

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

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| Reference No: | 2024/62/91386/W |
| Site Address: | 62, Crosland Road, Oakes, Huddersfield, HD3 3PA |
| Description: | Demolition of existing garage and 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.

John Holmes

AUTHORISED OFFICER

Date: 08-Aug-2024

HOUSEHOLDER DELEGATED REPORT

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| Application Number | 2024/91386 |
| Location | 62, Crosland Road, Oakes, Huddersfield, HD3 3PA |
| Proposal | Demolition of existing garage and erection of single storey rear extension |
| Publicity end date | 25 th June 2024 |
| Number of representations received | None |
| Kirklees Local Plan Allocation/Designation | Unallocated on the Kirklees Local Plan |
| Extension to Time (EoT) | Yes EoT Date: 09/08/2024 |
| Recommendation | Conditional Full Permission |

| | NO | YES |
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| 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

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 |
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| Negotiations/Amendments during course of application | Yes | The agent was contacted regarding the proposals and elements not meeting the recommendations of the House Extensions and Alterations SPD. It was recommended that consideration be given to reducing the scale of the extension by aligning the rear elevation with that of the adjoining property’s extension and also keeping in line with the side elevation of the host property. |

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| | | The agent responded with justification for the original scheme. |
| Parish/Town Council comments sought | No | |
| Planning History | No | |
| Consultations required | No | |

Assessment

The applicant seeks permission for the erection of a single storey rear extension. The extension would project 5.6m from the rear and have a width of 7.1m. The roof form will be a dual pitched roof with an eaves height would be 2.5m with an overall height of 3.85m. Construction materials proposed are buff brickwork walls and concrete roof tiles to match the existing property.

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: | <u>Yes - COMPLY</u> | <u>No - JUSTIFY</u> |
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| Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained | Yes – the garden area to the rear and the amenity space to the front would be retained. | |
| Be set behind the original building, and not projecting beyond the sides | | No – the extension would extend beyond the side elevation by 1.58m. However, in this isolated case this is considered acceptable due to the house being situated at a significant distance away from the street (24m) meaning it |

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| | | will not be overly visible from public viewpoints. |
| Maintain external access to the rear garden | Yes – external access to the rear garden will be retained. | |
| Single storey rear extensions should: | | |
| be in keeping with the scale and style of the original house | There were originally concerns with regard to the large footprint of the extension, however due to the large plot in which the house is situated and the planned demolition of the garage the overall coverage of the plot would only increase by 8%. Due to this and matching construction materials it is considered that the extension would be in keeping with the existing property. | |
| not normally cover more than half the total area around the original house (including previous extensions and outbuildings) | Yes – does not cover more than half of the total area around the original house. | |
| not exceed 4 metres in height | Yes – it does not exceed 4 meters in height | |
| 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 projection from the rear wall is 5.6m. However, this is considered acceptable due to the large size of the plot and the relatively low eaves height as well as the projection of an extension to the adjoining neighbour. |

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| <p>where they exceed 3m in length the eaves height should generally not exceed 2.5 meters</p> | <p>Yes – the eaves height does not exceed 2.5 meters in height.</p> | |
| <p>retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge</p> | | <p>No – the extension would only be situated 0.45m from the boundary line to the southeast and 0.8m to the northwest. However, on the southeast boundary due to the neighbouring property having a 3.5m extension and then a ~2m hedge along the boundary line and to the northwest due to the neighbours garage running along the majority of this boundary leads to the conclusion that a 1 metre gap is not considered to be necessary in this case and it is considered it would be unreasonable of the LPA to insist upon this space being maintained / provided for as part of this application.</p> |

Design and Visual Amenity:

The site is a two storey semi-detached property located within an area without notion within the Kirklees Local Plan. The property is constructed from buff brickwork and has concrete roof tiles. The property hosts a large front and rear garden with a driveway to the side which leads to a garage with is due to be demolished under this application. The surrounding development consists of similar two storey semi-detached properties where the predominant construction material is brick. A number of properties in the immediate area have been altered or extended 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 |
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| 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 | Limited views from public vantage points as will be located to the rear and boundary treatment surrounds the rear of the property. The extension is a distance / design such that it is concluded to have an acceptable impact upon the 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 when viewed from side elevations, although it will go beyond the side elevation will have limited visual impact due to the garage being replaced with the relatively small side extension and the height not affecting first floor windows. | |
| 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 | Materials to match – buff brickwork to match existing for the walls and tiles to match the existing roof. It is recommended this is secured by inclusion of an appropriately worded condition. | |
| Roof style | <ul style="list-style-type: none"> • KDP 1 and 2 of the SPD | Simple dual pitched roof design. | |

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| | <ul style="list-style-type: none"> • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF | | |
| 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 | No openings are proposed in either side elevation. The proposed rear elevation (east) includes one window proportionate to window sizes on the original dwelling and bifolding door. | |
| Accessibility for all users | <ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF | Private domestic extension – no alterations to general access arrangements | |

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:

60 Crosland Road – adjacent property to the southeast – 60 Crosland Road is a two-storey semi-detached dwelling adjoining the application site. The dwelling is set on the same ground level and on the same building line. No. 60 has an extension on the boundary which projects by 3.5m therefore the proposed extension would run alongside this extension.

2 Low Hills Lane – adjacent property to the northwest – 2 Low Hills Lane is a two-storey semi-detached dwelling. The dwelling is set on a slightly higher land level than the host property. No.2 hosts a large garage that runs along the boundary with No.62.

| | Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF | Further comments | ✓ / X / N/A |
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| Impact on privacy of neighbours (to | <ul style="list-style-type: none"> • KDP 3 & 4 of the SPD | There are no openings within the side elevations of the extension. The openings located within | ✓ |

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| sides, rear and front) | <ul style="list-style-type: none"> • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF | the rear elevation would have no material impact on privacy given that these would be at ground floor level and the orientation / distance they would be from neighbouring occupiers. | |
| 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) • Chapter 12 of the NPPF | <p>With regard to No.60 the projection is 2.1 metres (taking account of the existing extension to the adjoining neighbour). The proposed extension is no more than 4 metres in height, whilst the proposed extension is close to the boundary, boundary fences can be 2 metres in height in any event and a large hedge already exists at ~2 meters.</p> <p>Therefore the proposal is not considered to be overbearing.</p> <p>In regard to loss of light the extension is almost directly west of the neighbouring property which means the extension does not overshadow the neighbouring conservatory from direct sunlight at any time during daylight hours in winter months and only marginally in evening hours during the summer months. Therefore, loss of light is not considered to such that it would constitute ground(s) for refusal. Due to No.2 being at a higher land level and having an existing detached garage</p> | ✓ |

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| | | running along the boundary it is considered that the proposed extension would not have a significant impact upon the amenity of No.2. | |
| 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 | 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 |
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| 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 | 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 large driveway and no additional bedrooms proposed. Although the garage would be removed it is considered that an adequate amount off street parking is still retained on the site. As such the proposal is considered in this respect. | ✓ |
| Provision for waste storage | <ul style="list-style-type: none"> • KDP 16 of the SPD | None shown on plan however sufficient space within site boundary | ✓ |

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| | <ul style="list-style-type: none"> • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF | | |
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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:

| | Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF | Further comments | ✓ / X / N/A |
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| 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 | N/A |
| Impact on ecology | <ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF | Not located in a bat area, scale of development is not considered to be significant in this regard. | ✓ |
| 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. | ✓ |

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 retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|--------------------------------------|------------------|----------------|----------------------|
| Application Form | - | - | 16/05/2024 |
| Climate change statement | - | - | 16/05/2024 |
| Location plan | 2461-D-20-001 | - | 16/05/2024 |
| Proposed elevations | 2461-D-20-005 | - | 16/05/2024 |
| Existing Site and Ground Floor Plans | 2461-D-20-002 | - | 16/05/2024 |
| Proposed Site and Ground Floor Plans | 2461-D-20-003 | - | 16/05/2024 |
| Existing Elevations | 2461-D-20-004 | - | 16/05/2024 |

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. The agent was contacted regarding the proposals departure from the SPD. The agent responded with justification for the original scheme.

Report Dated: 09/08/2024