

**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:	2023/62/90910/W
Site Address:	60, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY
Description:	Erection of single storey rear extension
Recommending Officer:	Tom Hunt

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 15-Jun-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/90910	
Location	60, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY	
Proposal	Erection of single storey rear extension	
Publicity end date	16/05/2023. Amended plans were not readvertised as the additional proposed side elevation demonstrated that there was no material impact on residential amenity in terms of overlooking.	
Number of representations received	0	
Kirklees Local Plan Allocation/Designation	Unallocated	
Extension to Time (EoT)	Yes 16.6.23	EoT Date:
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 30** – Biodiversity and geodiversity
- **LP 53** – Contaminated and unstable land

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 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking

- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	Yes	Side elevation included in amended plans demonstrating no material impact on residential amenity. The agent confirmed material is to be cast stone to side and rear as demonstrated on plans.
Parish/Town Council comments sought	N/A	
Planning History	None	N/A
Consultations required	None	N/A

Assessment

The Kirklees SPD sets out that single storey rear extensions should comply with certain dimensions set out at paragraph 5.6 on page 24 (and listed below) and if they do not, they need to be justified:

Single-storey rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be in keeping with the scale and style of the original house	Yes – the proposed would have a projection of ~3.6m and be set back from the adjacent semi-detached paired property by 1m to appear lesser in width than the host for subservience. It would be rendered to the side elevation to harmonise with the host.	
not normally cover more than half the total area around the original	Yes	

house (including previous extensions and outbuildings)		
not exceed 4 metres in height	Yes – 3.08m height is proposed	
not project out more than 3 metres from the rear wall of the original house for semi-detached properties		No – the proposed would have a projection of ~3.6m and be set back from the adjacent semi-detached paired property by 1m reducing its impact. The property has a potential Permitted Development Rights fall back position whereby they could realistically extend further or closer to the joint boundary at 3m so it is recommended that this be acceptable to limit further impacts on visual amenity.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		No – this is a flat roofed extension and mitigates its impact by its proposed separation distance to closest neighbouring boundary
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes	

Design and Visual Amenity: Are the considerations in the following table acceptable?

The application property is an end terraced property located at the end of a row of three properties. The dwellings are two storey and faced with versions of render with tiled roofs. At the rear there are few examples of single-storey rear extensions. The host property is on raised ground in relation to the highway and extensions to the rear would therefore be of very minimal impact on the streetscene.

Consideration has been given here 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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	Modest single storey rear extension in a discrete location.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	Would appear subservient by virtue of its limited width and height to the original building. Introduction of cast stone with quoin detail as a secondary material would aid providing a textural relief to the smooth render of the host providing some interest to the host at rear with the use of render to one elevation to harmonise with the host.	✓
Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	As above.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	It would have cast stone to the rear and one side (northeast) elevation to add a high quality, secondary facing material to the host's own rendered appearance with render to the side elevations to match the host.	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD 	Flat roofed, simple form of single-storey	✓

	<ul style="list-style-type: none"> • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	extension would appear of subservient height to the two-storey host and would not introduce any significant bulk and massing to roof.	
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	Proportions are residential in style and would appear in keeping with its locality. There is a proposed additional side elevation window to the host on the ground floor which would face a neighbouring section of blank wall and single-storey outbuilding. This would appear to be a minor addition to the host and streetscene.	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF 	Private domestic extension which would not change the existing access into / around the property.	✓

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: Are the considerations in the following table acceptable?

The main properties affected are:

- *No. 62 Lingards Road – neighbour to side, on elevated ground to host and benefits from a part stone and part timber fence shared boundary of significant height. Extension would have no side elevation windows and be of limited height. Host would have an additional ground floor side elevation window facing a blank wall of the neighbour and a single-storey structure. Due to heavy screening by boundary treatment, blank neighbour wall and property separation distance to boundary, residential amenity concerns regarding overlooking, overshadowing, overbearing and loss of privacy and outlook would ensure that they would not be affected.*
- *No. 58 Lingards Road – attached neighbouring terrace. There is a low timber fence between neighbours. Proposed extension would have no side elevation windows with no overlooking. It would adequately limit its impact on neighbour with a 1m gap to the property boundary; overshadowing to window would be very restricted with no significant*

effects limited to early mornings Nov-Jan and be considered to be acceptable in this regard. The property gap and the limited height of the extension would sufficiently ensure that a 45° field of outlook is maintained and avoid undue impact on overbearing.

	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)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	Acceptable for the reasons set out above.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	As above.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 	Rear garden would be largely unaffected by the proposed side extension.	✓

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	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP 	The proposal would not affect the existing parking spaces and would not intensify use through additional bedrooms.	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 		
Parking provision	<ul style="list-style-type: none"> KDP 15 of the SPD Policy LP22 Parking (f) of the KLP Chapter 12 of the NPPF 	As above.	✓
Provision for waste storage	<ul style="list-style-type: none"> KDP 16 of the SPD Policy LP24 Design (d) (iv) Chapter 12 of the NPPF 	None shown on plans however, there is sufficient space within the red line boundary to allow for storage on site. Condition not considered necessary.	✓

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: 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 trees	<ul style="list-style-type: none"> KDP 13 of the SPD Policy LP24 Design (d) (i) (iv) Policy LP33 Trees Chapter 12 of the NPPF 	n/a	n/a
Impact on ecology	<ul style="list-style-type: none"> KDP 12 of the SPD Policy LP30 Chapter 15 of the NPPF 	Bat Alert layer - The building is in good order, well-sealed and unlikely to have any significant bat roost potential. A cautionary note is recommended.	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> KDP 8, 9, 10 & 11 of the SPD 	Small scale domestic development to an existing dwelling. A	✓

	<ul style="list-style-type: none"> • Policy LP51 • Chapter 14 of the NPPF 	<p>Climate Change Statement has been submitted. The proposal benefits from being orientated for solar gain and would have thermal insulation to roof exceeding building regulations to reduce energy demand. As such, no special measures required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.</p>	
Drainage and Flood Risk	<ul style="list-style-type: none"> • KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP 	<p>The rear garden and landscaping would be largely retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.</p>	✓
Contaminated and unstable land	<ul style="list-style-type: none"> • Policy 53 of the KLP • Chapter 15 of the NPPF 	<p>The site is within a historic landfill buffer area. As such there is potential for contaminated land affecting public safety. A pre-cautionary condition has been attached to advise the applicants of their duties should any unexpected land contamination be found.</p>	✓

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:

Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either

- (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or
- (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure public safety and to comply with LP 53 of the Kirklees Local Plan and Chapter 15 of the NPPF.

FOOTNOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group

NOTE: Should any bats are found during the development, then work must cease immediately, and the advice of a licensed bat worker sought.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Location, Floor and Elevation Plans.	A2171_01.	Unamended.	23/03/2023
Proposed Block Plan.	A2171_05.	Unamended.	06/04/2023
Proposed Floor and Elevation Plans.	A2171_02.	Unamended.	23/03/2023

Plan Type	Reference	Version	Date Received
Proposed Elevation Plans.	A2171_03	A	06/04/2023
Climate Change Statement			06/04/2023
Email rec'd from agent	Confirmation of material and plan.	Original	14/06/2023

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. Side elevation plans were sought to fully assess residential amenity. Confirmation of material and elevations were received by email from the agent to ensure plans are accurate.

Report Dated: 14/06/2023