

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:	2024/62/91841/W
Site Address:	52, Greenlea Court, Dalton, Huddersfield, HD5 8QA
Description:	Erection of single storey rear 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.

John Holmes

AUTHORISED OFFICER

Date: 16-Sep-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91841
Location	52, Greenlea Court, Dalton, Huddersfield, HD5 8QA
Proposal	Erection of single storey rear extension
Publicity end date	22 nd August 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated on the Kirklees Local Plan
Extension to Time (EoT)	Yes EoT Date: 16/09/2024
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	✓	

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
Negotiations/Amendments during course of application	No	

Parish/Town Council comments sought	No	
Planning History	Yes	2002/92410 - Erection of 149 dwellings (113 houses and 36 flats) and garages – Reserved matters approved.
Consultations required	No	

Assessment

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

The extension will project 3m from the rear elevation and have a span across the rear of 4.83m. The height to the eaves will be 2.5m with an overall height of 3.3m and the main construction material will be artificial stone for the external walls. The roof will be of a lean-to roof design constructed from concrete tiles.

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	Yes – garden amenity space will be retained to the rear.	
Be set behind the original building, and not projecting beyond the sides	Yes – the extension will be set within the confines of the side elevations.	
Maintain external access to the rear garden	Access to the rear garden will be maintained via the rear gate.	The property is a mid-terrace property therefore there is no existing access to the rear garden from the front. Access is

		provided to the rear by a highway which runs to the rear of the site.
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	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 artificial stone and a concrete tiled roof will match the front construction materials of the host property.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes –the extension will not cover more than half of the total area around the original house.	
not exceed 4 metres in height	Yes – the maximum height will be 3.3m.	
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	Yes – the property is a terraced property and the extension will project 3m from the rear wall of the original house.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes – the length will not exceed 3m and the eaves height will be 2.5m.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – a gap of 0.3m will be retained to both side boundary's. However, in this instance this is considered acceptable given the scale of the development proposal and fact the host property is constructed up to both boundaries of the site.

Design and Visual Amenity:

The application site refers to 52 Greenlea Court, a two storey, mid-terrace property located in the area of Dalton, Huddersfield. The property appears to have been constructed around the 2002 along with 149 other dwellings. The site benefits from garden amenity space to the front and rear as well as a shared parking area to the rear. The property is constructed from artificial stone with a concrete tiled roof. The surrounding development is largely residential with properties of a similar age and style located on a reality modern estate.

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	Limited views from public vantage points as will be located principally to the rear. The extension will have matching materials to surrounding development as such it concluded to have an acceptable impact upon the street scene.	✓
Impact on original house	• 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	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The projection is in line with the SPD and the extension will have a low eaves and overall height which 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	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The walls are proposed to be artificial stone to match the front of the existing property. Condition recommended to ensure the materials match those of the host property.	✓
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 with concrete tiles to match the existing roof materials.	✓
Window proportions	• 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 a large amount of glazing incorporated into the rear of the proposal. However these windows will face land under the applicants ownership which is therefore considered acceptable. There will be no windows located within the side elevations and there will be 2 rooflights. Limited views from the roof lights would be possible given their siting within the roofslope.	✓
Accessibility for all users	• 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 via the gate in the rear fence.	✓

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:

- 50 Greenlea Court – property located to the north of the application site. – Impact to this property will be assessed below.
- 56 Greenlea Court – property located to the south of the application site – There are no windows located in the side elevation which faces this property and therefore privacy will not be impacted. With regards to any overbearing or overshadowing impact this will be limited due to this property having an existing extension which runs 2.4m along the boundary.
- There are no properties to the front or rear, due to the orientation of the properties and rear gardens, that it is considered would be impacted by the proposed development.

	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	There will be no windows located within the elevation which facing No.50 and therefore privacy will not be significantly impacted.	✓
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	A gap of 0.3m would be provided to the boundary with this property, due to the low eaves height and the orientation of the properties meaning there will be limited shadowing in daylight hours and the extent of the rear projection of the proposal it considered the proposal would not cause any significant overbearing or overshadowing impact and refusal on such a basis could not be justified in this case.	✓
Remaining garden space of application property	• KDP 7 of the SPD	Acceptable level of remaining garden space.	✓

	• Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF		
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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	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	N/A	N/A
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The scheme does not propose any additional bedrooms and parking arrangements will not be impacted by the proposal.	✓
Provision for waste storage	• 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	Further comments	✓ / X / N/A
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	the Kirklees Local Plan and the NPPF		
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	N/A	N/A
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.	✓
Drainage and Flood Risk	• 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 and is in flood zone 1 (area at lowest probability of flooding).	✓
Contaminated land	• Policy LP7	The site is identified as located in an area with potentially contaminated land. A condition and advice note will be attached to any grant of permission which details that, in the event contamination is found at any time when carrying out the approved development, works must cease and it must be reported in writing	✓

3. Notwithstanding the plans submitted the external walls 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.

4. In the event that contamination is found at any time when carrying out the approved development, works must cease, and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with best current guidance and practice, and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following the completion of the measures identified within the approved remediation scheme, a verification report must be prepared, submitted to, and approved in writing by the Local Planning Authority in accordance with the timescales set out within the approved remediation scheme.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with Policy LP53 of the Kirklees Local Plan and policies contained within Chapter 15 of the National Planning Policy Framework.

NOTE: The responsibility to properly address contaminated land issues, including the safe development of land and secure occupancy, and irrespective of any involvement by the Council, lies with the owner/applicant/developer of the site. In line with Sections 178 and 179 of the National Planning Policy Framework the site should be suitable for its new use taking account of ground conditions and land instability, including from natural hazards [e.g. radon gas] or former activities such as mining and pollution arising from previous uses. Due to the land being in an area where radon protection measures usually need to be installed within any permanent buildings the developer of the land should either satisfy themselves that radon protective measures are not required or they should ensure basic radon protection measures are installed into any permanent buildings. Any radon protection measures should be installed as per the manufacturer's instructions.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form	-	-	01/07/2024

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	12/07/2024
Block plan	2024-008-(08)001	-	16/07/2024
Location plan	PP-13201771v1	-	01/07/2024
Existing plans and elevations	2024-008-(20)001	-	01/07/2024
Proposed plans and elevations	2024-008-(20)002	-	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: 16/09/2024