

**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>2024/62/91773/W</b>
Site Address:	4, Netherend Road, Slaithwaite, Huddersfield, HD7 5EA
Description:	Erection of single storey extension to rear
Recommending Officer:	Laura Yeadon

**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: 23-Aug-2024**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2024/91773
<b>Location</b>	4, Netherend Road, Slaithwaite, Huddersfield, HD7 5EA
<b>Proposal</b>	Erection of single storey extension to rear
<b>Publicity end date</b>	8 <sup>th</sup> August 2024
<b>Number of representations received</b>	None
<b>Kirklees Local Plan Allocation/Designation</b>	Unallocated but within Strategic Green Infrastructure Network, 'bat alert' layer and low risk area from former coal mining activity
<b>Extension to Time (EoT)</b>	Yes EoT Date: 27.8.24
<b>Recommendation</b>	Conditional Full Permission

	NO	YES
<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>	✓	

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 30 – Biodiversity
- LP 31 – Strategic Green Infrastructure Network
- 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 9: Construction materials
- Key design principle 12: Natural environment
- 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>
<b>Negotiations/Amendments during course of application</b>	No	
<b>Parish/Town Council comments sought</b>	No	N/A
<b>Planning History</b>		1986/04021 – Removal of condition 4 relating to screen wall on previous approval for erection of bungalow – Granted conditionally  2023/90698 – Erection of front, side and rear single storey

		extensions and alterations – Conditional full permission
<b>Consultations required</b>	No	N/A

### **Assessment**

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

The proposed extension would lie flush with the side elevation facing No. 2 Netherend Road, projecting 5 metres from the rear elevation of the property. The extension would span part of the width of the rear elevation, being a total width of 4.6 metres, being set in from the side elevation facing No. 6 by 2.7 metres. The extension would have an eaves height of 2.6 metres with an overall height of 3.7 metres.

The proposed extension would be constructed from stone for the walls, lightweight tile affect roof with glazing panels for the roof and grey uPVC for the openings.

**Officer note:** The scheme has been submitted following the granting of permission 2024/90698 which was granted permission for a single storey front, side and rear extensions. The rear extension within that approved scheme also projected 5 metres. It is important to note that this is an extant permission that could be implemented at any time prior to the expiry of the application on 1<sup>st</sup> May 2026.

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 – the garden areas to the front, both sides and rear of the property would be retained	
Be set behind the original building, and not projecting beyond the sides	Yes – it would comply with this	

Maintain external access to the rear garden	Yes – access would be retained via the existing patio doors and also the doors proposed within the side elevation of the extension	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes – stone construction lightweight hipped roof with glazed roof panels	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	It would comply with this	
not exceed 4 metres in height	It would comply with this	
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		The extension would project 5 metres however the plot is sufficient distance from neighbouring occupiers and not in a position of such prominence that it would be reasonable of the LPA to insist upon the reduction of the projection by 1m.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		No – the extension would exceed this by 0.1 metre which is not considered to be significant
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	It would comply with this	

### Design and Visual Amenity:

The host property is a detached stone constructed bungalow with garden areas surrounding the property. Driveway to the side. Property to east set on a slightly higher ground level and property to the west on a lower ground level. Facing properties are a terraced row.

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 impact due to extension being located to the rear	✓
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>	Subservient structure with eaves and ridge set lower than the existing property - hipped roof mitigates harm from bulk and massing	✓
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>	See 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>	Walling material would match – roof constructed from lightweight tile effect material – acceptable due to being located to the rear	✓
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>	Hipped roof – acceptable	✓
Window proportions	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> </ul>	Large openings within rear elevation and side elevation facing No. 6 – in	✓

	<ul style="list-style-type: none"> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	keeping with doors within rear elevation of 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 – no alterations to general access arrangements	✓

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:

- 11 Bank Gate to the rear (south) of the site – set on a lower ground level – separation distance of approximately 25m
- 6 Netherend Road to the west – set on a much lower ground level with boundary screening in place – limited impact as extension set in from side elevation facing this property
- 2 Netherend Road to the east – no additional openings facing this property – low boundary screening – 45 degree line would not be cut – limited 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> <li>• Chapter 12 of the NPPF</li> </ul>	See 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>	Limited impact due to the property being detached and the extension sitting comfortably within the plot	✓

Impact on overbearing or overshadowing	<ul style="list-style-type: none"> <li>• KDP 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>	Minimal impact – see 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>	Acceptable level of garden space remaining	✓

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>	2 no. spaces available on existing driveway – therefore acceptable	✓
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>	Not shown on plan however sufficient space available within red line 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> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>	<p>Bat Alert layer – modern property with roof well sealed</p> <p>Strategic Green Infrastructure Network – Policy LP31 is of relevance in this instance. The role of the Network is to safeguard and enhance green infrastructure networks, green infrastructure assets and the range of functions they provide. As the proposed works would be within the confines of the residential curtilage, it is not considered that the proposed works would be detrimental to the aims of Policy LP31 of the Local Plan.</p>	✓
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	✓



**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, LP23, LP24, LP30, LP31 and LP51 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 9, 12, 15, 16 and 17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework

3. The external walls 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, Key Design Principles 1, 2 and 9 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

**NOTE:** The Council's GIS system indicates that the property is within a bat roost area and 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 to 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:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan	41877 Walker 1250		24 <sup>th</sup> June 2024
Existing floor plan	1:100		24 <sup>th</sup> June 2024
Existing floor plan	1:200		24 <sup>th</sup> June 2024
Existing rear elevation			2 <sup>nd</sup> July 2024
Existing side (right) elevation			2 <sup>nd</sup> July 2024
Existing side (left) elevation			2 <sup>nd</sup> July 2024
Existing front elevation			2 <sup>nd</sup> July 2024
Proposed block plan	41877 Walker 500		24 <sup>th</sup> June 2024
Proposed floor plan	1:100		24 <sup>th</sup> June 2024
Proposed floor plan	1:200		24 <sup>th</sup> June 2024
Proposed roof plan	1:100		24 <sup>th</sup> June 2024
Proposed roof plan	1:200		24 <sup>th</sup> June 2024

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed side (right) elevation			2 <sup>nd</sup> July 2024
Proposed rear elevation			2 <sup>nd</sup> July 2024
Proposed side (left) elevation			2 <sup>nd</sup> July 2024
Proposed front elevation			2 <sup>nd</sup> July 2024
Proposed 3D images			24 <sup>th</sup> June 2024
Climate Change Statement	Appendix A		2 <sup>nd</sup> July 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:

20 <sup>th</sup> August 2024
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