

**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:	2023/62/91286/W
Site Address:	26, Honey Hall Ing, Huddersfield, HD2 1GP
Description:	Conversion of existing garage to playroom and erection of first floor side extension with accommodation in the roofspace
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: 04-Jul-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91286
Location	26, Honey Hall Ing, Huddersfield, HD2 1GP
Proposal	Conversion of existing garage to playroom and erection of first floor side extension
Publicity end date	22 nd June 2022
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated land – part of garden area within Urban Greenspace
Extension to Time (EoT)	N/A 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	✓	

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
- **LP 51** – Protection and improvement of air quality
- **LP 61** – Urban Greenspace

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 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

The rear garden of the property is partly within an area of Urban Greenspace. Policy LP61 states that:

Development proposals which would result in the loss of urban green space (as identified on the Policies Map) will only be permitted where:

- a. an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value; or*
- b. replacement open space, sport or recreation facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users; or*

c. the proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space.

This is re-iterated within the NPPF which states that:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The case officer has acknowledged the setting of the site in the context of the Urban Green Space located in close proximity, Norfolk Avenue Recreation Ground. However, given that no built form is proposed upon any land allocated within this designation, no further assessment of the scheme against Urban Green Space policies is considered to be necessary as the proposal would not see the loss of urban green space in this instance.

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	N/A	
Planning History		<ul style="list-style-type: none"> • 2006/91960 – demolition of council housing stock and erection of 226 dwellings – Approved • 2012/91951 – compliance of condition 6, 7, 8 and 18 from previous application 2006/91960 – approved • 2016/90824 – single storey rear extension and porch to front – approved
Consultations required	N/A	

Assessment

The application seeks permission for the conversion of the existing garage to playroom and the erection of a first floor side extension with accommodation within the roof space.

Note – at the time of the site visit for the application under 2016/90824 the conversion of the garage had already taken place. Due to the passage of time, this element of the development is considered to be lawful.

The proposed first floor side extension would sit above the existing ground floor elevations of the playroom. The extension would increase the eaves of the structure from 2.8 metres to 5.7 metres to match the existing eaves, with the ridge height being set down from the existing ridge by 1 metre. Openings are proposed within the front, side and rear elevations.

The Kirklees SPD sets out that side extensions should comply with certain parameters set out at paragraphs 5.16 on page 28, paragraph 5.20 on page 29 and paragraph 5.22 on page 30 (and listed below) and if they do not, they need to be justified:

Side extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes – no properties to the side of the proposed extension and properties to the front and rear have acceptable separation distances	
Position windows to minimise or avoid any potential overlook into neighbouring gardens	No reduction in separation distances	
Two storey side extensions should:		
not take up all or most of the space to the side of a house	The proposal would not decrease the amount of space to the side as it would sit above the existing structure	
maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property	A 1 metre gap to the side would be achieved	

be set back at least 500mm from the front wall of the house	The structure would be set back from the front wall by 2.4 metres	
Two storey and first floor side extensions should:		
ideally be visually smaller in relation to the original house	It would comply with this	
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	It would comply with this by being set back from the front elevation and being set down from the roof ridge	
have a roof design that follows the form of the existing roof	It would comply with this	
retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens	It would comply with this, in addition, there are no residential properties to the side of the building	

Design and Visual Amenity:

The property is a two storey detached property located within a corner of a cul-de-sac and is constructed from artificial stone with a concrete tiled roof. There is a small lawned garden to the front with a garden to the rear. Parking is available to the front of the property.

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 	Properties within the street scene vary in terms of style and layout therefore limited impact on street scene	✓
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 	Limited impact as additional storey raises the eaves to match the existing eaves with the roof ridge set down – appears subservient	✓
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 	There would be an increase in massing due to the presence of the extension however is visually smaller with no development to the side facing the extension	✓
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 	Materials to match	✓
Roof style	<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 	Pitched – matches existing	✓
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 	In keeping with existing openings	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17of the SPD • Policy LP24 Design (f) 	Private domestic extension – no alterations to general access arrangements	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 		
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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:

- 24 Honey Hall Ing – adjacent dwelling – located to north-east – would not face extension due to layout
- 28 Hall Ing – has side elevation facing the front elevation of the application site – no openings within the side of No. 28 – extension is set back from front elevation of the property therefore no reduction in separation distance
- 3 Robin Hood Road to the rear of the application site – set on higher ground level – extension set in from rear elevation therefore no reduction in separation distance

	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 	No reduction in separation distances between the extension and neighbouring properties. Proposed window within roof space faces area of Urban Greenspace	✓
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 	Limited impact due to siting of dwelling with no reduction of separation distances	✓
Impact on overbearing or overshadowing	<ul style="list-style-type: none"> KDP 5, 6 of the SPD Policy LP24 Design (b) Chapter 12 of the NPPF 	Good separation between proposed extension and neighbouring properties therefore limited impact	✓
Remaining garden space of	<ul style="list-style-type: none"> KDP 7 of the SPD 	No loss of garden or amenity space	✓

application property	<ul style="list-style-type: none"> • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 		
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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:

	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 • Chapter 12 of the NPPF 	N/A	✓
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 	Garage conversion took place a number of years ago and is now lawful – proposed site plan demonstrates 3 parking spaces can be achieved within the site.	
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 	Bin storage area demonstrated on plan	✓

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	Further comments	✓ / X / N/A

	the Kirklees Local Plan and the NPPF		
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 	Within Bat Alert layer – modern property which is well-sealed – note can be attached to decision notice regarding reporting any bats found during construction process	√N;
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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
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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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan and site plan as existing	TR-A23-0303-001	A	2 nd May 2023
Existing floor plans	TR-A23-0303-002	A	2 nd May 2023
Existing elevations	TR-A23-0303-003	A	2 nd May 2023
Existing sections	TR-A23-0303-004	A	2 nd May 2023
Location and site plan as proposed	TR-A23-0303-004	B	10 th May 2023
Proposed floor plans	TR-A23-0303-005	A	2 nd May 2023
Proposed elevations	TR-A23-0303-006	A	2 nd May 2023
Proposed sections	TR-A23-0303-007	A	2 nd May 2023
Climate Change Statement	Appendix A		5 th May 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:

30th June 2023