

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:	2023/62/93116/W
Site Address:	17, Goldington Avenue, Oakes, Huddersfield, HD3 3PU
Description:	Erection of two storey side extension
Recommending Officer:	Laura Yeadon

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.

Julia Steadman

AUTHORISED OFFICER

Date: 11-Dec-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93116
Location	17, Goldington Avenue, Oakes, Huddersfield, HD3 3PU
Proposal	Erection of two storey side extension
Publicity end date	4 th December 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	N/A
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)		✓: will require case officer's assessment to be first considered by Team Leader and then sign off by 2 nd authorising officer (e.g. Group Leader)
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) 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
- NPPF Chapter 15 – Conserving and enhancing the natural environment

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 53** – Contaminated and unstable land

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 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES NO	SUMMARY
Negotiations/Amendments during course of application	No	None required
Parish/Town Council comments sought	No	None required
Planning History	N/A	None
Consultations required	N/A	None required

Assessment

The application seeks permission for a two storey side extension.

The proposed two storey extension would be located on the side elevation of the property, set back from the front elevation of the property by ~2.3 metres and would project to the side by 1.8 metres. The extension would align with the rear elevation of the original dwelling. The eaves height would match the existing with hipped roof line being set down from the existing roof ridge by ~0.8 metres.

The proposed construction materials would match the existing.

It is also proposed that part of the dwarf wall to the front of the property would be removed and driveway widened to allow for 2 no. parking spaces. The width of the drive would be increased from 2.5 metres to 4.4 metres and finished in tarmac. 1.5 metre width of dwarf wall would be removed to facilitate the parking area.

The Kirklees SPD sets out that two storey side extensions should comply with certain parameters set out at paragraphs 5.16 and 5.20 on pages 28 and 29 (and listed below) and if they do not, they need to be justified.

Side extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes – openings within side elevation of neighbouring property however these appear to non-habitable – proposed extension is set in from shared boundary and there is a driveway separating neighbouring property from application site	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	Yes – no proposed openings within the side elevation of the extension – proposed openings would be within the front and rear elevations	
Two storey side extensions should:		

Not take up all or most of the space to the side of a house	Yes – the extension is set in from the side boundary of the property	
maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property		No – a 1 metre gap is not retained between the side boundary and the extension, however is set in by ~0.5 metres and the neighbouring property set in from the shared boundary by approx. 2.4 metres ensuring a sense of space is retained between the dwellings
be set back at least 500mm from the front wall of the house	Yes – the extension is set back from the front elevation of the property by more than 500mm	

Design and Visual Amenity:

Summary of local street scene/character: Two storey semi-detached property. The ground floor front elevation is constructed from stone with the first floor, side elevation and rear elevation finished in pebble dash render. There is a bay window to the front elevation of the property, a characteristic of the neighbouring dwellings, with a driveway to the side leading to a detached pre-fabricated garage to the rear of the property. Lawned garden areas are located to the front and rear of the property. The other properties within the street scene are similar in terms of size and design.

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	Other side extensions within the street scene – extension is set back from the front elevation with the roof line set down and therefore no established front and rear building lines are obstructed. No terracing	✓

		effect would occur should adjacent neighbour also extend to the side	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Set back from front elevation, roof line set down from existing. Structure appears subservient	✓
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	Subservient structure as advised above	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Stone to front elevation ground floor with all other elevations pebble dash render with concrete roof tiles. These would match the existing and be conditioned as part of the decision notice	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Hipped to match the existing	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	To front elevation, proportionate in terms of size and scale with the existing. To the rear the openings are smaller than existing	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Main entrance to the property would be retained 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:

The main properties affected are:

- 15 Goldington Avenue – adjacent property to the north-east and sits on a lower ground level – openings within the side elevation facing the proposed extension however these appear to be non-habitable – extension and this neighbouring property are set in from shared boundary
- 19 Goldington Avenue – attached neighbouring property – unaffected due to the proposed extension being on the side elevation and not projecting off the rear
- 18 & 20 Goldington Avenue – facing property – no reduction in established separation distances which are retained at approx. 23 metres therefore SPD compliant

There are no properties directly to the rear 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	Limited impact due to separation distances with no proposed openings within the side elevation – openings are to the front and rear elevations	✓
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 siting and orientation, it is likely that some element of overshadowing already occurs to openings within side elevation of No. 15 during the winter months. As the openings appear non-habitable, it is not considered that any further harm would be significant	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD	No significant impact due to the structure being within the confines of the	✓

	• Policy LP24 Design (b) • Chapter 12 of the NPPF	side elevation of the dwelling.	
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Part of the front amenity space would be lost to extend parking area however rear garden area would be retained as existing	✓

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	N/A	N/A
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The existing parking provision within the garage cannot be accessed due to its limited width and pedestrian access to the side of the property. Therefore, there is no loss of parking due to the presence of the extension. The property would be retained as a 3 bedroom dwelling and the proposed extension would not increase the number of bedrooms. It is proposed that the existing driveway would be	✓

		widened to allow for an additional parking space. A condition can be attached ensuring that the extended parking area is permeable.	
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 the site boundary to accommodate bin storage	✓

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 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	None	N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	None	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.	✓
Coal legacy	• Policy LP53	The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with Policy LP53 of the Kirklees Local Plan and paragraphs 174 and 183	✓

and Policies within Chapters 2, 12, 15 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.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1,2 and 9 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. The development shall not be brought into use until all areas indicated to be used for parking on the submitted/listed plans have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's '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) (England) 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 use specified on the submitted/listed plans for the lifetime of the development.

Reason: To ensure adequate space within the site for vehicle parking and in accordance and to ensure adequate drainage of surface water within the site in accordance with Policy LP24 of the Kirklees Local Plan, Key Design Principles 14 and 15 of the House Extensions and Alterations SPD and advice within the National Planning Policy Framework.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, existing and proposed site plans, floor plans, elevations and sections	23 J 28 – 01A		25 th October 2023
Proposed site plan and block plan	23 J 28 – 02		25 th October 2023
Climate Change Statement	Appendix A		25 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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 11th December 2023

Team Leader: Teresa Harlow.

I hereby confirm that I have assessed the report and recommendation and concur with the case officer's recommendation to approve the application.

Date of confirmation: 11th December 2023.