

**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:	<b>2024/62/90184/W</b>
Site Address:	30, Westfield Avenue, Meltham, Holmfirth, HD9 5PY
Description:	Erection of single storey side extension and associated alterations
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.**

Julia Steadman

***AUTHORISED OFFICER***

**Date: 15-Mar-2024**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2024/90184
<b>Location</b>	30, Westfield Avenue, Meltham, Holmfirth, HD9 5PY
<b>Proposal</b>	Erection of single storey side extension and associated alterations
<b>Publicity end date</b>	1 <sup>st</sup> March 2024
<b>Number of representations received</b>	One received
<b>Kirklees Local Plan Allocation/Designation</b>	Unallocated
<b>Extension to Time (EoT)</b>	No
<b>Recommendation</b>	Conditional Full Permission

	<b>NO</b>	<b>YES</b>
<b>Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)</b>	✓	
<b>Contrary to previous decision</b>	✓	
<b>Called in by Ward Member</b>	✓	
<b>Significant number of representations received</b>	✓	

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

- 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

	<b>YES / NO</b>	<b>SUMMARY</b>
Negotiations/Amendments during course of application	Yes	The applicant's agent was contacting regarding the front projection of the extension. The agent provided a justification for the design which is discussed in this report.
Meltham Town Council	Yes	No comments received
Planning History	Yes	2012/92084 – erection of first floor extension and alterations (conditional full permission)
Consultations required	No	

## Assessment

The application seeks permission for a single storey side extension. The extension would project ~3.2 metres from the side (north-west facing) elevation and extend ~12.8 metres along the side of the host property. The extension would lie flush with both the front and rear elevations of the dwellinghouse. The eaves height would be ~2.1 metres with a total height of ~3.6 metres to the ridge of the lean-to roof.

With regard to construction materials, the exterior walls of the extension would be constructed from stone to match the existing dwelling. There would be four rooflights within the lean-to roof, as well as a new front door within the side elevation of the extension.

Internally, the proposed development would serve a study/office, a store room, enlarged utility and toilet.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 on page 28 (and listed below) and if they do not, they need to be justified. The property is also set within a corner plot and therefore paragraph 5.34 on page 30 is also of relevance:

<b>Side extensions</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties.	The eave height would remain at ~2.3 metres and a 1 metre gap from the extension to	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens.	Proposed openings would be screened by ~2 metre boundary fence. The side windows would also be obscurely glazed.	
<b>Single storey side extensions should:</b>		
not extend more than two thirds of the width of the original house	The extension would have a width of ~3.2 metres, which is less than two thirds the width of the original house.	

not exceed a height of 4 metres	The total height would be ~3.6 metres, which complies with this parameter.	
be set back at least 500mm from the original building line to allow for a visual break		The extension would lie flush with the front elevation of the application property. The applicant's agent justified this design with a similar approved scheme as No. 35 Moor View (2021/39792). Within the immediate street scene to the application site an almost identical extension has been developed at 17, Westfield Avenue (2014/90076). Given these factors, it is considered that the proposed extension would not cause detrimental harm to the visual amenity of the street scene and is acceptable in this case.

### Design and Visual Amenity:

#### Summary of local street scene/character

30, Westfield Avenue is located within a semi-rural residential area. Surrounding development on Westfield Avenue consists of two-storey detached dwellings, and there is a strong sense of similarity in terms of design and architectural features. The predominant construction material is stone with concrete interlocking roof tiles.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>

Impact on the Local character and street scene	<ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Chapter 12 NPPF</li> </ul>	The extension would be single storey in height and constructed from identical materials, therefore would be in keeping with the appearance of local character of the street scene.	✓
Impact on original house	<ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The extension would be in keeping with the original house and would be proportionate in terms of scale.	✓
Height, scale and massing	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Single storey in height and full length of host dwelling considered proportionate to the existing house.	✓
Facing materials and detailing	<ul style="list-style-type: none"> <li>• KDP 9 of the SPD</li> <li>• Policy LP24 Design (d) (iii) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Proposed materials to match existing dwelling.	✓
Roof style	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Lean-to design considered appropriate to host dwelling.	✓
Window proportions	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Proposed window on front (south-west facing) elevation similar in design to existing openings on the same elevation. Two windows in north-west facing elevation considered in keeping with existing dwelling.	✓

Accessibility for all users	<ul style="list-style-type: none"> <li>• KDP 17 of the SPD</li> <li>• Policy LP24 Design (f)</li> <li>• Chapter 12 of the NPPF</li> </ul>	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:

- *32, Westfield Avenue – neighbouring dwelling on north-west facing elevation. screening in place in terms of ~2-metre-high fence. Two ground floor windows would directly face the proposed extension, however this neighbour is set on higher ground level than the application site. The front door to serve the dwelling would also be positioned on the side elevation of the new extension.*
- *28, Westfield Avenue – neighbouring dwelling on north-east facing elevation. The main body of 30, Westfield Avenue would prevent any impact of the extension. The proposal would not extend beyond the front or rear elevations of No 30 therefore would mitigate any detrimental overshadowing or overbearing impact on this neighbour.*
- *There are no properties within close proximity to the rear boundary of the site which would be affected by the proposal.*

	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"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	Openings located within the north-west facing elevation would be ~3.7 metres from 32, Westfield Avenue. While these windows would not serve a habitable room, it is also noted that there is a ~2 metre high boundary fence separating the two dwellings. The main door to access the dwelling as extended would be located on this side elevation too however, a front door does not serve	✓

		a habitable room. Furthermore, no 32 is located on a slightly higher ground level than the application site, therefore mitigating any detrimental impact on privacy with the inclusion of the boundary treatment (referred to above). In addition, weight is afforded to the realistic permitted development fallback in this case.	
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>	The application property is located on a lower land level than No 32. Combined with the single storey nature of the proposal, this would prevent any detrimental loss of light and outlook. Once again, the potential permitted development fallback position is taken into account.	✓
Impact on overbearing or overshadowing	<ul style="list-style-type: none"> <li>• KDP 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>	The ~2.1 metre eave height combined with the lean-to roof design is considered sufficient to ensure that there is no detrimental overbearing or overshadowing on neighbouring dwelling No 32. Once again, the potential permitted development fallback position is taken into account.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> <li>• KDP 7 of the SPD</li> <li>• Policy LP24 Design (b) and (c)</li> <li>• Chapter 12 of the NPPF</li> </ul>	The rear garden space 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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on highway safety	<ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The proposed works would not alter the existing access to and from the property in conjunction with the adjoining highway.	✓
Parking provision	<ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The extension would not result in an increase in the domestic use of the property e.g. formation of additional bedrooms. It is acknowledged on the proposed plans that there is sufficient room to the front of the dwellinghouse for 3 cars on driveway and gravel area, which is acceptable in this case.	✓
Provision for waste storage	<ul style="list-style-type: none"> <li>• KDP 16 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	None stated on plans however there is sufficient space within the 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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>

Impact on trees	<ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i) (iv) Policy LP33 Trees</li> <li>• Chapter 12 of the NPPF</li> </ul>	N/A	N/A
Impact on ecology	<ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>	N/A	N/A
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> <li>• KDP 8, 9, 10 &amp; 11 of the SPD</li> <li>• Policy LP51</li> <li>• Chapter 14 of the NPPF</li> </ul>	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"> <li>• KDP 14 of the SPD</li> <li>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP</li> </ul>	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:**

<b>Summary of Representation</b>	<b>Officer response</b>	<b>Addressed ✓ / X / N/A</b>
Objection letter – overlooking, particularly from the new door to access the property being on the side elevation. Also concern	The objections raised have been addressed in report above.	✓

re. the loss of light from the extension.		
---	--	--

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:** 2024/90184

**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, 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 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. The extension shall not be brought into use until the windows in the gable (side) elevation of the extension hereby approved have been obscure glazed to a minimum grade 5. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning

(General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), the obscure glazing (to a minimum grade 5) shall thereafter be retained.

**Reason:** So as to promote good design by minimising the impact on residential amenity of neighbouring occupiers in accordance with Policy LP24 (c) of the Kirklees Local Plan as well as Paragraph 127 (f) of the National Planning Policy Framework.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Application form			25/01/24
Climate change statement			25/01/24
Plans, elevations and views as existing and proposed	2336 - 01		25/01/24

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 regarding the front projection of the extension. The agent provided a justification for the design.

**Report Dated:** 11/03/2024

Low coal