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:	**2023/62/91813/W**
Site Address:	4, Kelvin Avenue, Dalton, Huddersfield, HD5 9HG
Description:	Erection of front 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: 04-Aug-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91813
Location	4, Kelvin Avenue, Dalton, Huddersfield, HD5 9HG
Proposal	Erection of front 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:** 10 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	No	N/A
Parish/Town Council comments sought	No	N/A

Planning History	Yes	2023/90150. Erection of front and side extension. *Refused – 14/03/2023.* 2023/90151. Prior notification for single storey rear extension. *NANR – Not Required – 22/02/2023.*
Consultations required	No	N/A

Assessment

The application seeks permission for the erection of a front extension.

Projection: 0.75 metres
Width: 2 metres
Height: 3 metres to the eaves, 3.5 metres in total height.

The Kirklees SPD sets out that front extensions should comply with certain parameters set out at paragraph 5.14 on page 27 (and listed below) and if they do not, they need to be justified:

Single storey front extensions permitted where:	**Yes - COMPLY**	**No - JUSTIFY**
The house is set well back from the pavement or is well screened	The house has a front driveway which separates the dwelling from the pavement, ensuring the front extension is well set back.	N/A
The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area	The proposed extension is small in nature. By adjoining an existing front bay of the dwelling, the proposal would be well designed and not harm the character of the house or area.	NA
The materials and design match the existing features of the original house	The proposed external walls of the proposed extension would be constructed from stone and brick to match the host dwelling. The roof	N/A

	would be constructed from blue slate, which also matches materials used on the principal roof of the host dwelling (the bay is currently rosemary tiles)	
The extension would not unreasonably affect the neighbouring properties	Due to the location of the front extension and its purpose, the development would not unreasonably affect any neighbouring property.	N/A

Design and Visual Amenity:

Summary of local street scene/character: The street scene consists of residential dwellings of the same house type, in this case being semi-detached dwellings. Houses on the street are constructed from similar materials and are similar in design and scale. Dwellings benefit from off-street parking located to the front of the buildings and rear gardens.

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	Due to the proposal being small in nature and using construction materials which have been used for the host dwelling and other dwellings on the street, is considered the proposal would not harm the character of the street scene. This is also helped by the proposal; being set back from the pavement and highway.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP	The extension would be subservient to the host dwelling and the use of similar materials as the original dwelling in the	✓

	• Chapter 12 of the NPPF	construction enable the development to be acceptable in relation to the original house.	
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 height, scale and massing of the extension are SPD compliant, and the extension would be subservient to the host 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 materials for the external walls of the front extension would be brick and stone to match the materials used on 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 roof style for the extension would be a lean-to roof, which is subservient in height. The roof would be constructed from blue slate which matches the existing materials used on the host dwelling main roof.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	There are no windows proposed within the front extension.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Access to the front extension can be achieved by a new proposed doorway or through the original house. Access to the rear amenity space would remain as existing.	✓

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:

- *6 Kelvin Avenue – Semi-detached dwelling adjoined to the application site located to the east. Due to the limited projection of the front extension and its location, this neighbour would be unimpacted by the proposal.*
- *2 Kelvin Avenue – Semi-detached dwelling located to the west of the application site. Due to the small-scale nature of the proposal, this neighbour would not be impacted from the development.*
- *17, 19 and 21 Grand Cross Road – Semi-detached dwellings which share a boundary to the rear of the application site. Due to the location of the proposed development, these neighbours would be unimpacted from the proposal.*
- *1 and 3 Kelvin Avenue – Semi-detached dwellings located across the highway from 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	There are no proposed windows within the front extension, therefore neighbour privacy would be maintained.	✓
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	Due to the proposals limited size, scale and location, there would be no impact on light received by neighbouring properties.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Due to the proposals limited size, scale and location, there would be no impact in relation to overshadowing and overbearing on neighbouring properties.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c)	The proposed would utilise a small space located to the front of the dwelling. Adequate outdoor space would be	✓

	• Chapter 12 of the NPPF	retained to the front and rear of the dwelling should the application be approved.	

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	• 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 not serve as an additional bedroom, meaning the presumed potential occupants are to remain as existing. This results in existing car parking arrangements to be acceptable.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Waste collection and storage is considered 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:

	Relevant key design principle (KDP) of the SPD, Policy in the	**Further comments**	**✓ / X / N/A**

	Kirklees Local Plan and the NPPF		
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**
None received.		✓

<u>Conclusion</u>:

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: 2023/91813
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
Exist. Plans	22/199		20 June 2023
Proposed Extn	22/199		20 June 2023
Location Plan			20 June 2023
Proposed Block Plan	22/199		20 June 2023

Plan Type	Reference	Version	Date Received
Climate Change Statement			20 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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 04/08/2023

Coal - Low