KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	**2023/62/90698/W**
Site Address:	4, Netherend Road, Slaithwaite, Huddersfield, HD7 5EA
Description:	Erection of front, side and rear single storey extensions and alterations
Recommending Officer:	Laura Yeadon

DECISION – CONDITIONAL FULL PERMISSION

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.

John Holmes

AUTHORISED OFFICER

Date: 02-May-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/90698
Location	4, Netherend Road, Slaithwaite, Huddersfield, HD7 5E
Proposal	Erection of front, side and rear single storey extensions
Publicity end date	Thursday 20th April 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated but within Strategic Green Infrastructure Network
Extension to Time (EoT)	N/A **EoT Date:** N/A
Recommendation	Conditional Full Permission

	NO	**YES**
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) July 2021
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF – Chapter 15 – Conserving and enhancing the natural environment

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 31** – Strategi Green Infrastructure Network
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document 'House Extensions and Alterations' (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	**SUMMARY**
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought (Kirkburton)	No	Not applicable
Planning History		• 1986/14021 – Removal of Condition 4 relating to screen wall in previous approval for erection of bungalow – Granted Conditionally

Consultations required	No	Not applicable

Assessment

The application seeks permission for the erection of front, side and rear single storey extensions. the Kirklees House Extensions and Alterations SPD sets out that front, side and rear extensions should comply with certain parameters set out in paragraphs 5.1, 5.6, 5.14 and 5.17 on pages 23.24, 27 and 28 (and listed below) and if they do not, they need to be justified:

Rear extensions should	**Yes - COMPLY**	**No - JUSTIFY**
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – the garden areas to the front, both sides and rear of the property would be retained	
Be set behind the original building, and not projecting beyond the sides	Yes – the rear extension would extend off the existing side elevations	
Maintaining external access to the rear garden	Yes – Access to the rear garden would be retained	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	yes – continuation of existing side elevations – hipped roof introduced with rendered panel – otherwise matching materials	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	It would comply with this criteria	
not exceed 4 metres in height		No due to the roof line being a continuation of the existing. It is

		considered to set the roof down to 4m in height would have little design benefit in this case given the existing design would be continued.
not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties		The extension would project 5 metres however the plot is sufficient distance from neighbouring occupiers and not in a position of such prominence that it would be reasonable of the LPA to insist upon the reduction of the projection by 1m.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes – the eaves height would not exceed 2.5 metres	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes – gap of at least 1 metre would be retained from the rear extension	
Single storey front extensions permitted where:		
The house is set well back from the pavement or is well screened	The house is set back from the roadside, separated by a lawned garden	
The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area	Yes – 1.8m projection, part width with a matching eaves height and ridge set down from the existing	
The materials and design match the existing features of the original house	Yes – matching materials proposed	
The extension would not unreasonably affect the neighbouring properties	The property is detached and well spaced from neighbouring properties	
Single storey side extensions should:		

not extend more than two thirds of the width of the original house	The side extension would comply with this	
not exceed a height of 4 metres		No – the overall height is 4.3 metres – this ensures that the eaves height would match the existing and as such is considered acceptable in this case.
be set back at least 500mm from the original building line to allow for a visual break	The side extension would comply with this	

Design and Visual Amenity:

The host property is a detached stone constructed bungalow with garden areas surrounding the property. Driveway to the side. Property to east set on a slightly higher ground level and property to the west on a lower ground level. Facing properties are a terraced row.

Consideration has been given in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	Detached properties to the side of Netherend Road vary in style and design therefore no particular uniformity – minimal concerns	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Front extension considered to be subservient and the side and rear extensions would have hipped roofs to mitigate harm from bulk and massing	✓

Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Front and side extensions would have matching eaves heights and set down from existing ridge. Rear extension would be a continuation of existing eaves and ridge height introducing a hipped roof to reduce bulk and massing	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Construction materials to match with a rendered panel within rear elevation	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Front extension pitched – side and rear extensions would have hipped roofs which are considered acceptable. Whilst a mix of roof type would be present upon the property it is not considered this would be of such significance to visual amenity of the host property / wider locality to justify refusal in this case.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	In keeping with existing	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alterations to general access arrangements	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 11 Bank Gate to the rear (south) of the site – set on a lower ground level – separation distance of approximately 25m
- 2 Netherend Road to the east – no additional openings facing this property within proposed extensions – low boundary screening
- 6 Netherend Road to the west – set on a much lower ground level with boundary screening in place

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	No additional openings facing No. 2 with the side elevation of the rear extension having a limited impact due to changes in land level	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Limited impact due to property being detached and extensions sitting comfortably within the plot. Whilst side extension would be close to the boundary with No. 6 the extension has a hipped roof to minimise impact	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Minimal impact from front and rear extensions. Side extension would face No 6 where no openings are located above ground level of application site	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Acceptable level of garden space remaining	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	N/A	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	3 no. spaces required for 5 bedrooms – 2 can be accommodated on existing driveway. On street parking available. There is potential to add a third or more spaces to the front of the dwelling although this would reduce soft landscaping to the front. Notwithstanding the fact further parking could be added under pd rights it is considered the level of parking is sufficient in this case and taking account the potential to further add to this in the future it is not considered necessary to insist upon one further space being added as a condition of any permission.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Not shown on plan however sufficient space available within red line boundary	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	No trees affected	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Bat Alert layer – modern property with roof well sealed *Strategic Green Infrastructure Network* – Policy LP31 is of relevance in this instance. The role of the Network is to safeguard and enhance green infrastructure networks, green infrastructure assets and the range of functions they provide. As the proposed works would be within the confines of the residential curtilage, it is not considered that the proposed works would be detrimental to the aims of Policy LP31 of the Local Plan.	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in	✓

		terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	**Officer response**	**Addressed ✓ / X / N/A**
N/A	N/A	N/A

Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers
Application Number: 2023/90698
Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22, LP24, LP31 and LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 9, 12, 15 and 16 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework

3. The external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1, 2 and 9 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	2828 – LOC		13th March 2023
Existing elevations, floor plans and site plan	2828 – (100)01		13th March 2023
Proposed elevations and 3D plans	2828 – (100)02		13th March 2023
Climate Change Statement			13th March 2023

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 pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant

in dealing with the application. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 2nd May 2023