

**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/92562/E
Site Address	14, Harefield Drive, Birstall, Batley, WF17 0PQ
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	Molly Storer

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: 23-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 2025 (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 property is detached and the extension will project 6m beyond the rear wall of the dwellinghouse. The submitted plans set out that part of the extension would project from the rear main part of the property (this will have a pitched roof) and part would project from the garage also considered to be original to the house.

	This will have a flat roof to follow on from the garage roof.
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

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 : 15th September 2025

Consultation end date : 6th October 2025

1. Objections

1.1 Summary of representations: -

Two representations were received following the statutory publicity. The considerations raised are summarised as follows:

- Concern that the property will change its use
- Parking
- Concern that more residents will reside in the property
- Substation requires access and traffic congestion
- The extension would not be in keeping with the surrounding area
- There has been refusals at the site previously

As this proposal will be considered against the requirements as set out by the Town and Country Planning (General Permitted Development)(England) Order 2025 (as amended) Schedule 2, Part 1, Class A, condition A.4 only impact to residential amenity of adjoining premises will be assessed

Assessment

The requirements of the permitted development legislation with respect to this application for prior notification of a proposed larger home extension states 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'.

One of the 12 core principles 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.

In this case the assessment of this Class A application will only consider objections from adjoining premises based on residential amenity. Objections based on things other than residential amenity have been noted however these will not be assessed under this application as under the Town and Country Planning (General Permitted Development)(England) Order 2025 (as amended) Schedule 2, Part 1, Class A, condition A.4 only impact to residential amenity of adjoining premises can be assessed.

Site description

The site relates to 14 Harefield Drive, a two storey, detached property located in Birstall, Batley. The site benefits from garden amenity space to the front and rear and has a driveway to the side which leads to an attached single garage.

Description of proposal

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.

The submitted plans set out that part of the extension would project from the rear main part of the property (this will have a pitched roof) and part would

project from the garage also considered to be original to the house. This will have a flat roof to follow on from the garage roof.

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

Impact on 16 Harefield Drive

16 Harefield Drive is a two-storey semidetached dwelling to the north of the application dwelling. The proposed development would be single storey and would project 6.00m from the rear elevation of the applicant property. It appears from the property's planning history and aerial imagery that this property has been extended to the rear by 2.75m and to the side boundary with the applicant property.

When considering paragraph 5.6 of the Council's adopted House Extensions and Alterations SPD, it states that rear single storey extensions should not exceed 4 metres in height nor project more than 3 metres from the rear wall. In the case of this proposal the projection is 6 metres. It is acknowledged that the Permitted Development Order permits an extension beyond 3 metres in length although it is considered this only establishes the principle of a 6 metres extension in so far as amenity principles are considered acceptable. The agent provided plans to show the eave height and proposed roof form. This showed a gable roof type and a maximum eave height on the bordering side to be 3 metres. When reviewing aerial imagery, and plans of the extension at No.16 under application number 2013/90742 it is shown that the extension would only extend 3m in light of the extension at No.16. Furthermore, a gap of 1.5m will be maintained with the boundary of this property. This arrangement would therefore reduce the potential for any detrimental overbearing/ oppressive impact to occur from the 6m extension as a result of massing on the boundary.

When considering SPD paragraph 4.17 in which assesses the impact of overshadowing on neighbouring properties with regard to the 45 degree guidelines. In this case, the 45 degree line from the nearest habitable window of No 16 would likely be achieved following the proposed extension. Notwithstanding this, paragraph 4.18 suggests the orientation of the extension in relation to the sun's path should be considered. In this case, sunlight calculator software has been used to assess potential the potential overshadowing of the development. The extension would be sited to the south of No.16 where there appears to be a limited amount of direct sunlight during morning hours. In this case and in terms of direct sunlight, there may be limited overshadowing in the morning during winter and negligible during the summer months. The rear of the properties are open without any significant obstruction off natural light and as such the ambient light around the neighbouring

properties would not be unduly affected by the proposed extension. Given these reasons, loss of light is not considered to be an adequate ground for refusal in this case.

There is no opportunity for overlooking from the proposed extension to harm any loss of privacy on no. 16.

Impact on 12 Harefield Drive

12 Harefield Drive is a two storey semi-detached property located to the south of the application site. A separation distance of approximately 8m is achieved between the two dwellings. It is also noted that there is an access path leading to a substation between the two properties and in any case the extension would be set off the boundary by 1.6m. This neighbour also has a garage situated on the side boundary which would screen the majority of the extension. Due to these factors, No.12 is considered to be sited, and at a sufficient separation distance such that it would not be detrimentally impacted upon as a result of overlooking, overshadowing or as a result of the overbearing/oppressive impact. The proposal is therefore considered to have an acceptable impact upon the amenity of the occupiers of this dwelling.

Impact on adjoining properties to the east

By virtue of the significant separation distance between the proposed extension and properties on the east boundary of 14 Harefield Drive, it is considered the extension will have no detriment to residential or visual amenity on these properties.

In conclusion it has been assessed that the proposal would have an acceptable impact upon the residential amenity of adjoining neighbours. For the reasons above, the proposal is not considered to be unduly overbearing, overshadowing or oppressive upon the occupiers of No 12 and No 16 Harefield Drive.

Conclusion

It is therefore considered that the proposed development would not cause significant harm to the amenity of the neighbouring property, the proposed extension is therefore considered acceptable in terms of amenity.

Plans for the previously refused prior notification application (2025/91357) showed there will be a new brick wall constructed to the top of the existing garage rear wall from which part of the extension will project from. Therefore, the extension would have partly project from a wall that is not original to the dwellinghouse. 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) this was not permitted under Class A where the proposed extension extends beyond an elevation which is not original to the dwellinghouse.

However, in this case the submitted plans show that the proposed element projecting from the garage would now have a flat roof flowing on from the existing garage roof and therefore complies with 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).

1. Recommendation

Approval for the following reason:

This decision is based on the following details:

Plan Type	Web Reference	Version	Date Received
Existing plans	-	-	15/09/2025
Proposed plans	S02H	-	15/09/2025
Application form	SO1	-	15/09/2025
Work specification	SO3	-	15/09/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2025 and otherwise actively engaged with the applicant in dealing with the application. The application was determined on the submitted information.

Report Dated:

7th October 2025