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:	**2024/62/91070/W**
Site Address:	54, Heaton Road, Paddock, Huddersfield, HD1 4HZ
Description:	Erection of single storey rear 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.

Emma Thompson

AUTHORISED OFFICER

Date: 24-Jun-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91070
Location	54, Heaton Road, Paddock, Huddersfield, HD1 4HZ
Proposal	Erection of single storey rear extension
Publicity end date	11th June 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated on the Kirklees Local Plan
Extension to Time (EoT)	No **EoT Date:** N/A
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

<u>Local</u>

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	
Planning History	Yes	2002/93210 – Erection of extension. Conditional Full Permission.
Consultations required	No	

Assessment

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

The extension will project 5m from the rear elevation and have a width of 4.25m. The height to the eaves will be 3m with an overall height of 4.6m and the main construction material will be render to the external walls. The roof will be of a hipped roofed design constructed from slate tiles.

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:	**Yes - COMPLY**	**No - JUSTIFY**
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	Yes – the extension will be set well within the confines of the side elevations.	
Maintain external access to the rear garden	Yes – the plans show that external access will be maintained.	

Single storey rear extensions should:		
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 pebble dash render and a slate roof will match the host property.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – the extension will not cover more than half of the total area around the original house.	
not exceed 4 metres in height		No – the height of the extension will be 4.6m, however the additional 0.6m is considered acceptable due to the significant distance from the neighbouring properties and due to it remaining below first floor windows.
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 property is detached and the extension will project 5m. However in this isolated case this is considered acceptable due to the large plot in which the house is situated and due to the extension having a width of less than half that of the existing house.
where they exceed 3m in length the eaves		No – the eaves height will be 3m however this matches the eaves

height should generally not exceed 2.5 meters		height of the exiting property and the extension will be situated at a significant distance from neighbouring property's.
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes – a gap of more than 1m will be retained.	

Design and Visual Amenity:

The application site refers to 54 Heaton Road a single storey, detached property in the area of Paddock. The property also has dormers to the rear which allows for living space in the roof area. The property hosts a rear garden, which due to the topography of the site, is located on a slightly higher ground level and slops upwards towards the back of the garden. It is accessed via steps. Part of the lower rear garden will need to be levelled out (at the same level as the rear of the house) to allow for the extension. The site also benefits from a driveway to the front and a garden amenity space to the front which also slops upwards to the property, with steps to reach the front door. The surrounding properties on the residential road vary in terms of age, style and design however many have been extended or amended in some way.

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	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	• KDP2 of the SPD	Considered to be acceptable on the basis	✓

	• Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	of being single storey and being 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	Although the height is more than is set out in the SPD due to it matching the eaves height of the existing property and not covering more than half the width of the original dwelling 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	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The walls are proposed to be pebble dash render to match the existing property. Condition recommended to ensure the materials match those of the host property.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Hipped roof design with slate tiles to match the existing roof materials.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	There will only be one window located in the rear elevation which is considered acceptable due to the enclosed nature of the property's rear.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f)	Private domestic extension – no alterations to general access arrangement.	✓

	• Chapter 12 of the NPPF	External access to the rear of the property will remain.	

Paragraph 5.7 of the House Extensions and Alterations SPD sets out considerations in terms of dominance / visual amenity impact of conservatories, which has been accounted for in the assessment set out in this section of the report. 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:

- 56 Heaton Road – property located to the west of the application site.
- 52 Heaton Road – property located to the east of the application site.
- 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.

	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 will be no windows located in either side elevation and therefore privacy to neighbours at the sides will not be significantly impacted.	✓
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	Due to the significant separation distances of 9m to No.56 and 6m to No.52 and the dense boundary treatment/~2m fence along each boundary the extension is not considered to cause significant overbearing or overshadowing.	✓
Remaining garden space of application property	• KDP 7 of the SPD	Acceptable level of remaining garden space.	✓

	• Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF		

Paragraph 5.7 of the House Extensions and Alterations SPD sets out considerations in terms of overlooking, which has been accounted for in the assessment set out in this section of the report. 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	Although the scheme does propose an additional bedroom the property has a drive way to accommodate two cars and an integral garage which could accommodate a car.	✓
Provision for waste storage	• 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	• 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	Within Bat Alert layer on mapping system. Advisory note to be added to decision notice should bats be found during construction.	✓
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 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.	✓

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		

<u>Conclusion</u>:

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: 2024/91070

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 dwarf walls of the development 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: 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**
Application form	-	-	17/04/2024
Climate change statement	-	-	01/05/2024
Proposed site/block layout	Ordnance Survey block layout	-	24/04/2024
Proposed floor plans	Plan sketch 1:50	-	24/04/2024
Proposed elevations	Plan sketch 1:100	-	24/04/2024
Location plan	Ordnance Survey location plan	-	17/04/2024
Exiting grouped plans and elevations	Plan sketch 1:100	-	24/04/2024

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 14/06/2024