

**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>2024/62/91640/W</b>
Site Address:	7, Cedar Mount, Edgerton, Huddersfield, HD1 5QJ
Description:	Erection of side extension
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: 09-Aug-2024**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2024/91640	
<b>Location</b>	7, Cedar Mount, Edgerton, Huddersfield, HD1 5QJ	
<b>Proposal</b>	Erection of side extension	
<b>Publicity end date</b>	2 <sup>nd</sup> August 2024	
<b>Number of representations received</b>	None	
<b>Kirklees Local Plan Allocation/Designation</b>	Unallocated	
<b>Extension to Time (EoT)</b>	Yes / No / N/A	<b>EoT Date:</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 / NO</b>	<b>SUMMARY</b>
Negotiations/Amendments during course of application	No	N/A
Parish/Town Council comments sought (Kirkburton)	No	N/A
Planning History	Yes	2008/90644 – Adjacent 5 Cedar Mount - Erection of detached

		<p>dwelling with integral garage – Approved.</p> <p>2013/93063 – 7 Cedar Mount - Change of use of land to domestic curtilage – Approved.</p> <p>2016/94309 – Land to rear of 52 &amp; 54 Mountjoy Road – Erection of one dwelling and associated landscaping – Approved (under construction).</p>
Consultations required	No	N/A

### **Assessment**

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraph 5.17 on page 28 (and listed below) and if they do not, they need to be justified:

<b>Single storey side extensions should be offset and complement the original building. As such, single storey side extensions should:</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
not extend more than two thirds of the width of the original house;	Yes – the proposed extension falls in line with the principal elevation of the original house.	
not exceed a height of 4 metres; and	Yes – the proposed extension has a height of approximately 3.7m	
be set back at least 500mm from the original building line to allow for a visual break		No – the house is not standardised in design and although the extension isn't set back, it is considered acceptable due to the orientation of the property.

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

*Summary of local street scene/character:*

The application relates to a detached, two storey, dwellinghouse, located at the head of a cul-de-sac in a residential area of Edgerton, Huddersfield. The property is adjacent to, but not within, the Edgerton Conservation Area.

To the north-east and east of the application property are other detached dwellings. To the south-east, a large, detached dwelling is currently under construction.

The application property is constructed from stone, with a grey tiled roof, and brown uPVC windows and doors. To the front of the property is a gated driveway, providing access to an integral garage. To the north-west and south-east are private lawned gardens. Boundary treatments include a mixture of stone walls and timber fences.

Consideration has been given here in terms of the proposals 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>✓ / X / 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>	Modest single storey side extension in a discrete location. Unclear building lines, however, this is acceptable due to the character and orientation of the property.	✓
Impact on original house	<ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Would appear subservient by virtue of its width to the original building. There is no clear set back from the building line along the frontage of the row of properties. However, this is deemed acceptable due to the	✓

		character and orientation of the property.	
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.	✓
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 and roofing materials, along with opening details to match existing.	✓
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>	Pitch roof which matches the existing.	✓
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>	Proportions match the existing property.	✓
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 not change the existing access into / around the property	✓

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 5 Cedar Mount (to the north of the application site) - this property is located to the opposite side to the proposed extension, thus, no major impact to number 5.
- Number 12 Cedar Mount (to the east of the applicant site) - the proposed extension would face the southwest elevation of this property. However, due to the detached nature of the properties, the impact would be no greater than the existing openings that already face this property from the application property. Given the height of the proposed extension, and its position on the site, no overshadowing or overlooking impacts are anticipated upon this neighbour.
- There are no properties immediately to the front.
- Due to the position of the extension, there would be no impact to the properties located to the rear.

	<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>	Proposed extension to be constructed upon north garden space. However, due to the orientation of the property it is considered acceptable. Garden space remains to the south and east of the property. Access is available around the proposed extension	✓

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>	The application property, as existing, has a private, gated driveway leading to an integral garage. No changes to this arrangement are proposed as part of the current application and, as such, no impacts upon highway safety are anticipated.	✓
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>	As above.	✓
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>✓ / X / 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.	✓

### Other Matters

Bats - The application site is within a bat alert area; however there is no indication that there is a bat roost on site. Given the scale of the works proposed, a bat survey would not be required in this case. However, a note recommending that the advice of licensed bat work to be sought if any bats are found during the development will be relayed on to the applicant if this application is approved for the proposal, to comply with Chapter 11 of the NPPF.

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:**

No representations received.

### 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**

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### **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. 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.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed Floor Plans	240320 Proposed first floor plan 102		10 <sup>th</sup> June 2024
Plan General	240320 -Proposed roof plan 103		10 <sup>th</sup> June 2024
Grouped Plans and Elevations	240320 Site Location Plan		10 <sup>th</sup> June 2024
Existing Elevations	240320 Existing elevations 04		10 <sup>th</sup> June 2024
Existing Floor Plans	240320 Existing Floor Plans 02		10 <sup>th</sup> June 2024
Proposed Elevations	240320 Proposed elevations 104		10 <sup>th</sup> June 2024
Proposed Floor Plans	240320 Proposed ground floor plan 101		10 <sup>th</sup> June 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:** 05/08/2024