

**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:	2023/62/91630/W
Site Address:	44, The Ghyll, Fixby, Huddersfield, HD2 2FE
Description:	Erection of two storey side extension
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.

Teresa Harlow

AUTHORISED OFFICER

Date: 15-Aug-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91630
Location	44, The Ghyll, Fixby, Huddersfield, HD2 2FE
Proposal	Erection of two storey side extension
Publicity end date	03 August 2023
Number of representations received	0
Kirklees Local Plan Allocation/Designation	N/A
Extension to Time (EoT)	Yes EoT Date: 18 August 2023
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	Yes	Amendments were sought to lower the height of the extension roof to be below the existing roof and to be at least in line the front elevation from the existing front wall. The agent submitted a plan showing the requested amendments which were considered to be acceptable.

Parish/Town Council comments sought	No	N/A
Planning History	No	N/A
Consultations required	No	N/A

Assessment

Dimensions

Length: 9.18 metres

Width: 3.05 metres

Height: 5.27 metres to eaves, 7.25 metres in total height.(both measurements from ground level).

The Kirklees SPD sets out that two-storey and first-floor 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:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ideally be visually smaller in relation to the original house.	The proposed extension would be lower than the host dwelling after amendments were sought. It is visually smaller than the host dwelling structure, it is of good design with windows aligning with those in the original dwelling and materials matching existing materials. Officers can accept the extension based on these factors.	N/A
Have a roof design that follows the form of the existing roof.	The roofline would be constructed from the same materials used for the host dwelling and would have a similar	N/A

	roof which merges into the existing roofline.	
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	N/A	The first-floor element of the side extension would align with the existing first floor front wall after amendments were secured and would not leave a 0.5 metres set back. Whilst this does not align with the SPD, the dwelling is set back from the highway, and a site visit confirmed that although not set back, the extension would not create visual harm to both the original dwelling and the street-scene. The canopy roof at ground floor would follow through which provides a visually break between the ground and first floors.
Retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens	A gap of 1 metre would be retained to the site boundary.	N/A

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

Summary of local street scene/character: The street-scene consist of detached dwellings located within a residential neighbourhood. Dwellings are constructed from similar materials and are similar in design and scale, dating from the 1970s/early 1980s Dwellings benefit from integrated garages, off-street parking and outdoor private garden space located to the rear. There are a number of design but a common overall 'style' and materials palette. Various dwellings have been extended.

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 proposal would be constructed from similar materials as the host dwelling, which also harmonises with dwellings along the street. The extension would not project beyond the front elevation of the host dwelling. With the dwelling being set back from the highway, the impact on the street-scene would be limited and the finished scheme would harmonise well with 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 proposal would add “bulk” to the side of the dwelling, but is clearly subservient in scale. It would not detract value of the original house with similar construction materials and design.	✓
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	The proposed height and scale of the proposed extension is mostly SPD compliant. The first-floor extension not being set back from the front elevation of the host dwelling is accepted here due to the host dwelling being set back from the highway, the character of the wider estate and the extension being of good design with aligning windows and similar construction materials being proposed.	✓

Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposed external walls of the extension would be constructed from natural stone which would match the existing dwelling. In similar nature, concrete tiles would be used for the roof which would match the existing roof of the host dwelling.	✓
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 of the extension would match the design of the roof on the host dwelling and be slightly set down to provide some subservience.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	A window is proposed on the first-floor front elevation, one on the first-floor side elevation and 1 to the rear. These windows align with existing windows and are considered to be good in design. The ground floor would have glazed doors on the rear elevation which would lead out onto the garden.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	The extensions can be accessed through the host dwelling. The ground floor aspect of the extension can be accessed through by the rear garden.	✓

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:

- 46 The Ghyil – A detached dwelling located to the northwest of the application site. Due to the location of the proposals, this neighbour would be unimpacted by the proposed development.
- 3 Maple Grove – Detached dwelling located to the rear of the application site to the north. Due to the location of this neighbour in relation to the proposals, they would not be impacted from the development.
- 1 Maple Grove – Dwelling located to the east of the application site.

	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 extension has 1 window on the side elevation which projects out from a first-floor bathroom. 1 Maple Grove, the neighbour dwelling from this window has no windows on the elevation facing the proposal, thus maintaining their privacy. Due to the dwelling not increasing its projection from the front or rear wall, neighbouring dwellings privacy to the front and rear of the site would not be unduly impacted.	✓
Impact on light and outlook of neighbours (to sides, rear and front), overbearing and not be overshadowing.	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	The side extension would remain 1 metre from the neighbouring boundary. This distance is acceptable and would not create a sense of overbearing or be overshadowing for the adjoining neighbour at no. 1. It is recognised this neighbour is at a lower ground level. Light receive by adjoining neighbours to the site would remain as existing: there being no side facing habitable windows and the orientation and	✓

		relationship to the amenity spaces of surrounding properties.	
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The proposal would only utilise a small outdoor space for the ground floor utility room. It is considered that the amount of outdoor space retained is an acceptable amount for current and potential future occupants of the dwellings to utilise	✓

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 the access of the site in relation to the highway. The proposal is considered to be acceptable on relation to highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposal would increase the number of bedrooms on site from 3 to 5. This would require an additional parking space to be provided as the SPD states dwellings with 4+ bedrooms need to provide 3 off-road parking spaces. The existing garage on site falls short of size standards to house a vehicle. The drive located to the front of the	✓

		dwelling can house 2 cars. A paved section to the front of the dwelling appears to be off-street parking which can be utilised. Although less than ideal because of all cars are not able to park on site, the site can accommodate 2 cars with an additional car in front of the dwelling on a quiet cul-de-sac.	
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Waste collection and storage is expected to be as existing.	✓

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	A species enhancement has been provided stating a house sparrow nesting terrace would be installed under the eaves on the East elevation of the new extension with	✓

		alongside a swift nesting box installed under the eaves on the North Elevation. This will be controlled by condition.	
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
None received.	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: 2023/91630

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.

4. The bird box and terrace species enhancements indicated on plan no. 2A and specified within the species enhancement statement shall be installed during the period of construction and before the extension is first occupied. Thereafter, the bird box and terrace shall be retained.

Reason: To provide biodiversity enhancements in accordance with Policy LP30 of the Kirklees Local Plan, Key Design Principle 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Chapter 15 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Scheme proposals (Existing)	1		09 June 2023
Scheme Proposals	2	A	15 August 2023
Species Enhancement Statement			08 June 2023

Plan Type	Reference	Version	Date Received
Climate Change Statement			08 June 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. The agent was requested to reduce the scale of the extension. This decision is based on the amendments received.

Report Dated: 15/08/2023

Coal - Low