

**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:	2024/62/91772/W
Site Address:	84, Colders Lane, Meltham, Holmfirth, HD9 5JL
Description:	Removal of conservatory and erection of single storey side 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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 15-Aug-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91772
Location	84, Colders Lane, Meltham, Holmfirth, HD9 5JL
Proposal	Removal of conservatory and erection of single storey side extension.
Publicity end date	9 th August 2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	Unallocated in the Kirklees Local Plan
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
- 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

	YES / NO	SUMMARY
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Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	Yes	Meltham Town Council – In support.
Planning History	No	
Consultations required	No	

Assessment

This application seeks permission for the removal of conservatory and erection of single storey side extension.

The single storey side extension will project 4m from the southwest facing side elevation and will have a length of 9.8m. The roof will consist of a part gable roof part hipped roof design and the height to the eaves will be 2.45m with an overall height of 4m. This will create space for an open space family/kitchen area.

The extension will be constructed from facing brickwork for the walls and the roof will be constructed from profile concrete roof tiles to match that of the host property.

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.

Side extensions	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes – due to being single storey in height and being located ~9m away from the nearest properties (No.7 &8 Popley Drive) mean that the extension will not impact natural levels of light to the neighbouring properties.	

Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	Yes- although there is glazing to the front, rear and side elevations the nearest properties are located 24m, 9m and 17m away respectively. In addition, the existing conservatory would have resulted in more overlooking as it is fully glazed. Removing this element in place of the proposed extension will result in less overlooking.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	Yes – the extension will have a limited width of 4m whereas the width of the original house is 14.25m.	
not exceed a height of 4 metres	Yes- the maximum height of the extension is 4m.	
be set back at least 500mm from the original building line to allow for a visual break		No – the extension will be built in line with the front elevation however, this is considered acceptable due to the staggered siting of the dwellings in the surrounding area. This addition will not appear out of place with the local area. the extension will also extend beyond the rear elevation by 2m, this is considered acceptable in this isolated case due to the nature of the area being unsymmetrical and the siting of the rear/side elevation being located 17m from the street.

Design and Visual Amenity:

The application site relates to 84 Colders Lane, a single storey, detached house (with roof space), located in the area of Meltham.

The property is constructed from brick. It is located within a relatively large plot on a residential street with properties of a varying age and style.

The property benefits from a large garden amenity space to the rear, side and front and hosts a driveway to the front/side. The original property also hosts a conservatory which is to be removed as part of the development.

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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	The gable/hipped roof design is considered to improve the existing visual impact of the conservatory and by removing this unsympathetic addition will create a more harmonious design of the overall house. In addition, the extension will be 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"> • 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 being 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) 	The extension will be single storey in height and will have a limited projection of 4m compared to the	✓

	<ul style="list-style-type: none"> and (d) of the KLP Chapter 12 of the NPPF 	relatively large original width which means that in terms of height, scale and massing the extension would be subservient to the original house and wider street scene.	
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 	The extension will be constructed from brick and concrete roof tiles to match the existing property. A condition recommended to ensure the materials match those of the host property.	✓
Roof style	<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 	Gable/hipped roof design considered to be more sympathetic to the original house than the existing conservatory roof.	✓
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 	There will be two glazed windows in the southwest facing side elevation and three full length windows in the southeast facing front elevation and a new window and door in the northwest elevation.	✓
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 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:

- 7 & 8 Popley Drive – property located to the northwest of the application site – impact to these properties will be assessed below.
- 9 Popley Drive – property located to the west of the application site – due to the siting of this property set at ~23m away from the proposed extension and extensive boundary treatment in the form of trees and hedges creating natural screening it is considered that this neighbour will not be impacted by the extension.
- 2, 4, 6 & 8 Popley Butts – properties located to the south of the application site – due to the siting of these properties ~25m away from the proposed extension with the applicant’s large garden and a road in between it is considered that these neighbours will not be impacted by the extension.

	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)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	There is a single window and an additional door located in the rear northwest facing rear elevation however this is considered to cause less overlooking to No’s 7 & 8 than the existing fully glazed conservatory. It is considered that there will be no significant additional impact on privacy to these properties.	✓
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 	Due to No. 7 & 8 being sited 9m away from the proposed extension with extensive boundary treatment it is considered that there will be no significant overbearing or overshadowing impact to this property.	✓
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
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 	There will be no additional bedrooms created and the existing parking arrangements will remain. Therefore parking on site will be unaffected.	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	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:

	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	<ul style="list-style-type: none"> • KDP 13 of the SPD 	N/A	N/A

	<ul style="list-style-type: none"> • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 		
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	N/A	✓
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 which states that materials will be sourced locally.	✓
Public Right Of Way	<ul style="list-style-type: none"> • Policy LP24 • KDP 1 & 17 	Public Right Of Way (MEL/75/20) is located to the south and south east of the site. The proposed works are at a separation distance of ~23m away and will not affect the PROWS their setting or their users. A note will be attached to the report to ensure this is not impacted upon and the other legal duties on the developers regarding PROW.	
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 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 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.

Note: Public footpath MEL/75/20 is adjacent to the development site/form access to the site and must not be interfered with or obstructed, prior to, during or after development works.

The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston. Contact via email can be made at publicrightsofway@kirklees.gov.uk.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	24/06/2024
Application form	-	-	24/06/2024
Grouped plans and elevations (existing and proposed)	2024/028/04		24/06/2024
Location plan	LP01	-	24/06/2024

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 amended plans.

Report Dated:

16/08/2024
