

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:	2024/62/90724/E
Site Address:	19, Parkfield Avenue, Mirfield, WF14 9HJ
Description:	Erection of single storey side and rear extensions
Recommending Officer:	Edward Cheseldine

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 09-May-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90724
Location	11, Laburnum Grove, Gomersal, Cleckheaton, BD19 4SQ
Proposal	Erection of single storey side and rear extensions
Publicity end date	19-Apr-2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	N/A
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) July 2021
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 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	
Relevant Planning History		2023/93725 - Erection of single storey rear extension - Withdrawn

Consultations required	No	

Assessment

The Kirklees SPD sets out that single-storey side extensions should comply with certain parameters set out at paragraph 5.17 on page 28 (and listed below) and if they do not, they need to be justified:

	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Not extend more than two thirds of the width of the original house	Yes – the side extension will form an addition which is 55% of the original width of the dwelling.	
Not exceed a height of 4 metres	Yes – the maximum height will be ~3.50m with a pitched roof.	
Be set back at least 500mm from the original building line to allow for a visual break	Yes – the extension will be to the rear of the dwelling.	
The extension would not unreasonably affect the neighbouring properties.	Yes – the dwelling is on a corner plot with substantial side space.	

The Kirklees SPD sets out that single-storey side extensions should comply with certain parameters set out at paragraph 5.1 & 5.6 on page 23/24 (and listed below) and if they do not, they need to be justified:

	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserving a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – a significant amount of the garden space will be retained.	

Maintaining external access to the rear garden	Yes – a space to the side of the extension will remain.	
Not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – the extension will form an addition of 49.2% of the original dwellinghouse.	
Not exceed 4 metres in height	Yes – the maximum height will be ~3.50m	
Not project out more than 3 metres from the rear wall of the original house for semi-detached and terraced houses or by 4 metres for detached properties		No - the rear extension will project 4.00m, forming an addition onto a semi-detached property. There is a significant gap between the extension and the neighbouring property of ~2.60m. In addition, the property is on a corner plot, with a large garden space that can accommodate for the size of the extension.
Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes – the eaves height is ~2.50m	
Retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes – over a ~1.00m gap will be retained to the property's boundaries.	

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

Summary of local street scene/character: 19 Parkfield Avenue is a semi-detached dwelling in Mirfield. It is constructed with brick exterior walls which fall under a pitched roof clad in concrete roof tiles. It is part of a post-war housing estate with similar semi-detached properties. The property rests on a corner plot and has a garage within its curtilage. The rear garden is of a substantial size due to its shape.

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 extension will only be visible from the public domain from a few vantage points because of the layout of the houses on the street. Parkfield Avenue is a cul-de-sac. The neighbouring property, No. 21 is set perpendicular from the application property which forms a tight angle of view into the rear garden.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The extensions are considerable to the host dwelling and do not follow the natural footprint of the dwelling as they comprise of a side and rear extension. However, the extensions still appear residential and do not constitute additions over and above the residential property as they are single-storey and relevant to the scale of the dwelling.	✓
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	The height scale and massing follows guidance set out in the House Extensions & Alterations SPD.	✓

Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing materials and roof tiles are in keeping with the existing 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	The chosen pitched roof style will match the original dwellinghouse.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Window proportions are in keeping with the existing dwelling.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	This proposal is compliant with Kirklees accessibility policies.	✓

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 are:

- 17 Parkfield Avenue

	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	• KDP 3 & 4 of the SPD	There will be side windows which face towards the rear garden	✓

sides, rear and front)	• Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	of this property. It will light a bathroom, as part of the approval for planning permission it will be conditioned that this window is obscurely glazed.	
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	There is a ~2.60m space to the property shared with No. 17. In addition to this the extension has a joint pitched roof which reduces the height and massing at the boundary. Due to these reasons, there will not be an impact to light or outlook of the neighbouring properties.	✓

• *21 Parkfield Avenue*

	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 is a large side window on the side elevation of the extension, which will be at an acute angle towards No. 21. There is currently a garage that interrupts the view. Even if this was to be removed, given the angle there would not be a detrimental impact to the amenity of the neighbouring occupants.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b)	There is a distance of ~14.80m between the extension and neighbouring property,	✓

	Chapter 12 of the NPPF	therefore there will not be a loss of light or outlook.	
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There are no other properties to consider.

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	None.	✓
Parking provision	- KDP 15 of the SPD - Policy LP22 Parking (f) of the KLP - Chapter 12 of the NPPF	The extension will form additional habitable space, however the number of bedrooms will remain as before, therefore there will not be an impact to parking.	✓
Provision for waste storage	- KDP 16 of the SPD - Policy LP24 Design (d) (iv) - Chapter 12 of the NPPF	No impact, space to the side will remain for bin storage.	✓

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	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	No impact.	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	No impact.	✓
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.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The application site is identified within the Environment Agency's Flood Zone 2 on the Council's internal GIS. As part of the information accompanying the application, the applicant/agent has completed the Environment Agency's pro-forma entitled "Flood Risk Assessments for Householder and other minor extensions in Flood Zones 2 and 3". The information submitted with the application is considered satisfactory for this nature of development and would address the aims of Policy LP27 of the Kirklees Local Plan, Key Design Principle 14 of the	✓

		Council's House Extensions and Alterations SPD, and Chapter 14 of the National Planning Policy Framework. The application site is identified within the Canal & River Trust's notified area for household and minor scale development on the Council's internal GIS. In this instance, as the works proposed are for minor additions to an existing dwelling it was considered unnecessary to consult the Canal & River Trust. The information submitted with the application is considered satisfactory for this nature of development and would address the aims of Policy LP27 of the Kirklees Local Plan, Key Design Principle 14 of the Council's House Extensions and Alterations SPD, and Chapter 14 of the National Planning Policy Framework.	
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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
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:

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 development shall not be occupied until the W/C window in the north side elevation of the extension hereby approved has been obscurely glazed (to a minimum Grade 4). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended

(or any Order revoking or re-enacting that Order) the obscure glazing (to a Grade 4) shall thereafter be retained.

Reason: To prevent overlooking to the neighbouring properties and to accord with Policy LP24 of the Kirklees Local Plan the Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	LP	-	11/03/2024
Site plan	SP	-	11/03/2024
Existing plans and elevations	2023 / 439 / 01	-	11/03/2024
Proposed side elevations	2023 / 439 / 02	-	11/03/2024
Proposed front elevation	2023 / 439 / 03a	-	11/03/2024
Proposed rear elevation	2023 / 439 / 03b	-	11/03/2024
Proposed floorplan	2023 / 439 / 04	-	11/03/2024
Proposed roof plan	2023 / 439 / 05	-	11/03/2024
Supporting statement	-	-	11/03/2024
Flood risk assessment	FRA	-	11/03/2024
Climate change statement	CCS	-	11/03/2024

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.

