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:	**2023/62/91416/E**
Site Address:	10, Bridon Way, Marsh, Cleckheaton, BD19 5DG
Description:	Alterations to existing garage and conservatory and creation of parking space
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: 10-Jul-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91416
Location	10, Bridon Way, Marsh, Cleckheaton, BD19 5DG
Proposal	Alterations to existing garage and conservatory and creation of parking space.
Publicity end date	30 June 2023
Number of representations received	0
Kirklees Local Plan Allocation/Designation	None
Extension to Time (EoT)	Yes
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

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	None	
Parish/Town Council comments sought (Kirkburton)	None	

Planning History		2023/90706 - Prior notification for single storey rear extension – Refused.
Consultations required	None	

Assessment

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

	Yes - COMPLY	**No - JUSTIFY**
Be in keeping with the scale and style of the original house	Yes	
Not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes	
Not exceed 4 metres in height	Yes	
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	Yes	
Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	N/A	
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?

Summary of local street scene/character: 10 Bridon Way is a two-storey, semi-detached dwelling in the area of Marsh. The dwelling has brick exterior walls which fall under a concrete tiled roof. Associated to the plot is a modest front and rear outdoor plot as well as a single driveway to the front. Properties in the area are similar in terms of materials and style. There are a variety of different sized dwellings, each with differing plot layouts. Bridon Way is a residential road which is part of a larger modern housing estate.

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 extension will be situated to the rear of the property and will not be visible from the public domain. The property has a low boundary treatment consisting of a wooden fence on all sides of the rear outdoor area, as such, the extension will be visible from neighbouring outdoor areas. Materials of the extension are proposed to be in keeping with materials used on the host dwelling and wider housing estate. There is currently a conservatory on the plot space of the proposed extension. As the materials are in keeping with the dwelling	✓

		and there is an existing structure in the area of the rear extension, there will not be a material change to the character of the area.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The extension will replace a conservatory which is similar in footprint to the proposal. As such a precedent for a rear extension has been set and will not appear out of character to the dwelling.	✓
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	Height, scale and massing meet the criteria set out in the House Extensions & Alterations SPD and are appropriate to the host dwelling and surrounding area.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposal consists of brick exterior walls and glazing, with patio doors. Materials match the existing property. Detailing is modest and follows the form of the existing building.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	A pitched roof style has been chosen for the extension. This will replace, the conservatory roof like for like.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	Window proportions match the existing dwelling.	✓

	• Chapter 12 of the NPPF		
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	This proposal is compliant with Kirklees accessibility policies.	✓

Additionally, the application is for alterations to the property. The existing garage space is to be converted into a habitable living area. The garage door will be infilled with brickwork and a triple window will be installed. In terms of visual amenity the alterations to the front elevation will be in keeping with the host property and residential character of the area through the retention of appropriate materials. The removal of the garage door will unbalance the semi-detached pair, overall, there will not be a significant material impact in terms of visual amenity.

A side window will also be introduced to light the dining area.

The hardstanding driveway will be extended, reducing the amount of green space to the front outdoor area. A reasonable amount of useable outdoor space will still be retained as the rear outdoor space will not reduce.

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:

- *8 Bridon Way*

	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. 8 is situated to the north of the application site. There is a double patio door proposed on the north elevation. Between the dwellings there is a low boundary fence separating the application site from the neighbouring dwelling.	✓

		Currently there is an existing glazed elevation from the conservatory that is in the position of the proposed patio doors. The neighbouring property's conservatory also mirrors this view. As such, the proposal is acceptable as there will not be a change to privacy.	
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 proposal includes the construction of a hipped roof on a structure which will be a 2.30m in height. The eaves of the structure will not increase in comparison to the eaves of the conservatory. The hipped roof of the conservatory will be retained. In terms of sunlight / light there is enough mitigation through distance, roof style and existing spatial relationships for there to be no impact.	✓

- *12 Bridon Way*

	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. 12 is situated to the south of the application site. In terms of openings, only a high-level skylight is proposed on the south elevation. As such, there will be no change to privacy.	✓

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 proposal includes the construction of a hipped roof on a structure which will be a 2.30m in height. The eaves of the structure will not increase in comparison to the eaves of the conservatory. A 1.0m gap between the rear extension and shared property boundary will be maintained. The hipped roof of the conservatory will be retained. In terms of sunlight / light there is enough mitigation through distance, roof style and height for there to be no impact.	✓

- *14 Bridon Way*

	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. 14 is situated to the west of the application site. In terms of openings there is a double window proposed on the west elevation which will face onto the side of No.14. There are two glazed windows at No.14 which are on a higher level to the application site. Due to these factors, there will not be a change to privacy.	✓
Impact on light and outlook of neighbours (to	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b)	Due to distance and ground level, there will be not impact.	✓

sides, rear and front)	• Chapter 12 of the NPPF		

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**	**N/A**
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	This application is for an increase in residential amenity space, the number of bedrooms will not increase as a result. Parking arrangements currently consist of one space which will be converted to two spaces which is adequate.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Side access for bin storage will not be removed, under current proposals.	✓

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		

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 external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.
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
Grouped plans and elevations	1	1	15 May 2023
Grouped plans and elevations	3	1	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.