

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) Section 191/192

**DELEGATED DECISION FOR APPLICATION FOR CERTIFICATE OF
LAWFUL DEVELOPMENT**

Reference no.: 2026/CL/90747/W

Site: 342, Bradley Road, Bradley, Huddersfield, HD2
1PU

Description: Certificate of lawfulness for proposed erection of
single storey rear extensions and associated alterations

Case Officer: Laura Yeadon

Decision Reference: PROPOSED OPERATIONS 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.**

Emma Thompson

AUTHORISED OFFICER

Date 26-May-2026

Officer Report

[weblink](#)

Site Description

342 Bradley Road is a detached bungalow located within an area without notation on the Kirklees Local Plan. The property is constructed from stone and render with a rosemary tiled roof. The property is set up and back from Bradley Road itself and has amenity space to the front and rear with a driveway to the side leading to a detached garage. To the rear of the property is an outrigger which is evident on the 1955 historical maps and therefore is considered to be an original structure.

Description of Proposal

Permission is sought for a Certificate of Lawful Development for a proposed single storey rear extensions and associated alterations.

Officer Note

The proposed extensions would sit on either side of the outrigger. As the outrigger is an original structure, the enlargements would project off the side elevations of the original property and shall therefore be assessed as side and rear extensions.

The enlargement on the western side elevation of the outrigger would lie flush with the existing side elevation of the property and would project 3.7 metres to lie flush with the outrigger with a width of 3.2 metres. This part of the enlargement to the dwelling would have a flat roof with an overall height of 3 metres.

The enlargement on the eastern side elevation of the outrigger would be set in from the side elevation of the property by 2.6 metres and would also project 3.7 metres with a width of 1.6 metres. Again, the enlargement would have a flat roof with an overall height of 3 metres.

It is proposed that the enlargements would have a cement render finish with a felt flat roof.

Officer Note

As part of a Certificate of Lawful Development, the onus is on the applicant to provide evidence which states why the proposal fits with the permitted development legislation. In this case, the applicant has stated on the application form that the proposal is permitted development.

History of negotiations/amendments received

No negotiations have taken place and no amended plans received.

Relevant Planning History

None

Consultation Responses

None required

Issues and Assessment

The main considerations in the determination of this application are:

1. Whether the proposed development would constitute development as defined within section 55 of the Town and Country Planning Act 1990;
1. If so, whether permitted development rights apply to the property; and
2. Whether the proposed development falls within permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1 (Development within the curtilage of a dwellinghouse).

Development not permitted

A.1 Development is not permitted by Class A if—

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Comment: *Permission to use the dwellinghouse as a dwellinghouse has not been granted by any of the above.*

- a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

Comment: *The total area of ground covered would not exceed 50% of the total area of the curtilage of the dwellinghouse.*

- b) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Comment: *The height of the part of the dwellinghouse to be enlarged would not exceed the highest part of the roof of the existing dwellinghouse.*

- c) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse

Comment: *The height of the eaves (flat roof in this case) of the enlarged part of the dwellinghouse would not exceed the eaves of the existing dwellinghouse.*

- d) The enlarged part of the dwellinghouse would extend beyond a wall which –
 - (i) forms the principal elevation of the original dwellinghouse; or
 - (i) fronts a highway and forms a side elevation of the original dwellinghouse;

Comment: *The enlarged part of the dwellinghouse would not extend beyond a wall which forms the principal elevation or fronts the highway.*

- e) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and-
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwelling, or 3 metres in the case of any other dwellinghouse.
 - (i) Exceed 4 metres in height;

Comment: *The enlarged part of the dwellinghouse would have a single storey however would extend beyond side elevations of the original property, they would not exceed 4 metres in projection or in height.*

- f) For a dwelling not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single story and –
 - (i) Extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (i) Exceed 4 metres in height

Comment: *The enlarged part of the dwellinghouse would have a single storey however would extend beyond side elevations of the original property, they would not exceed 4 metres in projection or in height.*

- g) The enlarged part of the dwellinghouse would have more than a single storey and-
 - (i) Extend beyond the rear wall of the dwellinghouse by more than 3 metres, or
 - (ii) Be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse

Comment: *Not applicable as the enlargement would not be more than a single storey.*

- h) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

Comment: *The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the dwellinghouse however the eaves (flat roof in this case) would not exceed 3 metres in height.*

- i) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-
 - (i) Exceed 4 metres in height
 - (i) Have more than a single storey, or
 - (ii) Have a width greater than half the width of the original dwellinghouse

Comment: *The outrigger in which the extensions would project from is an original structure. Therefore, as demonstrated on page 22 of the Permitted development rights for householder – Technical Guidance document, the enlargements would also be deemed side extensions. The enlargements would not exceed 4 metres in height, would not have more than a single storey, however, when measure cumulatively, the structure would be more than half the width of the original dwellinghouse. The Technical Guidance is clear on page 23 that ‘if the proposed extension creates a total enlargement which has a width greater than half the width of the original dwellinghouse, it would not be permitted development.’*

- ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j)

Comment: *Not applicable.*

- j) It would consist of or include –
 - (i) The construction or provision of a verandah, balcony or raised platform
 - (ii) The installation, alteration or replacement of a microwave antenna,
 - (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) An alteration to any part of the roof of the dwellinghouse

Comment: *None of the above are proposed.*

- k) The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Comment: *The dwellinghouse was not constructed under Part 20 of the Schedule.*

A.1 Development is not permitted by Class A if –

Conditions

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if:

- a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- a) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- b) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

A.3 Development is permitted by Class A subject to the following conditions—

- a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- a) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—
 - (i) obscure-glazed, and
 - (i) non- opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
 - (ii) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, as far as practicable, be the same as the roof pitch of the original dwellinghouse.

Conclusion:

The proposal has been considered against the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is recommended for refusal.

The single storey rear extension does not benefit from a general planning permission planning permission under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the proposed enlargements would extend beyond a wall(s) forming the side elevation(s) of the original dwellinghouse and would have a width more than half the width of the original dwellinghouse contrary to sub-paragraph A.1 (j) (iii) of Class A.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			20 th March 2026
Location plan	TQRQM26060135141169		20 th March 2026
Site plan	QRQM26060133452604		20 th March 2026
Existing elevations and floor plans	Drawing 1		20 th March 2026
Proposed elevations and floor plans	Drawing 2		20 th March 2026

Dated: 19th May 2026