

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:	2024/62/90172/W
Site Address:	21, Thornton Lodge Road, Thornton Lodge, Huddersfield, HD1 3JQ
Description:	Erection of 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: 22-Mar-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90172
Location	21, Thornton Lodge Road, Thornton Lodge, Huddersfield, HD1 3JQ
Proposal	Erection of rear extension
Publicity end date	19 th March 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated
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 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 31** – Green Infrastructure Network
- **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	93/04995. Conversion of basement of dwelling to children's, religious and study room. Conditional Full Permission. 94/93145. Renewal of temporary permission for conversion of basement of dwelling to children's, religious and study room. Conditional Full Permission. 90/03312. Erection of two storey extension. Conditional Full Permission.
Consultations required	No	N/A

Assessment

The application seeks permission for a first floor rear extension supported on piers.

3m projection from the rear x 6m width. 2.5m to the eaves and 3.5m overall height of extension (set 2.2m above the ground level supported on piers). The roof will be of a lean-to roof design.

The Kirklees SPD sets out that first floor rear 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:

First floor rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Be proportionate to the size of the original house and garden.	Sufficient outdoor amenity space would be retained at 21 Thornton Lodge Road.	
Not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings)	The size/scale of the proposed extension would not exceed 50% of the total area of land around the original house.	
Not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties.	The extension would have a projection of 3 metres and the property is a terrace.	
Not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary.		From the lower ground floor the height to the eaves is 5.7m and the extension will be built up to the property boundary to both sides. However, due to both sides having two storey rear extensions with projections of ~3m in addition to a rear extension already present at No.21 the extension will have limited impact. It is not considered that separating the extension from the shared boundaries would be a design benefit that would improve the extension from a visual amenity perspective or residential amenity.

Design and Visual Amenity:

The site is located along Thornton Lodge Road , where there is a sense of similarity. All of the properties are two-storey, terrace houses with some passageways to reach rear gardens. The topography of the street means as you go up the street buildings are set on a higher ground level. The design of No. 21 shares a strong sense of similarity with the other properties on the street with the main construction material of stone. Many of the houses on the street have single storey or two story extensions to the rear Due to the ground levels to the rear, the extension would be viewed as a first floor rear extension, although it would add accommodation to the ground floor of the property as accessed from Thornton lodge Road itself. There is an exposed basement to the rear. The existing openings to this accommodation would still be used, as the extension would be supported on piers. 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 projection of 3 metres to the rear where there are already a number of extensions. Limited views from public vantage points as located to the rear with built development surrounding the property.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed rear extension would be subservient in size and in keeping with the appearance of the host dwelling by using similar materials within its construction and by its limited width.	✓
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 in size/scale, set down from the height of the host property not affecting first floor windows. Design of extension in keeping with host property and use of matching exterior materials.	✓

Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The external walls of the extension is to be constructed from stone, which would match materials used in the construction of the host dwelling. The roof will be constructed from grey roof tiles which matches the host dwelling 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	Simple 'lean-to roof' design to limit material impact to visual amenity.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Glazing to only rear elevation. Regular windows in keeping with architectural style of host property.	✓
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:

- *19 Thornton Lodge Road– This property adjoins the application site to the north.*
- *23 Thornton Lodge Road – This property adjoins the application site to the south.*

	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 proposed openings within the side elevations of the extension, with all openings located within the rear elevation.	✓
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. No. 23 has a large two storey rear extension on the boundary that projects further than the proposed development and is also on a slightly high ground level therefore the proposed extension will not cause any impact to light or overlook this property. No.19 also has an extension along the shared boundary. Although the proposed development would extend slightly beyond this (0.4m) this is not considered reason for refusal as both property's are on the same ground level, there are no windows proposed in this elevation and showing will be limited. It is therefore considered that there would be limited material impact to residential amenity.	✓
Remaining garden space of application property	• KDP 7 of the SPD	Due to the extension proposed on the first floor there would be no additional garden space	✓

	• Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	taken up by the proposed extension.	
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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:

	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	There are no proposed changes to highway access with the proposal. The development is considered to acceptable in relation to highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	No additional bedrooms nor enlarged bedrooms are proposed therefore will have no impact on parking provision.	✓
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:

	Relevant key design principle (KDP) of the SPD, Policy in	Further comments	✓ / X / N/A
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	the Kirklees Local Plan and the NPPF		
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	N/A	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF • Policy 13 HVNDP	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 • Policy 12 HVNDP	There would be no impact as this is a first floor extension. 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		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: 2024/90172

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, Key Design Principles 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.

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
Climate Change Statement	-	-	23/01/2024
Proposed and existing grouped plans and elevations	2328/01A	-	31/01/2024
Application form	-	-	23/01/2024

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: 21/03/2024