

**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:	2024/62/91277/E
Site Address:	3, Field Head, Shepley, Huddersfield, HD8 8DR
Description:	Erection of two storey side and single storey rear extensions with associated alterations
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: 10-Jul-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91277
Location	3, Field Head, Shepley, Huddersfield, HD8 8DR
Proposal	Erection of two storey side and single storey rear extensions with associated alterations
Publicity end date	02-Jul-2024
Number of representations received	3
Kirklees Local Plan Allocation/Designation	N/A
Extension to Time (EoT)	11 July 2024
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) 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

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 33** - Trees
- **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		Yes, request for amended plans or to justify as per paragraph 1.11 of the House Extensions and Alterations Supplementary Planning Document as the plans did not accord to guidance set out in the design codes document. Amendments: Rear extension set in by ~1.00m to allow for 45oC

		angle of outlook for neighbouring property. Side extension set back by ~0.50m. Ridgeline of side extension set down by ~0.35m. Justification for spacing to the side of the property: ~0.5m retained. Internal space required for garage. Rear door added to allow for access to the rear.
Parish/Town Council comments sought	Kirkburton Parish Council	No comment.
Relevant Planning History		<u>Application site</u> – None <u>1 Field Head</u> - 2021/93277 – Single-storey rear extension – Full permission granted
Consultations required	None	

Assessment

The Kirklees SPD sets out that two storey side extensions should comply with certain parameters set out at paragraph 5.20 & 5.22 on page 29/30 (and listed below) and if they do not, they need to be justified:

	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Not take up all or most of the space to the side of a house		No – A ~0.50m side space is set to be retained. Although the space is minimal, it will allow side access within the site. The plot is considered to be a corner plot with the intersecting Woodhead Court. Adjacent to the site is a border of shrubs and plants that separate the plot with the intersecting road. It

		will act as a buffer separating the extension from the public road therefore maintaining a distance of separation. The building group includes properties that are built up to the road space. Due to the above the relationship is acceptable.
Maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property		The property is on a corner plot. The adjacent property to the north-west, it is set back and is separated by Woodhead Court. There will not be a terracing effect from the extension.
Be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house;	Yes	
Have a roof design that follows the form of the existing roof	Yes	

The Kirklees SPD sets out that single-storey rear extensions should comply with certain parameters set out at paragraph 5.8 on page 25 (and listed below) and if they do not, they need to be justified:

	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Be in keeping with the scale and style of the original house		The rear extension has modest alterations to the traditional character of the dwelling, including the use of Ashlar stone and narrow floor to ceiling windows which are acceptable.

Not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes	
Not exceed 4 metres in height	Yes - ~4.00m	
Not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties	Yes - ~3.00m	
Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	N/A	
Retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes, ~1.00m.	

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

Summary of local street scene/character: 3 Field Head is a two-storey, end-terrace property in Shepley. The property is a traditional building, constructed with stone walls and stone roof slates. It first appears on the 1922 OS maps held by the Council. The property has a prominent front gable, simplistic fenestration and large sash shape rectangular openings. It is part of a row of three properties which form an ornate front facade.

Buildings in the area comprise of traditional designs. There is a mix of architectural styles and sizes. Materials are predominantly natural stone walls.

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	Further comments	✓ / X / N/A
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	the Kirklees Local Plan and the NPPF		
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 would form a two-storey side addition to an end terrace, on a residential street. The architectural design and materials are consistent with the area. The extension is set back and whilst it will be visible, will not dominate the area.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The extension is well proportioned, keeping the characteristics of the property including pitched roof and sash openings where appropriate. It forms an addition that is stylistically in keeping with the traditional 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 eaves of the two-storey extension will meet the eaves of the original house. The ridgeline of the extension will be set down by 0.35m which is appropriate. In terms of scale, there will be a large increase to the original building due to the projection. There is an appropriate amount of side space for an extension. The garden border adjacent to the plot will create a spatial buffer which will mitigate the scale of the extension. The rear extension is modest and keeps the	✓

		spacing with the neighbouring dwelling.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing and roofing materials are appropriate, Ashlar stone will be used to the rear which has a white hue, that contrast with the traditional stone. It will form a feature that is distinctive and high quality. Given it is to the rear and is for the single-storey extension only, the material is acceptable. A mono-pitched canopy will be installed on the front elevation. It will tie the extension in with the front elevation, complete with oak framing. This addition will create an appealing feature, adding an element of architectural interest to the front of the dwelling, whilst respecting the front façade of the terrace row.	✓
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 roof of the original section of the dwelling house.	✓
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 on the front elevation are squarer than the sash type openings. However, they appear similar and are complimented by stone cills and lintels. There is the inclusion of floor to ceiling windows	✓

		on the rear of the property, which are narrow and acceptable.	
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 proposal includes the removal of a garage which will provide adequate outdoor space and side space for the extension.

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:

- 2 Field Head

	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 are no side openings that will face in the direction of No. 2, it will be conditioned that windows constructed on the side elevation of the rear extension will require written permission from the planning authority. There will be additional rear facing windows on the first and ground floor which will have a view of the private outdoor amenity space. Currently there are openings with a similar relationship, therefore there will be no	✓

		change to this. Beyond this is the blank gable end of the neighbouring property, 1 Woodhead Court located at a adequate separation distance.	
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	The single-storey rear extension has been stepped in which will allow a 45oC angle of outlook to the ground-floor window of No. 2. The side space will mitigate any loss of light.	✓

- 1 Wood Head Court

	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	This property is to the north-west of the application dwelling. There is a side opening window on the first-floor which will light an en-suite. It will be conditioned that this window is obscurely glazed in order to maintain privacy. There are additional side windows on the rear extension. There is a tall fence that serves as a boundary treatment. There is one small opening on the side elevation of No. 1 which is obscurely glazed. There will therefore be no impact to privacy.	✓

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	1 Wood Head Court is ~10.40m from the extension, therefore there will be no impact to light or outlook.	✓
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Due to distance, 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	No impact.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	There is currently hardstanding material for one car to be parked to the side of the property. A ~5.00 space will be maintained, therefore there will not be a loss of a parking space. The garage is sufficient to store an additional vehicle if required.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Bins are currently kept to the rear of the property. Access from which will be removed due to the extension. Rear access will be maintained through the garage door	✓

		which is an acceptable substitute.	
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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 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	There are mature trees and shrubs adjacent to the side extension. The applicant has a duty of care to the adjacent trees and hedges, if damages or death occurs because of the construction of the extension, they may be liable to damages. The duty is to take 'reasonable care' whilst undertaking the works, and they may be liable if they damage their neighbour's tree/s or cause them to become unstable. It is therefore unwise to undertake works without first consulting an arboriculturist.	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	The development is for a side extension which will affect the eaves of the existing building. The property is located in an area which is know to include bat habitats.	✓

		A cautionary note should be added that if bats are found during the development, then work must cease immediately and the advice of a licensed bat worker sought.	
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	
One vehicle currently parks on the space to the side, due to the extension the space will be reduced causing on-street parking.	There is ~5.00m in front of the garage which will allow a car to park.	
The outlook of a neighbouring window will be reduced below a 45oC angle of outlook.	The rear extension has been stepped in to allow for such an outlook which is indicated on the grouped plans.	

A right of way will be blocked due to the extension	Right of ways are legal rights which are separate issues from planning policy. According to the Land Registry, the extension will be within the land owned by 3 Field Head.	
There will be a loss of light to neighbouring gardens.	Given the additional built form, there will be a loss of sunlight in a section of the outdoor space of the neighbouring garden. The extension follows the silhouette of the existing building and has a pitched roof shape which is set down to mitigate this impact.	
The number of parking spaces will be reduced from 4 to 1.	It is not considered the number of parking spaces will be reduced.	
The rear extension will have a direct view of the neighbouring windows.	There are no side windows that face in the direction of the adjoining property.	
The rear windows will have a direct view into the neighbouring garden space.	Currently there are openings with a similar relationship, therefore there will be no change to the current relationship.	
There will be an overshadowing impact to the neighbouring outdoor space.	The extension has been stepped in ~1.00m. It has a mono-pitched roof to mitigate an overshadowing impact.	
There are trees close to the area of the extension	The applicant has a duty of care to the adjacent trees and hedges, if damages or death occurs because of the construction of the extension, they may be liable to damages. The duty is to take 'reasonable care' whilst undertaking the works, and they may be liable if they damage their neighbour's tree/s or cause them to become unstable. It is therefore unwise to undertake works without first consulting an arboriculturist.	
The extension appears to go right up to the boundary fence, issue one is drainage into	Minimal weight can be afforded to the comments of the sale of the property and	

adjacent land, issue two is access to build without access to adjacent land and issue 3 note the property is currently up for sale and particulars state pedestrian access to the land at the back of the property for repairs, doesn't seem to be any room for this access on the plans.	access to the adjacent land as they are not considered to be part of the planning process. In terms of drainage, the minor amendments are not considered to be detrimental to the current arrangements.	
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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. Notwithstanding the Ashlar stone on the rear extension, 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. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no additional door or window openings other than those expressly authorised by this permission shall be constructed in the south-east side elevation of the rear extension at any time.

Reason: So as not to detract from the amenities of the adjoining property by reason of loss of privacy and comply in accordance with the requirements of Policy LP24 of the Kirklees Local Plan and the provisions of the Kirklees House Extensions and Alterations Supplementary Planning Document (2021).

5. The development shall not be occupied until the W/C window in the 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 Supplementary Planning Document and the aims of the National Planning Policy Framework.

6. All new heads, cills, lintels, quoins, corbels, window and door surrounds shall be constructed of natural stone.

Reason: In the interests of protecting the visual amenity of the area, in accordance with the requirements of Policy LP24 of the Kirklees Local Plan, Chapters 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped plans as existing	11D-01-P01	-	07 May 2024
Grouped plans as proposed	11D-02-P02	-	28 June 2024
Climate change statement	CCS	-	07 May 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 request for amended plans or to justify as per paragraph 1.11 of the House Extensions and Alterations Supplementary Planning Document as the plans did not accord to guidance set out in the design codes document.

Amendments: Rear extension set in by ~1.00m to allow for 45oC angle of outlook for neighbouring property.

Side extension set back by ~0.50m.

Ridgeline of side extension set down by ~0.35m.