

**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:	<b>2023/62/91220/E</b>
Site Address:	44, Spring Grove, Clayton West, Huddersfield, HD8 9HH
Description:	Erection of first floor side extension
Recommending Officer:	Edward Cheseldine

**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.**

Emma Thompson

***AUTHORISED OFFICER***

**Date:** 17<sup>th</sup> July 2023

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## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2023/91220
<b>Location</b>	44, Spring Grove, Clayton West, Huddersfield, HD8 9HH
<b>Proposal</b>	Erection of first floor side extension
<b>Publicity end date</b>	16 June 23
<b>Number of representations received</b>	0
<b>Kirklees Local Plan Allocation/Designation</b>	N/A
<b>Extension to Time (EoT)</b>	Yes
<b>Recommendation</b>	Conditional Full Permission

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

**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

## 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 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 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

	<b>YES / NO</b>	<b>SUMMARY</b>
Negotiations/Amendments during course of application	<b>Yes</b>	Negotiation between the planning officer and planning agent were sought over the materials of the extension as a render would contrast with the stone dwelling. Material amendments for the principal

		elevation were conceded to match the stone frontage of the original dwelling.
Parish/Town Council comments sought	<b>Yes</b>	Denby Dale Parish Council – No comment.
Planning History		2002/91269 – Erection of conservatory, detached garage and alterations – Full permission granted.
Consultations required	<b>No</b>	

### **Assessment**

The Kirklees SPD sets out that rear extensions should comply with certain parameters set out at paragraph 5.22 on page 30 (and listed below) and if they do not, they need to be justified:

	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
Ideally be visually smaller in relation to the original house	Yes	
Be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house		The first-floor extension will project to the front of the existing elevation. The feature will make a gable end that will meet the most forward projection of the dwelling. As the new extension would be in line with the ground floor element of the original element, design concession can be made so the extension exists with original elements of the building.
Have a roof design that follows the form of the existing roof	Yes – the gable end roof will be extended, meeting the original. A cross-gable will also be created which relates to	

	the existing roof.	
retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens	Yes.	

### Design and Visual Amenity:

*Summary of local street scene/character:* 44 Spring Grove is a two-storey, detached dwelling in the area of Clayton West. The dwelling is constructed with stone exterior walls which fall under a gable-end roof which is clad in cement tiles. There is a lean to roof on the exterior ground floor. The plot has generous curtilage associated with the house which includes space for three vehicles. The dwelling is situated on a road which hosts residential dwellings and a day nursey. Buildings on the road are of a variety of ages, styles and materials. Materials present on the street include stone, brick and render.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on the local character and street scene	<ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Chapter 12 NPPF</li> </ul>	The extension is modest in size and is set back from the roadside. Materials have been altered so the render is not prominent, being only on side elevations of the property. Therefore the extension will not have a negative impact on the street scene.	✓
Impact on original house	<ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The application is for a first-floor infill extension above a ground-floor bedroom that protrudes from the rest of the building. The extension fits within the profile of the original building. A cross-gable feature will be created with a gable-end face on the principal	✓

		elevation. Stone facing will be used on the gable-end to tie in the addition to the original house.	
Height, scale and massing	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The height, scale and massing of the extension and cumulative building meet the criteria set out in the House Extensions and Alteration Supplementary Planning Document.	✓
Facing materials and detailing	<ul style="list-style-type: none"> <li>• KDP 9 of the SPD</li> <li>• Policy LP24 Design (d) (iii) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Render will be introduced to the building. Whilst this is a new material, it will be kept on the side elevations which is acceptable.	✓
Roof style	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The roof style matches the original dwelling roof.	✓
Window proportions	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Windows are proportionate to the existing.	✓
Accessibility for all users	<ul style="list-style-type: none"> <li>• KDP 17 of the SPD</li> <li>• Policy LP24 Design (f)</li> <li>• Chapter 12 of the NPPF</li> </ul>	The application is compliant with Kirklees accessibility policies.	✓

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:*

- 44 Spring Grove

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	New windows will be installed on the first-floor, however there are existing windows with the same elevation and orientation on the original dwelling. Therefore, there will be no changes to privacy.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>	As the dwelling has a generous curtilage associated to the house and other dwellings are a considerable distance away, there will be no impact.	✓

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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on highway safety	<ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>		N/A
Parking provision	<ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> </ul>	Current parking provisions are suitable for the additional bedroom	✓

	<ul style="list-style-type: none"> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	that will be created as part of the proposal.	
Provision for waste storage	<ul style="list-style-type: none"> <li>• KDP 16 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>		<b>N/A</b>

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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on trees	<ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i) (iv)</li> <li>• Policy LP33 Trees</li> <li>• Chapter 12 of the NPPF</li> </ul>		<b>N/A</b>
Impact on ecology	<ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>		<b>N/A</b>
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> <li>• KDP 8, 9, 10 &amp; 11 of the SPD</li> <li>• Policy LP51</li> <li>• Chapter 14 of the NPPF</li> </ul>	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	<ul style="list-style-type: none"> <li>• KDP 14 of the SPD</li> <li>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP</li> </ul>	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.	✓
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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		

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:**

**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 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The front facing wall and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building and thereafter be retained.

**Reason:** In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan	001	1	09/05/2023
Existing floor plans	002	1	24/04/2023
Existing elevations	003	1	24/04/2023
Proposed floor plans	004	1	24/04/2023
Proposed elevations	005	2	11/07/2023

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. In this instance, design concerns were raised concerning the use of materials on the extension. Amended plans were received which overcame these concerns.

