

**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**

<b>Reference no.</b>	<b>2025/HH/93213/E</b>
<b>Site Address</b>	<b>1, Lockgate Rise, Birkenshaw, BD11 2PL</b>
<b>Description</b>	<b>Prior notification for single storey rear extension. The extension projects 4m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.4m, the height of the eaves of the extension is 2.8m</b>
<b>Recommending Officer</b>	<b>Joanna Rednall</b>

**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: 17-Dec-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 from the rear of the original dwellinghouse?	No
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 : 24<sup>th</sup> November 2025

Consultation end date : 15<sup>th</sup> December 2025

### **1. Objections**

1.1 Summary of representations: -None received

### **1. Assessment**

Aerial imagery from 2018 shows a single storey projection during the construction of the original house from the rear elevation which is proposed to be demolished as part of the development. This rearward projection was present at the time of the original construction, confirming that it forms part of the original house. To further support this is that the adjoining property to the application site also has a mirrored rearward projection with a single storey rear projection. This is also a pattern seen along properties along Lockgate Rise.

Whilst the rearward projection is relatively short at 1 metre, the scale of the projection is significant at 2.5 metres in height and width. This scale is considered reasonably capable of providing floor space for the dwellinghouse and thus must be considered part of the original dwellinghouse. It follows, therefore that the side elevation of the projection must also be considered as a side elevation of the original dwellinghouse and is of a scale beyond being de-minimis.

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 along the whole rear

elevation also projecting from the side of the original rearward projection of the property and is therefore contrary to paragraph (j) of Class A and as such cannot benefit from a permitted development.

## **2. Recommendation**

Refusal.

The proposed enlargement does not benefit from a general planning permission under Article 3(1) and Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the rear projection extends beyond a wall forming a side wall of the original dwellinghouse and has a width greater than half the width of the original dwellinghouse contrary to sub-paragraph A.1(j) of Class A.

**Report Dated:**

17.12.2025