

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:	2024/62/90793/W
Site Address:	2, Hazel Grove, Fixby, Huddersfield, HD2 2JP
Description:	Erection of single storey rear extension and alterations to convert part of garage to living accommodation
Recommending Officer:	Laura Yeadon

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.

John Holmes

AUTHORISED OFFICER

Date: 14-May-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90793
Location	2, Hazel Grove, Fixby, Huddersfield, HD2 2JP
Proposal	Erection of single storey rear extension and alterations to convert part of garage to living accommodation
Publicity end date	1 st May 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated land
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 and beautiful places

- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment

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
- **LP 51** – Protection and improvement of air quality
- **LP 53** – Contaminated and unstable land

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 12: Natural environment
- 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	N/A	
Planning History	Yes	2018/90890 – Single storey rear extension and alterations to part of integral garage to extend living

		accommodation – Conditional Full Permission
Consultations required	No	

Assessment

Description of development:

The application seeks permission for the erection of a single storey rear extension and alterations to convert part of the garage to living accommodation.

The proposed single storey extension would be located on the rear elevation of the property lying flush with the existing side elevation of the property and would project 4.8 metres from the rear of the property and would be a total width of 3.4 metres. The eaves height of the extension would be 2.4 metres with the overall height of the lean-to roof being 3.4 metres. It is also proposed that a glazed entrance would be attached to the side of the proposed extension, to the rear of the property which would be a width of 1.1 metres with a projection of 1.6 metres. The extension and glazed entrance would accommodate a bedroom.

In terms of the garage conversion, this would be converted to a storage area with a shower room which would be accessed via the proposed bedroom.

The proposed construction materials for the extension, with the exception of the glazed entrance would be render for the walls and roof materials to match the existing.

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. There is no specific guidance in relation

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	Yes – the proposed site/block plan demonstrates that most of the amenity space would be retained	
Be set behind the original building, and not projecting beyond the sides	Yes – the extension would sit behind the existing garage	

Maintain external access to the rear garden	Yes – access to the side of the property would be retained	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes – simple lean-to design, single storey in height and therefore subservient	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	It would comply with this	
not exceed 4 metres in height	It would comply with this	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraced houses or by 4 metres for detached properties		No – The total projection would be 4.8 metres however the garage structure is set back from the rear elevation of the property. The extension would project approx. 3.5 metres from the rear elevation of the rearmost part of the property.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	It would comply with this	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – due to the siting of the side elevation of the garage which the extension would lie flush with the boundary. External rear access would remain to the property to the other side of the dwelling.

Design and Visual Amenity:

The host dwelling is a large, two storey property constructed from stone and render to the front elevation and render to the entire rear elevation. There are a number of different roof slopes on the property including a turn gable feature, hipped roof and flat roof. Amenity space to front and rear bound by fencing. There is a driveway to the side leading an attached integral garage.

Due to topography, the area slopes upwards from east to west.

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	Works would be to the rear of the property and therefore would have limited views from public vantage points. It is noted a previously approved a similar scheme which has now lapsed	✓
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 constructed from matching materials	✓
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	Single storey and part width of the rear elevation – appears proportionate to the size and scale of the original property	✓
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 – render for the walls, tiles for the roof. A condition requiring the materials to match the host property is recommended.	✓

Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Lean-to roof – Whilst of a shallow pitch, the roof is considered to be in keeping with the established character of the host property which incorporates a flat roof side 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	Openings in keeping with those in the existing property.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Access available to the rear of the property via new glazed structure	✓

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:

- 569 Fixby Road – Set at a lower ground level than the application site to the east – separated from the site by a large ‘L’ shaped garage – no windows in the extension facing this property
- 4 Hazel Grove – adjacent property to the west – limited impact on this property due to siting of proposed works away from the boundary with this property
- 3 Fixby Road – property beyond the rear boundary – separation distance approximately 63 metres and therefore minimal concerns

	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)	Openings are located within the rear and side elevations facing the garden areas of the	✓

	Chapter 12 of the NPPF	property – limited impact on neighbouring dwellings given the single storey design of the extension and siting of openings.	
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 – close to shared boundary with No. 569 however a garage structure is in place and taking account of the single storey design the impact of the development is considered to be minimal.	✓
Impact on overbearing or overshadowing	- KDP 5, 6 of the SPD - Policy LP24 Design (b) - Chapter 12 of the NPPF	Limited harm due to being single storey design and siting adjacent to a neighbouring outbuilding	✓
Remaining garden space of application property	- KDP 7 of the SPD - Policy LP24 Design (b) and (c) - Chapter 12 of the NPPF	Acceptable level of remaining garden space	✓

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	N/A	N/A

Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The garage provision would be lost as part of the internal conversion however it is substandard in terms of dimensions current policy. Therefore no loss of parking as a result of the works. Additional bedroom proposed with adequate space on the driveway for 2 no. cars which is considered acceptable in this case. Whilst the front amenity space could be altered to accommodate a third parking space, in this instance such a requirement is not considered to be necessary given the character of the street being a cul de sac, level of parking available to be undertaken on street and the level of parking which would remain off street within the site. The visual benefit of the front amenity remaining soft landscaped is considered to be such that, in this case, no further off street parking provision is considered to be necessary to facilitate the proposed development.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plan however adequate space within the site for the storage of domestic waste bins	✓

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 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 • Chapter 12 of the NPPF	N/A	N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Bat alert layer – note would be attached to decision notice regarding bats and the requirements of legislation should they be encountered during the construction phase.	✓
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	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: 2024/90793

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 LP1, LP2, LP21, LP22, LP24, LP30, LP51 and LP53 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 14, 15 & 16 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 12, 14 and 15 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 and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP1, LP2 & 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: 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
Location plan	PP-12887389v1		15 th March 2024
Location plan, existing and proposed site plans	10054/04		15 th March 2024
Exiting elevations and floor plan	10054/01		15 th March 2024
Proposed elevation and floor plan	8282/02		15 th March 2024
Proposed section	10054/03		15 th March 2024
Climate Change Statement	Appendix A		20 th March 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: 13th May 2024

