

**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:	2023/62/93040/W
Site Address:	18, Wood Street, Slaithwaite, Huddersfield, HD7 5EE
Description:	Erection of single storey rear extension
Recommending Officer:	Joanna Rednall

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: 12-Dec-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93040
Location	18, Wood Street, Slaithwaite, Huddersfield, HD7 5EE
Proposal	Erection of single storey rear extension
Publicity end date	24 th November 2023
Number of representations received	None received
Kirklees Local Plan Allocation/Designation	Unallocated in Local Plan
Extension to Time (EoT)	Yes / No / 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	✓	

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) September 2023
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	The case officer recommended consideration be given to amending the scheme with regard to: • Reducing the projection to be in line with the SPD • Accessing the rear openings of the extension given the gradient of the site. • The under build of the extension

		However, no amended plans were submitted in response and the consideration of this application is therefore on the basis of the plans as submitted.
Parish/Town Council comments sought	No	
Planning History	Yes	2006/92707: Extension to raise existing roof ridge and formation of dormer window (conditional full permission)
Consultations required	No	

Assessment

The application seeks permission for the erection of a single storey rear extension. The extension would project a total of ~4.3 metres and leave a ~0.13 metre gap between the boundary of the neighbouring detached property. The north elevation would lie flush with the existing side elevation. The eaves height would be ~1.3 metres with an overall height of ~1.9 metres to the ridge of the lean-to roof. Construction materials of the walls would be stone and the roof would be blue slate.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified:

<u>Rear extensions should:</u>	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – at least half of the garden area is retained	
Be set behind the original building, and not projecting beyond the sides	Yes – the extension is set behind the original building and does not project beyond either side	
Maintain external access to the rear garden	Yes – external access to the rear garden is maintained	

<u>Single storey rear extensions should:</u>		
Be in keeping with the scale and style of the original house	Yes – the proposed materials of stone and blue slate are in keeping with the style of the original house	
Not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – over half of the area around the original house is retained.	
Not exceed 4 metres in height	Yes – the overall height is ~1.9 metres	
Not project out more than 3 metres from the rear wall of the original house for semidetached and terraced houses or by 4 metres for detached properties		No - the extension projects ~4.3 metres from the rear wall of the original house but it is noted this would be of a scale which would match the rear projection at No. 16. The 45 degree line from the centre of the window in the rear of No. 20 window would not be impinged upon.
Where they exceed 3m in length the eaves height should generally not exceed 2.5 metres	Yes – the eaves height would not exceed 2.5 metres	
Retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – the extension does not retain a 1 metre gap from the south facing boundary shared with No.20, however the 45 degree line from the habitable window at No.20 and the extension of the application property is met.

Design and Visual Amenity:

The host property is a two storey terraced house located in the River Colne Corridor. The main amenity space is to the rear where the property hosts a modest sized lawned garden. Although it is a terraced house, the ridge of the roof has been lifted approximately 1 metre above the attached neighbours No.20 and No.22 under a previous permission (ref: 2006/92707) and also hosts a dormer on the rear elevation.

The dominant construction material in the area is stone with dark coloured tile roofs. The neighbouring property (No.16) is a detached two-storey dwelling, however the rest of Wood Street consists of two-storey terraced houses. Boundary treatments consist of stone walls with limited off-street parking.

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 would not be visible from the street and the design is in keeping with the host property.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The construction materials would be to match the host property.	✓
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 extension would project ~4.3 metres from the rear wall and reach an overall height of ~1.9 metres to the ridge of the lean-to roof, so it would not be larger than or dominate the original house	✓
Facing materials and detailing	• KDP 9 of the SPD	The materials would be to match the host property. Subject to condition this is the case, the proposal is	✓

	• Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	considered acceptable in this regard.	
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Lean-to roof would be in keeping with host property.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Patio doors, window and three rooflights on the rear/east facing elevation overlooking the garden are considered acceptable	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension	✓

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:

- *20 Wood Street – attached neighbour on the south facing elevation – set on same ground level and boundary treatments consist of a ~1 metre wall and trees – 45 degree line from the rear extension to habitable window would be met. In addition the orientation of the site, with this property being south of the host dwelling would mean overshadowing is less severe.*
- *16 Wood Street – adjacent neighbour on the north facing elevation – detached dwelling set on the same building line and ground levels - rear wall of number 16 has been extended by approximately 3.3 metres beyond the existing rear wall at the application property.*
- *There are no properties within close proximity to the rear boundary of the application property which would be affected by the proposal.*

	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 openings are within the rear elevation and likely to have minimal impact on the privacy of neighbours.	✓
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	Limited impact on neighbours due to being single storey in height. Possible overshadowing onto the rear elevation of No.20 however this is likely to only be early morning and is not considered to be of a significant level. Impact to no.20 would see a level of massing adjacent to the shared boundary, however given the single storey design of the proposal it is not considered this would have a significant impact particularly when taking account the distance of the nearest ground floor window between no.20 and the proposal it is considered the impact of the development would not be of such significance to warrant refusal in this case.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Over half of the garden space is retained.	✓

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	No additional bedrooms proposed so parking unaffected.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plan however sufficient space within site boundary.	✓

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)	N/A	N/A

	(iv) Policy LP33 Trees Chapter 12 of the NPPF		
Impact on ecology	- KDP 12 of the SPD - Policy LP30 - Chapter 15 of the NPPF	Bat alert layer – the extension would not interfere with existing roof so unlikely that bats would be affected. Inclusion of informative note recommended drawing applicant's attention to the requirements of the law should they be encountered.	✓
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: 2023/93040

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, 12 and 15 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 be 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.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are

present or not. 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
Application Form			19 th October 2023
Climate Change Statement			19 th October 2023
Planning Drawing	23 J 45	01	19 th October 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. Suggestion was made to the applicant for consideration to amend the scheme to seek a development which was in greater alignment with the Council's House Extensions and Alterations SPD. In this case it was considered sufficient justification existed for elements which did not comply with the SPD.

Report Dated: 11th December 2023