

**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:	2024/62/90005/W
Site Address:	10, Wadsworth Fold, Lindley, Huddersfield, HD3 3NB
Description:	Erection of single storey rear extension and alterations to integral garage
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.

Teresa Harlow

AUTHORISED OFFICER

Date: 25-Mar-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90005
Location	10, Wadsworth Fold, Lindley, Huddersfield, HD3 3NB
Proposal	Erection of single storey rear extension and alterations to integral garage
Publicity end date	11 March 2024
Number of representations received	None received
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	No
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) 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 30** - Biodiversity
- **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	N/A	
Planning History	No	
Consultations required	No	

Assessment

The application seeks permission for the erection of a single storey rear extension and the conversion of an integral garage to domestic uses.

The extension would project ~3 metres from the rear elevation and have a length of ~5.5 metres. The eaves would be ~2.3 metres in height with a total height of ~3.3 metres to the ridge of the lean-to roof.

With regard to construction materials, the exterior walls would be faced with coursed stone with the roof infilled with concrete interlocking tiles. Within the roof plane would be two roof lights.

Internally, the rear extension would provide an enlarged dining/ living area.

As part of the works, the integral garage would be converted into a snug and store room. This would include the addition of one ground floor window within the side (north-facing) elevation. The property appears to host full permitted development rights. In these circumstances, the proposed works to the garage do not appear to require the formal grant of 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	Over half of the garden would be retained	
Be set behind the original building, and not projecting beyond the sides	The extension would be set behind the dwellinghouse and would not project beyond the sides.	
Maintain external access to the rear garden	External access would be retained.	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	The exterior walls would be faced in coursed stone to match host dwelling. The extension would be single storey in height which is considered subservient to host dwelling.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Over half the total area around the original house would be retained.	
not exceed 4 metres in height	The total height of the extension would be ~3.5 metres.	

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	The maximum projection would be 3 metres.	
Where they exceed 3m in length the eaves height should generally not exceed 2.5 metres	The extension would not exceed 3 metres in length.	
Retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	A 1 metre gap would be retained from all property boundaries.	

Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character:

10, Wadsworth Fold is a detached, two storey dwelling with an integral garage. The exterior walls are faced with coursed stone with a concrete interlocking tile gable roof. The dwelling is located within a wider residential area where surrounding development shares similar design and architectural features.

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 located to the rear. Design of extension in keeping with host property.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Subservient due to being single storey in height and constructed from matching materials to host dwelling.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c)	Single storey in height and extends ~5 metres along the rear elevation.	✓

	- and (d) of the KLP • Chapter 12 of the NPPF		
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 existing house.	✓
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 in design which is subservient.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Full-opening patio doors in rear elevation considered acceptable.	
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extensions – no alterations to access.	✓

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:

8 Wadsworth Fold – detached dwelling located to the south of the application site.

The extension would be located ~3.8 metres from the shared boundary with blank elevation. This is considered acceptable in terms of mitigating overshadowing/overbearing and impact on privacy.

In addition, it has been acknowledged that boundary treatment is in place between these two neighbouring properties, in the form of ~1.8 metre fence, further working to ensure no significant impacts to residential amenity as a result of development.

6 Wadsworth Fold – detached dwelling located to the north of the application site.

The extension would be sited approximately 1 metre from the shared boundary with blank elevation facing this neighbour. In addition, the rear elevation of the application property is set ~1 metre behind this neighbour. This is considered acceptable in terms of mitigating the impact of overshadowing/ overbearing on this neighbour.

In addition, it is noted that boundary treatment is in place between these two neighbouring properties, in the form of ~1.8 metre fence, further working to ensure no significant impacts to residential amenity as a result of development.

56 Austin Close – detached dwelling to the east of the site.

The proposed extension is only single storey in height. Due to the separation distance to no. 56, the change in levels and the presence of a closed boarded fence, it is considered no materially adverse impacts to the occupiers of this property would ensure.

	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 extension is single storey in height with both side elevations being blank. A separation distance of ~18 metres is achieved between the rear openings and neighbouring dwellings on Austin Close together with close boarded fencing.	✓
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	Acceptable due to the reasons above.	✓
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 would be 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:

	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	No alterations to highway access.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	No additional bedrooms proposed, however the integral garage would be converted into a snug/store as a result of the works. It is considered that sufficient space for two cars is available on the front driveway, with a 3 rd space across the driveway if required. As the works to the garage appear to be 'permitted development' the loss of the parking space would not be a reason to refuse the application.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plans however sufficient space within red line 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	N/A. The form indicates that the existing trees within the rear garden would not be affected. Given their diminutive scale, this appears accurate.	N/A

	Chapter 12 of the NPPF		
Impact on ecology	- KDP 12 of the SPD - Policy LP30 - Chapter 15 of the NPPF	N/A	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.	✓

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: 2024/90005

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 and LP51 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, 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.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1, 9 and 2 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			02/02/24
Climate change statement			02/02/24
General Arrangements Drawing	WHPG 23-0037 02	A	02/02/24
Location Plan	WHPG 23-0037 01	A	02/02/24

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:

22/03/2024

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