

**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:	2024/62/91017/W
Site Address:	3, Lockwoods Yard, Scapegoat Hill, Huddersfield, HD7 4PE
Description:	Erection of single storey extension
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: 19-Jun-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91017
Location	3, Lockwoods Yard, Scapegoat Hill, Huddersfield, HD7 4PE
Proposal	Erection of single storey extension
Publicity end date	15 th June 2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	Unallocated in the Kirklees Local Plan.
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 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	N/A
Parish/Town Council comments sought	No	N/A
Planning History	Yes	N/A

Consultations required	No	N/A
------------------------	----	-----

Assessment

The application seeks permission for the erection of a front extension.

- 1.85 metre projection from the front of the property
- 7.8 metre width
- 2.5 metres to the eaves
- 3.3 metres overall height

The Kirklees SPD sets out that front extensions should comply with certain parameters set out at paragraph 5.14 on page 27 (and listed below) and if they do not, they need to be justified:

Single storey front extensions permitted where:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
The house is set well back from the pavement or is well screened	Yes- the front of the house is a secluded park of the building which faces into a commercial enterprise (in this instance it is the rear elevation which is located closest to the main road).	
The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area		Whilst the projection of 1.85m and width of 7.8m could be considered large in some circumstances, it is noted that the front elevation of this property does not adjoin a main road and instead fronts a secluded area so a large extension is acceptable in this instance. This property has had no previous extensions and the proposed extension would use matching materials to create a sympathetic and

		visually coherent addition.
The materials and design match the existing features of the original house	Yes - the construction materials will be coursed stone with a stone slate roof to match the existing property.	
The extension would not unreasonably affect the neighbouring properties	Yes – A gap of 9m will be retained between the extension and neighbouring residential properties. This will be explored further in the residential amenity section of the report.	

Design and Visual Amenity:

3 Lockwoods Yard is a two storey dwelling in the area of Scapegoat Hill, Huddersfield. The original building is constructed from stone with and stone slate roof with timber doors. The property is located adjacent to public footpath COL/46/50 located to the south. This footpath is situated between the application property and the nearest residential properties 1 & 2 Lockwoods Yard. There are other residential properties located to the rear (west) of the application site but the remaining surrounding development consists of agricultural buildings and commercial uses.

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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	Due to the front of the house being located in a secluded area it will not be visible from the main street, as such it is considered that it would not cause material harm to the local character or street scene.	✓

Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	Considered to be acceptable on the basis of being single storey and constructed from matching materials.	✓
Height, scale and massing	<ul style="list-style-type: none"> • 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 having limited projection (1.85m) and width which would cover less than half the width of the original dwelling. The height of the eaves and overall height will also be limited to 2.5m which will not affect first floor windows. Therefore it is considered acceptable in this case.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	Stone for the walls and stone slate roof to match the existing property. Recommended to be secured by condition.	✓
Roof style	<ul style="list-style-type: none"> • 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 design to limit visual impact.	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	There will be a single door, single window and a three panel window in the front facing west elevation. There are no openings proposed in the side elevations.	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) 	Private domestic extension – no alterations to general access arrangements	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 		
--	--	--	--

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 & 2 Lockwoods Yard – properties located to the south and southeast of the application site – impact to these properties will be assessed below.
- 6A High Street – property located to the west of the application site – this property is located to the rear of the application site therefore the existing applicant property will screen the extension so will not be visible to this neighbour. Therefore will have no residential amenity impact.
- The building to the north of the application site is labelled as a barn on plans and from a site visit it was clear that this building was being used for agricultural purposes therefore will not have any impact upon residential amenity.

	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"> KDP 3 & 4 of the SPD Policy LP24 Design (d) (iv) Chapter 12 of the NPPF 	There will be no windows located in the elevation which faces onto 1 & 2 Lockwood Yard. Windows in the front elevation are considered to cause no further significant hard than those existing in this elevation. Therefore it is considered that privacy to this property will not be affected.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> KDP 4, 5, 6 of the SPD Policy LP24 Design (b) 	The neighbouring properties are located at a separation distance of 9m from the extension and with a single storey design the scale of the	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 	proposal including height to the eaves / topmost part of the roof is considered to be such that there will not be a significant impact upon the amenity of neighbouring occupiers in this regard.	
Remaining garden space of application property	<ul style="list-style-type: none"> KDP 7 of the SPD Policy LP24 Design (b) and (c) Chapter 12 of the NPPF 	Due to the limited scale of the extension it is considered that the extension will not reduce the amount of amenity space by a significant amount and refusal on this basis could not be substantiated. The proposal is therefore considered acceptable in this regard.	✓

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	<ul style="list-style-type: none"> KDP 15 of the SPD Policy LP22 Parking (f) of the KLP Chapter 12 of the NPPF 	N/A	✓
Parking provision	<ul style="list-style-type: none"> KDP 15 of the SPD Policy LP22 Parking (f) of the KLP Chapter 12 of the NPPF 	Property hosts a driveway – no additional bedrooms proposed, and most of the existing parking arrangements would be unaffected and plans show 2 parking spaces available on site.	✓

		As such the proposal is considered in this respect and two parking spaces would be retained.	
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	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:

	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	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 	N/A	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	N/A	✓
Public Right Of Way	<ul style="list-style-type: none"> • Policy LP24 • KDP 1 & 17 	Public Right Of Way footpath COL/46/50 is located adjacent to the south east and south of the site. The proposed works are at a separation distance of ~6m away and will not affect the PROWS their setting or their users. A note will be attached to the report to ensure this is not	

		impacted upon and the other legal duties on the developers regarding PROW.	
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	✓

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: 2024/91017

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 and 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.

Note: Public footpath COL/46/50 is located adjacent to the development site/form access to the site and must not be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000. Contact via email can be made at publicrightsofway@kirklees.gov.uk.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	18/04/2024
Proposed and existing grouped plans and elevations	24 J 12 01A	-	24/04/2024

Plan Type	Reference	Version	Date Received
Application form	-	-	18/04/2024

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. No amended plans were sought.

Report Dated: 14/06/2024