a width more than half the width of the original dwellinghouse and therefore complies with sub-paragraph A.1(j)

However, Permitted Development Rights have been removed for this property under application number 2001/90313 for the erection of twelve detached dwellings with integral garages – the property was built under this application . Condition 8 of the decision notice states:

(8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no buildings or extensions shall be erected in the plots on the approved plan without the prior written approval of the Local Planning Authority.

Reason: In the interests of the free and safe use of the highway and to accord with Policy T10 of the Unitary Development Plan.

Article 3(4) of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) states that “*nothing in the Order permits development contrary to any condition imposed by any planning permission granted or deemed to be granted under Part 3 of the Act.....*” This means that extensions cannot be done under Permitted Development rights and require planning permission from the Local Planning Authority.

3. Recommendation

Refusal.

The proposed extension 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 2015 (as amended) as the development would be contrary to condition 8 of planning permission reference 2001/90313 and thus not permitted by virtue of Article 3(4) of the same Order.

Report Dated:

2nd October 2025