

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:	2024/62/90306/W
Site Address:	3, Nields Road, Slaithwaite, Huddersfield, HD7 5HT
Description:	Erection of single storey rear extension
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: 03-Apr-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90306
Location	3, Nields Road, Slaithwaite, Huddersfield, HD7 5HT
Proposal	Erection of single storey rear extension
Publicity end date	21/03/24
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	✓	

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 30** – Biodiversity

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	Discussions with the applicant's agent concerning the potential overlook from the east-facing patio doors. Amended plans were received showing a 1.8m boundary fence along the east-facing boundary with no. 3A. Amended plan not re-publicised as the fence could be erected using pd rights in any case.
Parish/Town Council comments sought	No	

Planning History	Yes	2023/90044 – Erection of first floor rear extension and rooflights to main roof (refused) 2023/92922 – Erection of first floor rear extension and rooflights to main roof and parking space (refused)
Consultations required	No	

Assessment

The application seeks permission for the erection of a single storey rear extension.

The measurements of the rear extension are as follows:

- ~7 metre rear projection
- ~5.4 metre width
- ~2.9 metre height

Internally, the extension would serve a kitchen and alterations to an existing outtrigger would form a bedroom.

The exterior walls would be faced with stone to match existing dwelling, with a parapet wall with stone coping. The existing rear single storey would have three velux roof lights, as well as a glazed lantern to the flat roof of the rear extension.

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	At least half the garden would be retained.	
Be set behind the original building, and not projecting beyond the sides		No The extension would project beyond the sides by ~2.3 metres. Although against SPD guidance, the extension would be sympathetic and would not over-dominate the existing

		dwelling. Over half of the external amenity space would be retained, the house is set up from the highway and the extension is set an extensive distance behind the front elevation. therefore the extension would not result in overdevelop the site, appear visually jarring and is acceptable in this case.
Maintain external access to the rear garden	External access to the rear garden would be retained.	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	The materials would match the host dwelling, therefore would 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)	Over half of the total area around the original house would be retained.	
not exceed 4 metres in height	The total height would be ~2.9 metres, therefore subservient.	
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		No. The extension would project ~7 metres. Although against SPD guidance, the extension would lie flush with the existing single storey rear outrigger built on the boundary with No.1 Nields Road which is deemed visually

		acceptable in this case whereby there is no regular architectural form in the streetscene.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	The total eaves height of the extension would be ~2.5 metres. (to the gutter line of the parapet wall).	
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 boundaries.	

Design and Visual Amenity:

3, Nields Road is a stone 3-bedroom detached dwelling. The property, along with neighbouring No.1, Nields Road located to the left, are elevated above the highway. To the east of the application site is a detached bungalow which is also elevated above the highway.

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	The design is adequately in keeping with the host property in terms of scale and construction materials.	✓
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 and constructed from matching materials.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c)	Single storey in height which is acceptable.	✓

	- 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 host dwelling.	✓
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 which is subservient to existing dwelling and reduces the mass of the extension.	✓
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 within side elevation considered acceptable with amendments to boundary treatment.	✓
Accessibility for all users	- 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:

The main properties affected are:

1, Nields Road – detached neighbour on west-facing boundary.

The rear single-storey outrigger of the application property would screen the majority of the proposed development. The height of the existing rear single storey is approximately ~0.8 metres higher than the proposed additional extension, therefore would impact overshadowing/ loss of light at this neighbouring dwelling. The rooflights in the existing outrigger do not look towards this property. Therefore, the proposed extension would not cause detrimental harm to the residential amenities of overbearing/oppressive to this neighbour.

3a Nields Road – detached bungalow on east-facing boundary.

The proposed extension would project ~5.4 metres towards the shared boundary and retain a gap of ~5.5 metres. Although the proposed patio doors within the side (east-facing) elevation would directly face this neighbour, amended plans have been sought with a 1.8 metre timber fence along the shared boundary. This is considered appropriate in terms of mitigating detrimental harm to the residential amenities of overlooking/privacy on this neighbour, subject to condition.

There are no residential properties located to the rear of the dwelling, only a Telephone Exchange. The properties to the front of the dwelling are at a sufficient distance to not be affected by the proposed development.

	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	Acceptable for the reasons above, subject to condition.	✓
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 due to being single storey in height. Existing rear outrigger would mitigate the impact of the development on No.1.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Limited height of ~2.9 metres would be screened by the rear outrigger of the application dwelling and well separated from 3A.	✓
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: 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	No alterations to highway access.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	One additional bedroom would be provided, bringing the total number to four bedrooms. No changes to parking, but considered any ensuing impact on parking demand would not be 'severe'.	✓
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	N/A

	Chapter 12 of the NPPF		
Impact on ecology	- 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	- 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: 2024/90306

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 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.

4. The extension hereby approved shall not be first brought into use until the 1.8m boundary fence indicated along the Eastern boundary of the site, as shown on drawing no. 2023-001-(08)001 Rev A, has been erected. The 1.8m boundary fence shall be thereafter retained.

Reason: In the interests of the residential amenity of the occupiers of 3A Nields Road to prevent a loss of privacy and in accordance with Policy LP24b of the Kirklees Local Plan, Principles 3 and 4 of 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			13/02/24
Climate change statement			08/02/24
Planning Statement			13/02/24
Proposed Block Plan	2023-001-(08)001	A	08/03/24
Existing plans & elevations	2024-001-(20)001		13/02/24
Proposed Plans & elevations	2024-001-(20)002		08/03/24

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. Further information was sought regarding boundary treatments between No.3 and No.3a. Amended plans were received 8th March.

Report Dated: 02/04/2024

No coal