

**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:	2024/62/90175/W
Site Address:	33, Fir Road, Paddock, Huddersfield, HD1 4JE
Description:	Erection of two storey rear extension and porch
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: 19-Mar-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90175
Location	33, Fir Road, Paddock, Huddersfield, HD1 4JE
Proposal	Erection of two storey rear extension
Publicity end date	4 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 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	Yes	Following a site visit, the applicant's agent was contacted and it was requested for the scale of the front porch and projection of the rear extension to be reduced. Amended plans were submitted on 18 th March 2024.
Parish/Town Council comments sought	No	
Planning History	No	

Consultations required	No	
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Assessment

Permission is sought for the erection of a two storey rear and front porch extension.

Two storey rear extension

The measurements of the two storey rear extension are as follows:

- ~3 metre rear projection
- ~5.4 metre width
- ~5.1 metre eave height
- ~6.7 metre total height

The exterior walls would be faced with red brick with a hipped roof.

Internally, the extensions would provide an extended kitchen/ dining space and two bedrooms. The ground floor rear-facing elevation would have full-length patio doors and two windows within the first floor rear-facing elevation.

Single storey front extension

The measurements of the front extension are as follows:

- ~1.7 metre front projection
- ~2.2 metre width
- ~2.3 metre eave height
- ~2.8 metre total height

The exterior walls of the front porch extension would be constructed with red brick to match the host dwelling with a gable roof.

The Kirklees SPD sets out that two storey rear and front extensions should comply with certain parameters set out at paragraph 5.8 and 5.14 on pages 25 and 27 (and listed below) and if they do not, they need to be justified:

Two storey rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Be proportionate to the size of the original house and garden;	The rear extension is designed as such the eaves match the height of the existing house. Following amendments, the reduced projection of ~3 metres is considered proportionate to the	

	size of the original house and garden.	
not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);	50% of the total area of land around the original house would be retained.	
not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;	The total projection would be 3 metres.	
not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;	The east-facing elevation would be ~0.8 metres from the shared boundary with 31, Fir Road.	Although against SPD guidance, it is indicated on the proposed plans that the rear extensions would achieve the 45 degree rule and therefore would be no visual or residential benefit by setting the extension off the boundary by 1.5 metres.
be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and	Acceptable for the reasons above.	
not adversely affect habitable room windows where they adjoin a neighbour's boundary	The 45 degree line would be cut from the nearest window at No.31.	
Single storey front extensions permitted where:		
The house is set well back from the pavement or is well screened	The house is set back ~7 metres from the pavement.	
The extension is small, subservient to the	Following amendments, the porch has a minimal	

original building, well-designed and would not harm the character of the original house or the area	projection of ~1.7 metres and is single storey in height, therefore subservient.	
The materials and design match the existing features of the original house	The construction materials would match the host dwelling.	
The extension would not unreasonably affect the neighbouring properties	The extension would not impact neighbouring properties.	

Design and Visual Amenity:

Summary of local street scene/character:

33, Fir Road is a two-storey semi detached dwelling located in Paddock, Huddersfield. Properties adjacent to the application site consist of similar two-storey detached dwellings, with properties opposite 33, Fir Road consisting of semi-detached bungalows.

To the rear of the dwellinghouse is a medium-sized lawned garden, as well as an outbuilding that would be demolished as part of the works. There is also a small lawned garden to the front of the dwelling.

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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	Although there are no front porches on surrounding properties, in this case given the set-back of the dwelling, the proposed extension would be in keeping with the local character and street scene.	✓

Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	Constructed from matching materials and single storey in height. The roof of the rear extension would be set-down from the ridge of the existing dwelling, therefore subservient to the original house.	✓
Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	The extensions would be proportionate to the existing house.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	Materials would match the host dwelling.	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	Gable roof on front porch extension is considered to adequately harmonise with the existing house: due to limited scale. Hipped roof on rear extension to match the roof on the existing house.	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	Full length opening within rear elevation considered acceptable. Two first floor windows within rear elevation considered subservient to original house.	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF 	Private domestic extension – 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: Are the considerations in the following table acceptable?

The main properties affected by the two-storey rear extension are:

31, Fir Road

31, Fir Road is adjoined to the application property from the east-facing elevation. This neighbour is set on similar ground levels and on the same building line, with a ~1 metre fence boundary treatment. The 45 degree line would just be met. There would be some overshadowing later in the afternoon, but this is somewhat mitigated by the distance to the boundary and the reduced height of the extension.

35, Fir Road

This dwelling is located to the west of the application site. This neighbour is also set on similar ground levels and on the same building line as the application property. There are no openings facing this neighbour, and a separation distance of ~6 metres is achieved between the two properties.

46, Larch Road

This property is located to the rear of the application site. A separation distance of ~21 metres between the dwellings is achieved.

The front porch has no material impact on the amenities of the above properties: due to its scale, siting and function.

	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)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	There are no openings within side elevations that would bring detrimental harm to the privacy of No. 31 or 25 Fir Road. A separation distance of ~21 metres is achieved between the application property and neighbouring dwellings	✓

		on Larch Road which is acceptable.	
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	A 45 degree line would be cut from the extension to the cil of the closest window at No.31, therefore acceptable in terms of KDP 5.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 	Half of the garden area would be retained as a result of the development.	✓

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	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	No alterations to highway access.	✓
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	The domestic use of the property would not increase as a result of the development, as the number of bedrooms would remain at 3. There is currently no off-street parking available at the application site, however the proposed works include one off-street parking space to the front of the dwelling. This is	✓

		acceptable in terms of KDP 15.	
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	None shown on plans however there is 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	Bat alert layer – note attached to decision notice.	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • KDP 14 of the SPD 	The rear garden and landscaping would be	✓

	<ul style="list-style-type: none"> Policy LP24 (d) (vii), LP27 and LP34 of the KLP 	retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	
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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		✓

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: 2024/90175

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 extensions 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 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: Due to its location, 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 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			23/01/24
Climate change statement			24/01/24
Existing and Proposed Layout and Elevations	2331/01A		18/03/24

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. The applicant's agent was contacted and it was requested for the scale of the front porch and projection of the rear extension to be reduced. Amended plans were submitted on 18th March 2024. This decision is based on the amendments received.

Report Dated: 19/03/24

