

**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>2024/62/91680/W</b>
Site Address:	25, Heaton Moor Road, Kirkheaton, Huddersfield, HD5 0LH
Description:	Demolition of existing garage and erection of single storey side and rear extensions
Recommending Officer:	Molly Storer

**DECISION – CONDITIONAL FULL PERMISSION**

**I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Emma Thompson

***AUTHORISED OFFICER***

**Date: 12-Aug-2024**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2024/91680
<b>Location</b>	25, Heaton Moor Road, Kirkheaton, Huddersfield, HD5 0LH
<b>Proposal</b>	Demolition of existing garage and erection of single storey side and rear extensions.
<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 in the Kirklees Local Plan
<b>Extension to Time (EoT)</b>	No <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) December 2023  
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed and beautiful places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment

### **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	
Parish/Town Council comments sought	Yes	Kirkburton – No comments received.
Planning History	Yes	2024/91254 - Prior notification for single storey rear extension – Approved.
Consultations required	Yes	Health and safety – No response

### **Assessment**

The application seeks permission for the demolition of existing garage and erection of single storey side and rear extensions.

The extension will project 5.9m from the rear (north west) elevation.

The single storey extension to the side would project 1.6m from the original side wall, extending 2.2m of the depth of the dwelling and 5.9m beyond the rear wall wrapping across the dwelling by 7m. The roof would be of a lean-to roof design for the side extension and would have a flat roof design on the part of the extension that projects to the rear.

The walls are proposed to be natural stone with blue slate 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:

<b>Rear extensions should:</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – there is a large garden area to the rear more than half of this will be retained.	

<p>Be set behind the original building, and not projecting beyond the sides</p>		<p>No – the extension projects 1.6m beyond the side elevation. However this is justified as the garage, although detached, results in massing beyond the side boundary. The removal of this and the addition of the extension will not cause additional significant visual impact. Furthermore, this is considered acceptable in this case due to the front elevation of the extension being set back from the road by a large driveway.</p>
<p>Maintain external access to the rear garden</p>	<p>Yes – the plans show that external access will be maintained.</p>	
<p><b>Single storey rear extensions should:</b></p>		
<p>be in keeping with the scale and style of the original house</p>	<p>Yes, due to being single storey in height and not impacting first floor windows the extension will be in keeping with the scale of the original house. The proposed materials of natural stone walls and blue slate roof tiles will match the host property.</p>	
<p>not normally cover more than half the total area around the original house (including previous extensions and outbuildings)</p>	<p>Yes – the extension will not cover more than half of the total area around the original house.</p>	

not exceed 4 metres in height	Yes – the maximum height of the extension will be 3.6m.	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties		No – the property is semi-detached and the extension will project 5.9m from the rear. However this is considered acceptable due to the approved HHPD fall back option which approves the majority of the rear element of this proposal.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		No – due to the rear element being of a flat roof design the eaves and overall height is 3m. However this is considered acceptable due an eaves height of 3.4m being approved under the HHPD application creating a more impactful fall back option.
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – A gap of only 0.6m will be retained with No. 23 and the extension will be built up to the boundary with No.27. However, due to a gap still being maintained with No.23 with and No.27 also having a 4m extension on the shared boundary and the HHPD fallback option in any case. There is not considered to be a design benefit to requiring the extension to be set at a distance of 1m from either boundary, in this case.

As the extension extends beyond the side elevation of the kitchen it is also considered a side extension and therefore will also be assessed in relation to this.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 on page 28 (and listed below) and if they do not, they need to be justified.

<b>Side extensions</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes – the side elevation which faces the side extension at No.23 has no openings within the ground floor and therefore cannot be affected.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	Yes- there are no openings within either side elevation.	
<b>Single storey side extensions should:</b>		
not extend more than two thirds of the width of the original house	Yes – the extension will have a limited projection of 1.6m behind the side wall of the original house.	
not exceed a height of 4 metres	Yes – height of 3.6 meters.	
be set back at least 500mm from the original building line to allow for a visual break	Yes – set a significant distance behind the original building line.	

### **Design and Visual Amenity:**

25 Heaton Moor Road, a two storey semi-detached property in the area of Kirkheaton. The dwelling hosts a detached garage to the rear of the property (which is to be demolished as part of the development) the property also benefits from a large rear garden and a large driveway to the front. The surrounding properties on the residential street are of a similar age, style and design. Many of which 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.

	<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>	Limited views from public vantage points as will be located principally to the rear. The extension is significantly set back from the road such that it is concluded to have an acceptable impact upon the street scene.	✓
Impact on original house	<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>	Considered to be acceptable on the basis of being single storey and being constructed from matching materials.	✓
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>	Single storey with a limited height of 3.6m and a sympathetic roof form means that in terms of height, scale and massing the extension would be subservient to the original house and the wider street scene.	✓
Facing materials and detailing	<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>	The walls are proposed to be natural stone and blue slate roof tiles to match the existing property. Condition recommended to ensure the materials match those of the host property.	✓
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> </ul>	Partial flat roof design in order to have a lower overall height to be sympathetic to the neighbouring property and partial lean-to roof	✓

	<ul style="list-style-type: none"> <li>Chapter 12 of the NPPF</li> </ul>	design to look sympathetic from the street scene.	
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>	There will be no openings within either side elevation. The rear west elevation will have large bifold doors. It will also have 5 Velux roof lights in the side roof slope. The front, south east elevation will include a single door.	✓
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 – no alterations to general access arrangement. External access to the rear of the property will remain.	✓

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:

- 27 Heaton Moor Road – Adjoining two storey semidetached property to the northeast.
- 23 Heaton Moor Road – Two storey semi-detached property to the southwest – set on a slightly higher ground level.
- There are no properties to the front or rear, due to the orientation of the properties and large rear gardens, that would be impacted by the proposed development. The closest habitable window to the extension is ~30m away resulting in no significant residential amenity impact.

	<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> </ul>	There will be no openings within either side elevation. Therefore the development will not cause significant impact	✓

	<ul style="list-style-type: none"> <li>• Chapter 12 of the NPPF</li> </ul>	to either neighbours privacy.	
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>	The rear extension will only extend 1.9m beyond the rear extension of No.27 and will have a flat roof design with a limited overall height therefore will not be significantly overbearing nor will overshadow this neighbour. With regard to No.23 although the side extension will extend further towards this property due to the extension being single storey and this property having no openings within the side elevation it is not considered to cause significant overbearing or overshadowing. With regards to the rear element No.23 hosts a detached garage along the boundary which will screen the majority of the extension. In any case weight should be given to the HHPD approval for the rear element.	✓
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>	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:

	<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>	N/A	N/A
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>	The proposal does not include any additional bedrooms and adequate parking space remains on site.	✓
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 plan however sufficient space within site boundary.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

**Other matters:**

	<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	N/A
Impact on ecology	<ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> </ul>	N/A	✓

	<ul style="list-style-type: none"> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>		
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 would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

**Representations, including Parish/Town Council comments:**

Summary of Representation	Officer response	Addressed ✓ / X / N/A
None		

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:** 2024/91680

**Officer Recommendation:** Approve

### Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

**Reason:** For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.

3. Notwithstanding the plans submitted the external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	27/06/2024
Application form	-	-	27/06/2024
Location Plan	24/996/01a	-	27/06/2024
Proposed block plan	24/996/05a	-	27/06/2024
Existing plans and elevations	24/996/03a	-	27/06/2024
Proposed plans and elevations	24/996/04b	-	27/06/2024
Existing block plan	24/996/02a	-	27/06/2024

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:** 12/08/2024