

# 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>2024/62/91454/E</b>                                                                                                                   |
| Site Address:         | 4, Brook Field, Upper Hopton, Mirfield, WF14 8HL                                                                                         |
| Description:          | Demolition of existing conservatory and erection of single storey front and rear extensions with porch, patio and associated alterations |
| Recommending Officer: | Faiza Bano                                                                                                                               |

#### **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: 27-Aug-2024**

## HOUSEHOLDER DELEGATED REPORT

|                                                   |                                                                                                                                          |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number</b>                         | 2024/91454                                                                                                                               |
| <b>Location</b>                                   | 4, Brook Field, Upper Hopton, Mirfield, WF14 8HL                                                                                         |
| <b>Proposal</b>                                   | Demolition of existing conservatory and erection of single storey front and rear extensions with porch, patio and associated alterations |
| <b>Publicity end date</b>                         | 2 <sup>nd</sup> July 2024                                                                                                                |
| <b>Number of representations received</b>         | None.                                                                                                                                    |
| <b>Kirklees Local Plan Allocation/Designation</b> | Unallocated<br>Bat Alert<br>Coal Advice – High Risk                                                                                      |
| <b>Extension to Time (EoT)</b>                    | Yes <b>EoT Date:</b><br><b>28/08/2024</b>                                                                                                |
| <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) July 2021  
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

|                                                      | <b>YES /<br/>NO</b> | <b>SUMMARY</b> |
|------------------------------------------------------|---------------------|----------------|
| Negotiations/Amendments during course of application | No                  | N/A            |

|                                                         |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parish/Town Council comments sought<br><br>(Kirkburton) | No  | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Planning History                                        | Yes | <p><b>Planning Ref:</b> 2004/90032<br/> <b>Location:</b> 4 BROOK FIELD, UPPER HOPTON, MIRFIELD, WF14 8HL.<br/> <b>Proposal:</b> ERECTION OF FIRST FLOOR EXTENSION<br/> <b>Decision:</b> FC - CONDITIONAL FULL PERMISSION</p> <p><b>Planning Ref:</b> 2021/94656<br/> <b>Location:</b> 1, Brook Field, Upper Hopton, Mirfield, WF14 8HL<br/> <b>Proposal:</b> Erection of extensions to garage to form workshop and garage<br/> <b>Decision:</b> FC - CONDITIONAL FULL PERMISSION<br/> <b>Decision Date:</b> 2022-02-14</p> <p><b>Planning Ref:</b> 2004/92679<br/> <b>Location:</b> 2, BROOK FIELD, MIRFIELD.<br/> <b>Proposal:</b> ERECTION OF EXTENSION OVER EXISTING GARAGE<br/> <b>Decision:</b> FC - CONDITIONAL FULL PERMISSION<br/> <b>Decision Date:</b> 2004-08-03</p> |
| Consultations required                                  | No  | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**Assessment**

The Kirklees SPD sets out that single storey 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:

|                                               |                            |                            |
|-----------------------------------------------|----------------------------|----------------------------|
| <b>Single storey front extensions should:</b> | <b><u>Yes - COMPLY</u></b> | <b><u>No - JUSTIFY</u></b> |
|-----------------------------------------------|----------------------------|----------------------------|

|                                                                                                                                                     |                                                                                                                        |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|--|
| The house is set well back from the pavement or is well screened; and                                                                               | Yes – the extension would be set back from the pavement.                                                               |  |
| The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and | Yes – the extension would appear subservient and has been designed with a lean-to roof, in-keeping with host property. |  |
| The materials and design match the existing features of the original house; and                                                                     | Yes – materials would match existing                                                                                   |  |
| The extension would not unreasonably affect the neighbouring properties.                                                                            | Yes – the modest scale would result in minimal impact on neighbouring property.                                        |  |

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraph 5.2 on page 23 (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>                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| respect the original house and garden in terms of its size and scale                              | Yes – the extension does not cover more than half of the total area around the original house.                                                                                                                                   |                                                                                                                                                                                      |
| use appropriate materials which match or are similar in appearance to the original house; and     |                                                                                                                                                                                                                                  | No – the flat roof will have a GRP finish. However, this does not pose an issue as the main features of the extension will match the existing; - walls to be constructed from stone. |
| not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties. | Due to the detached nature of the application property, the proposed extension will not overshadow neighbouring properties. Due to the modest scale of the proposed extension, there will be no impact on the loss of outlook of |                                                                                                                                                                                      |

|  |                          |  |
|--|--------------------------|--|
|  | neighbouring properties. |  |
|--|--------------------------|--|

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

*Summary of local street scene/character:*

The site to which this application relates to is number 4 Brook Field. It consists of a two-storey stone built detached property, a driveway and a garage to the front and a large garden to the rear. The site is relatively walled to the front; however, the hedge produces the prominent boundary line of the application site. The property has an open and accessible driveway, and it is enclosed to the rear by a stone wall and hedges. The site and its surrounding area are wholly residential characterised by two storey stone built detached properties of mixed characteristics.

Consideration has been given here in terms of the proposal's 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>✓ /<br/>X /<br/>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> | The front extension is generally modest in scale and due to the setback position of the property, would not appear overly prominent. The rear extension is generally modest in scale and due to neighbouring properties having larger extensions, the proposed development would not appear overly prominent. The proposed development will not impact the character or street scene across the frontage of the property. | ✓                          |
| Impact on original house                       | <ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> </ul>                                                                                 | The original property would remain the dominant feature.                                                                                                                                                                                                                                                                                                                                                                  | ✓                          |

|                                |                                                                                                                                                                        |                                                                                                                             |   |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|---|
|                                | <ul style="list-style-type: none"> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>                                        |                                                                                                                             |   |
| 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> | As above. The extension would project across the front and rear of the property and is single storey.                       | ✓ |
| 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>              | Facing materials to match existing. Roof finishing material is GRP – appropriate for a flat roof style.                     | ✓ |
| 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 style – acceptable as applicants could build something similar in size and scale under permitted development.     | ✓ |
| 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> | Modest size windows in rear extension, with bi-fold doors and sky lights, which would be in-keeping with existing building. | ✓ |
| 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 which would provide easy access into the main house.                                             | ✓ |

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:*

- Number 3 Brook Field – Due to the limited projection of the proposed front extension, the impact would be very limited to the frontage of the application site. Due to the height/scale, there will be no impact on the first floor.

The single storey rear extension will not overshadow this property or its garden space. The proposed extension for the application site will be in line with the rear elevation line of this property. Due to the height/scale, there will be no impact on the first floor. No/limited impact to number 3, extension is designed to ensure privacy to neighbours and will not produce conflict relating to light and outlook.

- Number 5 Brook Field – As above and no/limited impact to number 8 - extension will not directly impact the property including access to the rear. The application property is already set back substantially in relation to No. 5 and taking into account presence of existing extension which is to be removed, and boundary treatment, any impact over and above that of the current situation is considered to be negligible.
- There are properties immediately to the front. However, due to the detached, setback, nature and orientation of the properties, the proposed extensions will not impact the properties opposite.
- Due to the position of the extension, there would be no impact to the properties/land located to the rear. The flat roof nature of the proposed extension will not impact views in or out of the application site negatively.

|                                                                      | <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> | Acceptable for the reasons set out above. | ✓                  |
| 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>        | As above.                                 | ✓                  |

|                                                |                                                                                                                                                  |           |   |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---|
| 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> | As above. | ✓ |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---|

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?

|                             | <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> | Parking is predominantly provided on-street and in curtilage, which remains acceptable due to the location of this property and the neighbouring houses – off the main through-fare. The property also has a driveway big enough to fit several cars after the construction of the proposed front and rear extension. | ✓                  |
| 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> | Maintains appropriate access and off-street in-curtilage parking.                                                                                                                                                                                                                                                     | ✓                  |
| 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 plans however, there is sufficient space within the red line boundary to allow for storage on site. Condition not considered necessary.                                                                                                                                                                 | ✓                  |

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?

|                                          | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>                                                                | <b>Further comments</b>                                                                                                                                                                                                                     | <b>✓ /<br/>X /<br/>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                                                                                                                                                                                                                                         | ✓                          |
| 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>                                       | N/A                                                                                                                                                                                                                                         | ✓                          |
| 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 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.



Plans and specifications schedule:-

| <b>Plan Type</b>             | <b>Reference</b>                                                                 | <b>Version</b> | <b>Date Received</b> |
|------------------------------|----------------------------------------------------------------------------------|----------------|----------------------|
| Grouped Plans and Elevations | Existing Plans and Elevation                                                     |                | 22-May-2024          |
| Grouped Plans and Elevations | Proposed Plans and Elevations                                                    |                | 22-May-2024          |
| Proposed Site / Block Layout | Block Plan                                                                       |                | 22-May-2024          |
| Location Plan                | Location Plan                                                                    |                | 22-May-2024          |
| General                      | climate-change-guidance-for-planning-applications-statement-template - completed |                | 22-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 not considered necessary to seek any amendments/further information during the course of this application.

**Report Dated:** 15/08/2024