

**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:	2023/62/93472/W
Site Address:	25, Birklands Road, Cowcliffe, Huddersfield, HD2 2PF
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.

Teresa Harlow

AUTHORISED OFFICER

Date: 07-Feb-2024

‘HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93472
Location	25, Birklands Road, Cowcliffe, Huddersfield, HD2 2PF
Proposal	Erection of single storey rear extension
Publicity end date	5 th January 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated on the Kirklees Local Plan
Extension to Time (EoT)	Yes, EoT Date: 12 th February 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
- 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 30** – Biodiversity and geodiversity
- **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
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Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

Assessment

Description of development:

The application seeks permission for the erection of a single storey extension to the rear. The extension would have a projection of 3 meters, a width of 4.8 meters and a height from the rear garden level of 3.6 meters. The extension would be set above the garden ground level on the same level as the original house and there would be steps to enter the extension which would be 0.8m of the extension's height. The extension will have a flat parapet roof with ashlar copings. The construction materials would be red facing brick to match the host property. A sunroom would be created on the ground floor.

A Juliet balcony is also proposed on bedroom 2 above the extension however this does not require planning permission.

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	Yes – the extension would be set behind the original building and not	

not projecting beyond the sides	project beyond the side elevations.	
Maintain external access to the rear garden	Yes – external access would be maintained.	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes – due to being single storey in height and having a width which is less than the original house it is considered to be keeping with the scale of the original dwelling. The usage of matching materials means the extension is considered to be 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 – 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	Yes – the house is semidetached and the extension would not project more than 3 meters from the rear wall.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes – the projection would not exceed 3m.	
retain a gap of at least 1 metre from a property		No – the extension would be ~0.7m from the boundary with

boundary, such as a wall, fence or hedge		No.27. however this is considered acceptable as No.27 hosts a single storey rear extension that is a similar distance along the same shaded boundary.
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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 with pebbledashed render and has natural grey slate roof tiles. The property is situated along a road where the topography of the road slopes up. The surrounding development consists of similar two storey semi-detached properties where the predominant construction material is brick/render. 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. 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 walling materials.	
Height, scale and massing	• KDP 1 and 2 of the SPD	Single storey and less than the full width of the rear elevation – appears	

	• Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	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 grey single-ply membrane for the flat roof.	
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Flat roof design with parapet walls.	
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 (southwest) includes large double glazed bi-folding patio doors which covers most of this elevation. A new roof lantern is also proposed.	
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:

27 Birklands Road – adjacent property to the northwest – set on a similar ground level this property hosts a single storey glazed extension to the rear close to the boundary with the applicant property.

23 Birkland Road – adjacent property to the southeast – This property is set on a significantly lower ground level and hosts a detached garage on the boundary with the applicant property.

	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 openings within the side elevations of the extension. The openings located within the rear elevation would have no material impact on privacy given that these would be at ground floor level and overlook open land.	✓
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.27 there would be some level of overshadowing to the side facing windows within the extension, which is fully glazed. However, due to the limited height and projection of the extension and the glazed in other elevations of the extension, it is considered that the loss of light is not undue. With regard to No.25 there would be a significant gap maintained of ~5.5m between the extension and the dwelling at No.25. In addition, the detached garage at this property would provide screening from the proposed development.	✓
Remaining garden space of application property	• KDP 7 of the SPD	Acceptable level of remaining garden space	✓

	• Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF		
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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) • 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) (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	Within Bat Alert layer on mapping system. Advisory note to be added to decision notice should bats be found during construction.	✓
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
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None		N/A
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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: 2023/93472

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 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, 9 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.

NOTE: The Council's GIS system indicates that 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 to 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	-	-	27/11/2023
Climate Change Statement	-	-	27/11/2023
Location plan	03223/LP/05/R01	-	27/11/2023
Site block plan as proposed	03223/PP/04/R01	-	27/11/2023
Site block plan as existing	03223/EX/03/R01	-	27/11/2023
Grouped elevations as proposed	03223/PP/02/R03	-	27/11/2023
Grouped elevations as existing	03223/EX/01/R01	-	27/11/2023

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: 05/02/2024