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:	**2023/62/92545/W**
Site Address:	1, High Green, Lepton, Huddersfield, HD8 0HW
Description:	Demolition of existing porch and erection of single storey extensions, formation of new access and area for vehicular parking including landscaping and associated works
Recommending Officer:	Tom Hunt

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 11-Jul-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/92545
Location	1, High Green, Lepton, Huddersfield, HD8 0HW
Proposal	Demolition of existing porch and erection of single storey extensions, formation of new access and area for vehicular parking including landscaping and associated works
Publicity end date	24/11/2023. Amended plans not readvertised due to reduction in scale and no additional harm.
Number of representations received	0
Kirklees Local Plan Allocation/Designation	Unallocated land. Low Risk Coal area. Bat Alert. Adj. to PROW KIR/86/10
Extension to Time (EoT)	Yes **EoT Date:** 19/07/2024
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) December 2023
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed and beautiful 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

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	Removed two-storey front extension and reduced single-storey front extension to increase subservience. Landscaping set out with reduced parking for visual amenity.
Parish/Town Council comments sought	N/A	
Planning History	No	No recent planning history for dwelling.
Consultations required	Yes	KC Highway Structures – No Objections. Wall around parking area would not impact on highway. KC Highway Development Management – No objections. Conditions recommended to ensure safe function of highways and PROW.

Assessment

The application seeks permission for a single storey front and side extensions, with new parking area for two vehicles to the side area and landscaping of area to be garden land to southeast.

Front extension:

- 2.3m projection x 8.7 width with lean-to roof, overall height of 3.3m and eaves 2.5m from ground level

Matching materials to host with bifolds to front and picture window to northeast side elevation; remaining openings to front/side and rooflights domestic style.

Side extension:

- 3.5m from side x 4.4m width with pitch roof overall height 8m and eaves 4.1m from ground level.

Matching stone base with timber framing to extension and roofed to match host. Opaque glazing to northwest elevation.

Alterations to host, existing garage door increased in width on northeast elevation.

Two car parking space to southwest area and soft landscaping to southeast domestic hardstanding area to be garden.

The Kirklees House Extensions and Alterations SPD sets out that single storey front extensions should comply with certain parameters set out at paragraphs 5.13-5.14 on page 27 (and listed below) and if they do not, they need to be justified:

Front extensions	**Yes - COMPLY**	**No - JUSTIFY**
The house is set well back from the pavement or is well screened	Yes – front elevation faces away from highway and at sufficient distance to not be obtrusive	
The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area	Yes – matching materials, lean-to roof and reasonably limited width would serve to integrate the design to be matching and subservient to two-storey host	
The materials and design match the existing features of the original House	Yes	
The extension would not unreasonably affect the neighbouring properties.	Yes	

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 on page 28 (and listed below) and if they do not, they need to be justified. The property is also set within a corner plot and therefore paragraph 5.34 on page 30 is also of relevance:

Side extensions	**Yes - COMPLY**	**No - JUSTIFY**
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	Yes – aided by opaque glazing to southwest side elevation	

Single storey side extensions should:		
not extend more than two thirds of the width of the original house	Yes	
not exceed a height of 4 metres		No – building would be set away from closest shared boundary by 6.8m to avoid being overbearing.
be set back at least 500mm from the original building line to allow for a visual break	Yes	

Design and Visual Amenity:

Property is at end of a terraced row of more modern construction and stone facing material, it is set within large grounds turned away from High Green and otherwise accessed by private access to rear of 2-7 High Green Off Rowley Lane. Detached outbuilding to the southwest of the property with mixed materials. relatively screen by trees/greenery from streetscene.

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	Front extension in keeping with area. Side extension slightly out of keeping with use of glazing and timber materials but would appear as a high quality conservatory style installation. Low impact on streetscene with adequate setbacks and retention of side soft landscaping.	✓

Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Acceptable, projection of front extension is akin to removed porch. Side extension integrated by use of stone base and roof to match host.	✓
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	Both extensions would be in keeping, of limited massing and subservient to the two storey host	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Acceptable.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Acceptable	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Modestly larger than standard on northeast side elevation of the front extension however of low visual impact and therefore acceptable	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Acceptable. internal layout on level matching finish floor levels.	✓

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:

- *4 High Green. Front extension screened by host. Side extension of permeable materials, opaque glazing to northwest side elevation and set sufficiently away from neighbour to avoid overbearing, overlooking or overshadowing.*
- *12 High Green. Extensions screened by outbuildings and set away from neighbour to avoid additional overbearing, overlooking or overshadowing.*

	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	Subject to condition on glazing, none.	✓
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	None	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	None	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Proportionate with sections of side garden retained and southeast area to be garden	✓

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	Adequate parking supplied. Conditions recommended on visibility, PROW and gates to aid highway safety. Height of gates not specified as this is controlled by legislation to have this limited to no more than 1m height from ground.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	As above.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	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	Low amenity trees removed. Acceptable.	✓

	• Chapter 12 of the NPPF		
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Minor, soft landscaping to replace hardstanding will increase habitat. Informative attached on bats, low risk of disturbance to roosting potential.	✓
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: 2023/92545
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 & LP30 of the Kirklees Local Plan, Key Design Principles 1-17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12, 14 and 15 of the National Planning Policy Framework.

3. The external walls and roofing materials of the front 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 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. The external base of the side extension hereby approved shall have its wall materials 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 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

5. The glazed sections of the side extension in the northwest side elevation, shall be non-opening or top-opening only and shall be fitted with obscure

glass to give a grade 5 degree of obscuration before the development is first brought into use. Notwithstanding the provisions of section 55(2) (a) (ii) of the Town and Country Planning Act 1990 and Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Act or Order with or without modification) this glazed northwest elevation shall thereafter be so retained obscure glass.
Reason: So as not to detract from the amenities of the adjoining property, No. 4 High Green, by reason of loss of privacy and to accord with policies LP24b of the Kirklees Local Plan, Key Design Principles 3 and 4 of the House Extensions and Alterations SPD and Chapter 12 of the National Planning Policy Framework.

6. The proposed parking area to the southwest of the dwelling shall not come in to use until sightlines of 2m x site frontage have been cleared of all obstructions to visibility exceeding 1 m in height and these shall be retained free of any such obstruction.
Reason: To ensure adequate visibility in the interests of highway safety and to accord with Policies LP21 and LP22 of the Kirklees Local Plan and to accord with Key Design Principle 14 of the 'House Extensions and Alterations SPD'.

7. Prior to the hereby approved extension being first brought into use, the parking area to the southwest of the dwelling shall be provided within the site. The spaces shall be laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agencies ‘Guidance on the permeable surfacing of front gardens (parking areas)’ published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for the parking of vehicles.
Reason: To ensure that sufficient parking is provided for the site and to accord with Policies LP21 and LP22 of the Kirklees Local Plan and to accord with Key Design Principle 14 of the 'House Extensions and Alterations SPD'.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order), any gates or barriers for or over a vehicular access or egress shall be hung as to only open inwards. So long as such gates or barriers are in position they shall be retained to only open inwards.
Reason: To ensure highway safety and to avoid the need for vehicles to wait in the highway and to accord with Policies LP21 and LP22 of the Kirklees Local Plan and to accord with Key Design Principle 14 of the 'House Extensions and Alterations SPD'.

FOOTNOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484

221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

FOOTNOTE: Public footpath KIR/86/10 is the access to and adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston or via the email address publicrightsofway@kirklees.gov.uk

FOOTNOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. If bats are discovered on site, development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan.	Licence No: 100047474.	Unamended	21/09/2023
Existing Block Plan.	Drawing no. 23011/07.	Unamended	25/08/2023
Existing Floor Plans.	Drawing no. 23011/04.	Unamended.	25/08/2023
Existing Elevation Plans.	Drawing no. 23011/06.	Unamended	25/08/2023
Proposed Site Plan.	23011/08A.	Amended	03/07/2024
Proposed Ground Floor Plan.	23011/1l.	Amended	03/07/2024
Proposed First Floor Plan.	23011/2H.	Amended	03/07/2024
Climate Change Statement	-	-	21/09/2023

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. Amendments were accepted to ensure that the development, including the hardstanding, would not be dominant or harsh features in the streetscene and to the locality of the PROW.

Report Dated: 05/07/2024