

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:	2024/62/91763/W
Site Address:	14, High Street, Paddock, Huddersfield, HD1 4SJ
Description:	Erection of single storey rear extension
Recommending Officer:	Joanna Rednall

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 29-Aug-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91763
Location	14, High Street, Paddock, Huddersfield, HD1 4SJ
Proposal	Erection of single storey rear extension
Publicity end date	13/08/2024
Number of representations received	None received
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	No
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 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	No	
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

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Assessment

Description of development:

The application seeks permission for the erection of a single storey rear extension.

The measurements of the extension are as follows:

- 3.7m projection
- 5.5m width
- 2.4m eave height
- 3.5m ridge height

The extension is constructed from brick with a lean-to roof above, infilled with concrete tiles. Internally, the extension provides a kitchen, bathroom and utility.

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>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	At least half the garden area is retained as a result of the development.	
Be set behind the original building, and not projecting beyond the sides	The extension is set behind the original building and does not project beyond the sides of the host property.	
Maintain external access to the rear garden	External access to the rear garden would be retained. The existing rear entrance is replaced by patio doors within the rear elevation of the extension.	
Single storey rear extensions should:		

be in keeping with the scale and style of the original house	Matching facing brick walls to the host with matching concrete tiles for the roof.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	The extension would not cover over half the total area around the original house. An outbuilding would be demolished and replaced with the proposed extension.	
not exceed 4 metres in height	The total height of the extension would be approx. 3.5m	
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 application site is a terrace property and the extension projects approx. 3.7m from the rear wall of the original house. However, the proposed extension projects the same distance as the existing outhouse building. Each property within this row of terraces benefits from an outbuilding adjoined to the rear of the dwelling. The proposed development would replace the outbuilding at No.14, and the side elevation adjoins the outhouse at No.16. For these reasons, the proposed extension at No.14 is considered acceptable in this instance.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	The eave height is 2.4m.	

retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No, the extension would not retain a gap from side boundaries. However, the extension would replace the existing outbuilding to the rear of No.14, and adjoin the existing outbuilding to the rear of No.16. In this case, it is considered there would be no design benefit in setting the extension in by a metre and it would be unreasonable of the LPA to request such an amendment in this case.
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Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character:

14, High Street is a mid terrace dwelling located in Paddock, Huddersfield. The property is constructed from brick with upvc cladding to the first floor, with a gable roof above infilled with concrete tiles. The site is situated within a residential area where surrounding development is similar in terms of design and construction materials. Development to the east and west of the site are two-storey terraces, with three adjoined bungalows located opposite/north of the site.

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
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 is constructed from matching materials to the host – brick walls with concrete tile roof, and appears in keeping with surrounding development.	✓

Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Matching materials to the original house. The projection is minimal (3.7m), and appears proportionate to the host.	✓
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	Single storey in height with a proportionate projection. Lean-to roofing style ensures no undue bulking/massing to the overall design of the extension.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Materials to match – brick walling with concrete tiles for the roof.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Lean-to roof design considered subservient to the original house and surrounding development.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Patio doors to the rear elevation with two velux rooflights above considered acceptable.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Rear access to the dwelling would be gained through the rear extension, replacing the existing entry point located to the rear. Access to the front of the dwelling would remain unchanged.	✓

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:

16, Marina Terrace – adjoining neighbour to the west

In regard to overbearing/overshadowing, it has been assessed that the proposal would slightly intensify development to the side of the application site. The ridge of the extension projects ~0.7m above the rear outbuilding at No.16. Although the extension is not inset from the shared boundary, the outbuilding at No.16 would screen the majority of the development and as such any impact on overbearing/overshadowing is not considered to be detrimental.

In regard to overlooking, it has been assessed that the proposed extension at No.14 would have no undue impact as no openings are proposed facing this neighbour.

Overall, it has been considered that the scheme has an acceptable impact upon the residential amenity of this neighbour.

12, Marina Terrace – adjoining neighbour to the east

In regard to overlooking, it has been assessed that the proposed extension would have no impact upon occupiers of No.12 as no openings are proposed to the side elevation.

In regard to overbearing/ overshadowing, it has been assessed that there would be some harm as the existing outbuilding at No.14 would be demolished and replaced at an increased height. However, given the fact that the works would be retained at single storey with identical projection to the existing, the development is not considered to cause any significant overbearing and overshadowing upon these neighbour's amenity.

6, High Street – located opposite the site

Given the significant separation distance (approx. 20m), it has been noted that there would be no undue impact on overbearing, overshadowing and overlooking.

	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	Acceptable for the reasons above.	✓
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	Acceptable for the reasons above.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	at least half the garden area would be retained as a result of the development.	✓

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 alterations to highway access.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	No additional bedrooms are proposed. Existing parking arrangements are considered acceptable.	✓

Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plans, however there is sufficient space within the red line boundary to accommodate waste storage.	✓
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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	N/A	N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Bat alert layer -, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. Note attached to decision notice regarding bats.	✓
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.	✓
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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 received.		N/A

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: 2024/91763

Officer Recommendation: Approve

Conditions

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.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	01/07/2024
Proposed Block Plan	PCD00211	-	05/07/2024
Existing and proposed elevations	PCD00211	-	01/07/2024
Application form	-	-	01/07/2024
Climate change statement	-	-	01/07/2024
Design and Access statement	-	-	01/07/2024

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:

27/08/2024

