

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.	2026/HH/92220/E
Site Address	21, Coniston Road, Dewsbury, WF12 7EB
Description	The proposal is for erection of single storey rear extension. The extension projects 4m 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	James Evans

DECISION – Prior Approval 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 22-Sep-2026

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 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 – The house is semi-detached.
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 – The house is not detached and the extension projects 4m beyond the rear wall of the dwellinghouse.
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?	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: 13 August 2026

Consultation end date : 3 September 2026

1. Objections

1.1 2 representations have been made as a result of the publicity raising the following summarised concerns:

- Loss of light
- Overshadowing
- Overbearing Impact

Assessment – the requirements of the permitted development legislation with respect to this application for prior notification of a proposed larger home extension states that

‘Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.’

Chapter 14 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”).

Site description

The application property is a single-storey semi-detached dwelling faced in brickwork with a concrete tiled pitched roof. The property benefits from a driveway to the west elevation of the dwelling, as well as garden space to the rear. It lies in a relatively uniform street scene, surrounded by properties of similar size, scale and characters.

Description of proposal

The proposal is for the erection of a single storey rear extension. The extension projects 4m 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 proposal is to be constructed up to the boundary with the neighbouring property.

2. Assessment

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

Impact on 23 Coniston Road

This property is located to the north-east of the application site.

23, Coniston Road is a single storey dwelling adjoining the application site on the north-east facing elevation. The proposed development would be single storey and would project 4 metres from the rear elevation of 21, Coniston with a width across the full width of the host property. No. 23 has no planning history and is sited on the same ground level as the application property.

In the case of the proposal, the extension would be no more than 4m in height and would extend 4m along the boundary. It is acknowledged that that the Permitted Development Order permits an extension beyond 3m in length although it is considered this only establishes the principle of a 4m extension in so far as amenity principles are considered acceptable. The extension is proposed to be constructed along the shared boundary of the properties; however, it is unlikely this would result in the removal of the existing boundary treatment which provides partial screening. Given these factors, it is considered that the proposed development would result in a significant impact on the shared boundary which is considered to result in an unduly overbearing and oppressive impact on No.23.

SPD paragraph 4.17 outlines the process for assessing 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. 23 would not be satisfied following erection of the proposed extension. It is therefore considered that the proposed development would cause detrimental harm to the level of natural ambient light currently received at 23, Coniston Road.

In terms of the loss of direct sunlight, paragraph 4.18 of the SPD also suggests the orientation of the extension in relation to the sun paths should be considered. As No.23 adjoins to the north-east, it is concluded that the proposed development would result in significant overshadowing on the rear amenity space and is therefore considered to have an unacceptable impact upon the amenity of the occupiers of this dwelling

Conclusion

It is therefore, considered that the proposed development would result in an unacceptable degree of harm to the amenities of the occupiers of the adjacent property by reason of the proposed extension leading to an overbearing impact on the shared boundary. It is also considered that the proposed development would cause an unacceptable level of harm to the amenity of neighbouring occupiers as a result of the loss of light that would be experienced as a result of the development. The proposal is therefore concluded to be contrary to Kirklees Local Plan policy LP24 of the Kirklees Local Plan, principles within the Council's adopted House Extensions and Alterations SPD and policies within Chapter 14 of the NPPF and is therefore recommended for refusal.

3. Recommendation

Refusal for the following reason:

By virtue of its size, scale, projection, proximity to the shared boundary and massing the proposed development would cause an unacceptable degree of harm to the amenity of the occupiers of the adjacent property by reason of leading to overbearingness on the shared boundary, loss of light and overshadowing. The development would cause an unacceptable level of harm to the amenity of neighbouring occupiers contrary to policy LP24 of the Kirklees Local Plan, principles within the Council's adopted House Extensions and Alterations SPD and policies within Chapter 14 of the NPPF.

This decision is based on the following details(s):-

Plan Type	Web Reference	Version	Date Received
Location Plan	26.2822.04		12.08.2026
Application Form			12.08.2026

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 2015 and otherwise actively engaged with

the applicant in dealing with the application. The application was determined on the submitted information.