

**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>2024/62/90866/W</b>
Site Address:	28, Kaye Lane, Almondbury, Huddersfield, HD5 8XP
Description:	Demolition of existing porch and pitched roof, erection of single storey porch and widening of existing vehicle access
Recommending Officer:	Molly Storer

**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: 10-Jun-2024**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2024/90866
<b>Location</b>	28, Kaye Lane, Almondbury, Huddersfield, HD5 8XP
<b>Proposal</b>	Demolition of existing porch and pitched roof, erection of single storey porch and widening of existing vehicle access
<b>Publicity end date</b>	30 <sup>th</sup> May 2024
<b>Number of representations received</b>	None.
<b>Kirklees Local Plan Allocation/Designation</b>	Unallocated in the Kirklees Local Plan
<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>	✓	

**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
- 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 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	No	
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

### **Assessment**

The application seeks permission for the demolition of existing porch and pitched roof, erection of single storey porch and widening of existing vehicle access

The extension will project 3m from the rear (north) elevation. It will wrap around the side (west) elevation projecting 1.65m beyond the side of the house. The extension will have an overall width of 2.7m. Main construction materials include red brickwork to match the host property and the roof will be of a flat roof design and the existing pitched roof will be removed. A new utility/dining room will be formed with the extra space.

The widening of the existing driveway will be to the front of the property and will measure 7m x 8.5m which will accommodate 2 parking spaces. This will be discussed further in the following report.

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:

<b>Rear extensions should:</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – there is a large garden area to the rear more than half of this will be retained.	

Be set behind the original building, and not projecting beyond the sides		No – the extension projects 1.65m beyond the side elevation. However this is justified as the garage, although detached, already results in massing beyond the side boundary. It is considered that the limited projection beyond the side boundary will not cause additional significant visual impact. Furthermore, this is considered acceptable in this case due to the front elevation of the extension being set back from the road by a large driveway and front garden.
Maintain external access to the rear garden	Yes – the plans show that external access will be maintained.	
<b>Single storey rear extensions should:</b>		
be in keeping with the scale and style of the original house	Yes, due to being single storey in height and not impacting first floor windows the extension will be in keeping with the scale of the original house. The proposed materials of brickwork for the walls and a dark grey flat roof will match the host property.	
not normally cover more than half the total area around the original house (including	Yes – the extension will not cover more than half of the total area	

previous extensions and outbuildings)	around the original house.	
not exceed 4 metres in height	Yes – the height of the extension will be 2.7m.	
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	Yes – the property is semi-detached and the projection will be 3m from the rear.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes – the extension will not exceed 3m in length.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes – a gap of exactly one metre will be maintained.	

As the extension extends beyond the side elevation of the dining room it is also considered a side extension and therefore will also be assessed in relation to this.

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.

<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	Yes – The extension would not be built up to the boundary of No.30 limiting the impacts. The 1m gap will allow for reasonable levels of natural light into the side elevation of No.30.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	Yes- there is only a single small window within the west elevation facing No.30 and this is screened by a ~2m fence along the boundary.	
<b>Single storey side extensions should:</b>		

not extend more than two thirds of the width of the original house	Yes – the extension will have a limited projection of 1.65m behind the side wall of the original house.	
not exceed a height of 4 metres	Yes – height of 2.7 meters.	
be set back at least 500mm from the original building line to allow for a visual break	Yes – set a significant distance behind the original building line.	

### Design and Visual Amenity:

The application site refers to 28 Kaye Lane, a semidetached bungalow in the area of Almondbury. The dwelling hosts a detached garage and outbuilding to the rear and benefits from garden amenity space to the front and rear as well as a driveway. Due to the topography of the area the road slopes upwards from east to west. The surrounding properties on the residential street are of a similar age, style and design

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>	Limited views from public vantage points as will be located principally to the rear. The extension is significantly set back from the road such that it is concluded to have an acceptable impact upon 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>	Considered to be acceptable on the basis of being single storey and being constructed from matching materials. Condition to ensure the walling materials match is recommended.	✓

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 with a limited height of 3m and a roof form that will create a limited visual impact means that in terms of height, scale and massing the extension would be subservient to the original house and the wider street scene.	✓
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>	The walls are proposed to be facing brickwork to match the existing property with a dark grey flat roof. Condition recommended to ensure the materials match those of the host property.	✓
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>	Flat roof design. Considered to be acceptable in this case given it is sited to the rear and having regard to the fact a similar designed development could be undertaken utilising pd rights.	✓
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>	Bifolding full length panel doors in the north (rear) elevation, a single small window in the west elevation and a new single door in the south elevation.	✓
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 arrangement. External access to the rear of the property will remain.	✓

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:

- 30 Kaye Lane – bungalow to the west of the application site – impact to this property will be assessed below.
- 26 Kaye Lane – bungalow to the east of the application site – due to the positioning of the extension to the west of the site it will be screened from No.26 by the host property. No additional windows will face directly onto this neighbouring property and will only be visible from the garden. Therefore, there are no concerns with regard to residential amenity.
- There are no properties to the front or rear, due to the orientation of the properties and large rear gardens, that would be impacted by the proposed development. The closest habitable window to the extension is ~36m away resulting in no significant residential amenity impact.

	<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 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>	There will be a single small window within the west, side elevation however due to No.30 being set on a higher ground level and a ~2m fence along the boundary it is considered that privacy will not be significantly affected.	✓
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>	Due to No.30 being on a slightly higher ground level and a gap of 1m to the boundary and 2.5m to the side wall of the neighbour it is not considered to cause significant overbearing or overshadowing.	✓
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>	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:

	<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>	N/A	N/A
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 plans show the existing driveway will be widened to measure 7m x 8.5m to an area which is already hard landscape to the front of the property. Therefore although the parking area in the garage will be lost this will create space for two parking spaces on the driveway and the plans do not show any additional bedrooms on site. Therefore, in this case the parking provision is considered acceptable. This is recommended to be subject to a condition requiring permeable surfacing – to mitigate flood risk	✓
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 shown on plan however sufficient space within site 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:**

	<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>	While it is within a bat alert layer, the small scale alteration to the host would not have significant impacts to roosting potential. It is recommended that a bat informative be attached to notify the applicant of their private responsibilities if any signs of bats or potential to disturb those protected species are found	✓
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 would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area. Permeable surfacing is recommended to be ensured by condition for the works to the front amenity space to create additional parking.	✓
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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		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:** 2024/90866

**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, Key Design 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. Notwithstanding the plans submitted the external walls of the extension hereby approved shall in all respects match those used in the construction of the existing building, the flat roof of the extension shall be of a dark grey colour finish, the materials of construction and colour finish of the extension shall be retained thereafter.

**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 hereby approved shall not be brought into use until all areas indicated to be used for car parking on the approved plans have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 2009 as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) and shall be so retained thereafter.

**Reason:** In the interests of amenity and traffic safety, to ensure adequate space within the site for parking, to mitigate flood risk through surface water run-off and in accordance with Policy LP24 (d) (vii) of the Kirklees Local Plan, Key Design Principle 14 of the House Extensions and Alterations SPD and Chapter 14 of the National Planning Policy.

**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:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Climate change statement	-	-	25/03/2024
Application form	-	-	25/03/2024
Proposed plan, elevations and block plan	2422-0301-P03		18/04/2024
Location and existing plans	2422-0101-P01		25/03/2024
Block and proposed plans	2422-0301-P02		25/03/2024

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.

**Report Dated:** 07/06/2024