

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:	2023/62/93183/W
Site Address:	48 , Marina Terrace, Golcar, Huddersfield, HD7 4RA
Description:	Erection of single storey rear extension
Recommending Officer:	Molly Storer

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: 20-Dec-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93183
Location	48 Marina Terrace, Golcar, Huddersfield, HD7 4RA
Proposal	Erection of single storey rear extension
Publicity end date	12 th December 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated on the Kirklees Local Plan
Extension to Time (EoT)	No EoT Date: 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	✓	

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
- **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	
Parish/Town Council comments sought	No	
Planning History	Yes	2023/92665 – HHPD – The erection of a single storey rear extension. The extension projects 6m beyond the rear wall of the original dwellinghouse. The maximum

		height of the extension is 4m, the height of the eaves of the extension is 3m – Details Approved
Consultations required	No	

Assessment

Description of development:

The application seeks permission for the erection of a single storey rear extension. The extension would project 6m from the rear and have a width of 8.5m. The roof form will be a dual pitched roof with an eaves height would be 2.4m with an overall height of 3.5m. Construction materials proposed are brick walls and roof tiles to match the existing property.

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:

Rear extensions should:	<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 – the garden area to the rear and the amenity space to the front would be retained.	
Be set behind the original building, and not projecting beyond the sides	Yes – the extension would lie flush with the existing side elevations of the property, including a historic two-storey side extension	
Maintain external access to the rear garden		No – external access to the rear garden is already blocked due to the garage to the side. The proposed extension will not cause any more impact to access.
Single storey rear extensions should:		

be in keeping with the scale and style of the original house		The footprint of the proposal is not considered to be in keeping with the scale of the dwelling, although it is noted that a recently approved application submitted under the prior notification procedure would see a large projecting extension to the rear which could realistically be completed in any event (hereafter referred to as the fall back). As such the additional built form proposed is not considered to be significantly over and above the impact of that whereby there is a realistic fall back.
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – does not cover more than half of the total area around the original house	
not exceed 4 metres in height	Yes – it does not exceed 4 meters in height	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties		No - the projection from the rear wall is 6m. However, the fall back at the property already approves a 6m extension over nearly half the width of the house. It is therefore concluded that infilling the rest of the width of the house with the same projection will not have significant impact to warrant refusal given the existing fall back.

where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes – the eaves height does not exceed 2.5 meters in height.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – the extension would be on the boundary lines. However, the already approved fall back would already run 6m along the boundary line to the northeast. On the southwest boundary due to the neighbouring property being on a higher land level, a ~1.4 metre fence and the driveway at No.50 separating the properties leads to the conclusion that a 1 metre gap is not considered to be necessary in this case and it is considered it would be unreasonable of the LPA to insist upon this space being maintained / provided for as part of this application.

Design and Visual Amenity:

The site is a two storey semi-detached property located within an area without notion within the Kirklees Local Plan. The property is constructed from brick and has concrete roof tiles. The property is situated within a cul-de-sac where the topography of the road slopes up. There is also an inbuilt garage which infills the area to the side of the property. The surrounding development consists of similar two storey semi-detached properties where the predominant construction material is brick. A number of properties in the immediate area have been altered or extended in some way.

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	Limited views from public vantage points as will be located to the rear and a ~1.4m high timber fence surrounds the rear of the property. The extension is a distance / design such that it is concluded to have an acceptable impact upon the street scene.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Considered to be acceptable on the basis of being single storey and constructed from matching materials as well as having regard to the realistic fall back.	
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	Single storey and full width of rear elevation – appears proportionate when viewed from side elevations and the height does not affect first floor windows.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Materials to match – bricks to match existing for the walls and tiles to match the existing roof. It is recommended this is secured by inclusion of an appropriately worded condition.	
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	Simple dual pitched roof design	

	Chapter 12 of the NPPF		
Window proportions	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	No openings are proposed in either side elevation. The proposed rear elevation (northwest) includes two openings proportionate to window sizes on the original dwelling and a single door.	
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Chapter 12 of the NPPF	Private domestic extension – no alterations to general access arrangements	

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:

46 Marina Terrace – adjacent property to the northeast - 46 Marina terrace is a two-storey semi-detached dwelling adjoining the application site. The dwelling is set on the same ground level and on the same building line. No. 46 has a conservatory on the boundary which projects by 3m therefore the proposed extension would run alongside this conservatory. It also hosts a large, detached garage in the rear garden.

50 Marina Terrace – adjacent property to the southwest – 50 Marina Terrace is a two-storey semi-detached dwelling. The dwelling is set on a significantly higher land level than the host property, it is also set on a slightly forward building line. No.50 hosts a large, detached garage that runs along the boundary with No.48.

	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)	There are no openings within the side elevations of the extension. The openings located within the rear elevation would have no material impact	✓

	Chapter 12 of the NPPF	on privacy given that these would be at ground floor level. Furthermore, due to the fallback it is considered that the proposal would not cause any more impact than that which is already permitted.	
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	With regard to No.46 the projection is 3 metres in light of the existing conservatory at and the extension is no more than 4 metres in height. Although the proposed extension is close to the boundary, boundary fences can be 2 metres in height in any event and one already exists at ~1.4 meters. Therefore it is not considered to be overbearing. In regard to loss of light the extension is almost directly west of the neighbouring property which means the extension does not overshadow the neighbouring conservatory from direct sunlight at any time during daylight hours in winter months and only marginally in evening hours during the summer months. Therefore, loss of light is not considered to be adequate grounds for refusal. Due to No.50 being at a higher land level, having an existing detached garage running along the boundary and a dividing fence at 1.4 meters high it is considered that the proposed extension would not have a	✓

		significant impact upon the amenity of No.50. Furthermore, due to the fallback it is considered that the proposal would not cause a significantly greater impact than that which is already permitted.	
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Acceptable level of remaining garden space	✓

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	Property hosts a driveway – no additional bedrooms proposed and existing parking arrangements would be unaffected. As such the proposal is considered in this respect.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv)	None shown on plan however sufficient space within site boundary	✓

	Chapter 12 of the NPPF		
--	--	--	--

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	N/A
Impact on ecology	- KDP 12 of the SPD - Policy LP30 - Chapter 15 of the NPPF	Not located in a bat area, scale of development is not considered to be significant in this regard.	✓
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 NPPE.

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
None		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: 2023/93183

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, Key Design 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 and retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Key Design 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Form	-	-	30/10/2023
Grouped plans and elevations	PLN-A3L-01	-	30/10/2023
Grouped plans and elevations	PLN-A3L-02	-	30/10/2023
Grouped plans and elevations	PLN-A3L-03	-	30/10/2023
Grouped plans and elevations	PLN-A3L-04	-	30/10/2023
Climate Change Statement	-	-	30/10/2023

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: 15/12/2023