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:	**2023/62/91336/W**
Site Address:	29, Felcote Avenue, Dalton, Huddersfield, HD5 8DR
Description:	Erection of two storey side extension and external alterations
Recommending Officer:	Luke Walstow

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: 28-Jun-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91336
Location	29, Felcote Avenue, Dalton, Huddersfield, HD5 8DR
Proposal	Erection of two storey side extension and external alterations
Publicity end date	22 June 2023
Number of representations received	0
Kirklees Local Plan Allocation/Designation	N/A
Extension to Time (EoT)	No **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	✓	

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

	YES / NO	**SUMMARY**
Negotiations/Amendments during course of application	No	N/A

Parish/Town Council comments sought (Kirkburton)	No	N/A
Planning History	Yes	2003/94482. Erection of 2 storey extension. *Conditional Full Permission – 12/12/2003.*
Consultations required	No	N/A

Assessment

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

Two-storey side extensions should:	**Yes - COMPLY**	**No - JUSTIFY**
Not take up all or most of the space to the side of a house		The proposed side extension would be built up to the side boundary resulting in no space remaining to the side of the dwelling. Given the property is an end terraced dwelling and the street scene consists of terraced house types, the two-storey extension would not create an unusual appearance within the street-scene or detract from the overall appearance of the host dwelling. An access to the side of the dwelling which is shared and provides access to rear to all of the terraced properties in this row would remain.
Maintain a 1 metre gap to the side boundary to ensure the building is		The proposed extension would be built on the site boundary and therefore

not too close to a neighbouring property		a 1 metre gap to the side boundary would not be maintained. Whilst not compliant with SPD guidance, there is an access track that runs between the site and the neighbouring dwelling, separating the two dwellings. This separation gap measures at 3 metres to the neighbouring dwelling, which is considered to be a large enough gap to not impact the neighbouring dwelling and for the proposal to be acceptable.
Be set back at least 500mm from the front wall of the house		The proposed first floor element of the extension is set back 0.6 metres from the front wall, thus being SPD compliant. Whilst the ground floor element would tie into the front elevation of an addition to the front of the host property given the set back at first floor and fact the roof is set down, the impact of the proposal having regard to this criterion would be acceptable.

The proposal includes a front projection that would align with the existing porch, which has a projection of 1.3 metres. The front extension would be set back from the highway due to front parking tie into the existing porch which is 3.8 metres total height and 2.6m to the eaves.

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

Summary of local street scene/character: The street-scene consist of residential properties mainly terraced in nature. Dwellings benefit from off-street parking located to the front of the houses and gardens located to the rear. Felcote Avenue runs down a hill resulting in different topography and different

elevations of dwellings. Whilst the majority of dwellings are similar in scale and design, numerous different renders are used on different properties.

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	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	The proposed extension would keep in character with existing buildings on the street scene by having a lower roof than the host structure and being set back from the front wall. With the street consisting of terraced houses, the addition of the side-extension would not look dissimilar to dwellings within the existing local area.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed extension would add bulk to the side of the original house. It is considered the extension would not detract visual value away from the original house and is considered to be good in design. The proposed brickwork and render would match that used on the original house and would not create an unusual appearance, thus being acceptable. It is recommended this is secured by condition.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	The proposed height of the extension sits below the host dwelling roof line which keeps with the consistency for the street scene, with dwellings have different roof	✓

	• Chapter 12 of the NPPF	heights due to the nature of the topography. Whilst not wholly SPD compliant, the scale and massing has been deemed to be acceptable due to the separation distance from the neighbouring dwelling.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposed extension would be constructed from brick. The front elevations will have a rendered finished to match the existing front elevation of the host dwelling. The side and rear elevation will have brickwork to match the host dwelling. It is recommended this is secured by condition.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed roof style would match that of the host dwelling and other neighbouring properties. The roof would be constructed from concrete interlocking tiles which matches the materials used on the host dwelling roof. It is recommended this is secured by condition. The ground floor front extension roof would be slanted against the side extension and align with a roof for the existing porch. This roof would include a new rooflight.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The windows proposed within the extension match the size and type used within the host dwelling. A side window on the ground floor side elevation is also proposed.	✓

Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Accessibility to the proposed extension can be gained through the host dwelling. Accessibility to the rear garden would be gained through the dwelling.	✓

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:

- *27 Felcote Avenue – Terraced dwelling adjoined to the application site to the west. Due to its location in relation to the proposed development there would be no residential amenity impacts upon this neighbour.*
- *31 Felcote Avenue – Terraced dwelling located to the east of the application site separated by access track.*
- *20 Lincroft Avenue – Semi-detached dwelling located to the rear of the application site. Due to a separation distance of 24 metres to the proposed development, it can be considered this neighbour would be unimpacted from any development with this proposal.*
- *28 and 30 Felcote Avenue – Terraced dwellings located across the highway from the application site to the South.*

	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	The proposed side extension would create an additional bedroom which would face onto the rear garden. This window would not harm the privacy of any neighbour given a 24-metre separation distance to the dwelling located to the rear of the site. The window located in the ground floor side elevation would serve a toilet. The neighbouring dwelling 31 Felcote	✓

		Avenue does have a small window however given the window would serve a toilet it is considered this impact would not be significant. Neighbouring dwelling across the highway would not have their privacy significantly impacted, as the front windows would serve a bathroom which is not forward of the front of the host property and at the ground floor a window which is 1.6m forward of the front of the host property which is not considered to significantly increase overlooking over and above that which exists already.	
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	The only window in question regarding light and outlook is the ground floor window of 31 Felcote Avenue. This window is not considered to be a habitable room and therefore the extension is considered not to be harmful in terms of impact of light and outlook. Due to the positioning of the extension and separation distance from other neighbouring properties, no other dwelling would be impacted in terms of light received and their outlook by the proposed development.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Whilst the proposed extension would use space located to the side of the dwelling, there would be adequate outdoor space retained to be used by current and	✓

		potential future occupants, therefore the proposal is acceptable in this regard.	

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	There are no proposed changes to highway access with the proposal. The development is considered to acceptable in relation to highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposed extension would add an additional bedroom to the dwelling, taking the number of bedrooms on site to 4. The front amenity space has been altered to enable the accommodation of 2 vehicles, it is considered that, given the level of alterations already undertaken to accommodate off street parking, it would be unreasonable of the LPA to insist upon the creation of further spaces in this case and there has been a beneficial impact already from the creation of the existing spaces.	✓
Provision for waste storage	• KDP 16 of the SPD	Waste collection and storage is considered to be as existing.	✓

	• Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF		

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	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	N/A	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	N/A	✓
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	None	✓

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: 2023/91336
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 external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building and retained thereafter.
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: -

Plan Type	Reference	Version	Date Received
Proposed Plans and Elevations	01		12 May 2023
Photos			12 May 2023
Climate Change Statement			15 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: 27/06/2023

Coal - Low