

**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:	2024/62/91866/E
Site Address:	39, Slipper Lane, Mirfield, WF14 0HE
Description:	Erection of single storey rear extension and associated alterations
Recommending Officer:	Jennifer Booth

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: 10-Sep-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/62/91866/E
Location	39, Slipper Lane, Mirfield, WF14 0HE
Proposal	Erection of single storey rear extension with external and internal works
Publicity end date	15/08/2023
Number of representations received	0
Kirklees Local Plan Allocation/Designation	UNALLOCATED
Extension to Time (EoT)	Yes EoT Date: 11/09/2024
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	✓	

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

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	However, this is a modified scheme to a previous approval. The change enlarges the extension to the rear of the existing side extension.
Parish/Town Council comments sought (Kirkburton)	YES	NONE RECEIVED
Planning History	YES	2000/90290 - erection of two storey extension - approved

		<p>2001/91995 - erection of conservatory – approved</p> <p>2023/90593 – erection of single & two storey rear extension with associated alterations – approved</p> <p>2024/90959 – erection of single storey rear extension with alterations - approved</p>
Consultations required	NO	

Description of Proposal

The applicant is seeking permission for a single storey rear extension with alterations to the existing two storey side extension.

The extension is proposed to project 3m from the original rear wall of the property along the shared boundary with the adjoining property and 4.9m from the rear of the side extension. The extension would extend across the full width of the dwelling including to the rear of the existing side extension. The roof form would be lean to with roof lights to the rear of the original house and pitched to the rear of the side extension.

The plans show the front elevation of the existing side extension, which is currently blank, being altered to include a window on the ground floor.

The extensions are proposed to be constructed using brick for the walling with tiles for the roof covering.

Assessment

The House Extension & Alterations SPD sets out that:

Rear extensions should comply with certain parameters set out at paragraph 5.1, 5.2 and 5.6 on page 23 (and listed below) and if they do not, they need to be justified:

TO COMPLETE :	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserving a back garden of a reasonable size, with a general principle that at least half the garden area is retained; (5.1)	Yes	

Being set behind the original building, and not projecting beyond the sides; and	Yes	
Maintaining external access to the rear garden.	Yes	
Respect the original house and garden in terms of its size and scale; (5.2)	Yes	
use appropriate materials which match or are similar in appearance to the original house; and	Yes	
not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.	Yes	
be in keeping with the scale and style of the original house; (5.6)	Yes	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings);	Yes	
not exceed 4 metres in height;	Yes	
not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;	No	To the rear of the existing side extension, the projection would be 4.9m. Justifiable in this instance due to the size of the garden and the appropriate design and relationship with the main house.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and	Yes	
retain a gap of at least 1 metre from a property		No – however, justifiable given the

boundary, such as a wall, fence or hedge.		relationship with the neighbouring properties
be proportionate to the size of the original house and garden; (5.8)	Yes	
not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings)	Yes	
not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary		No – however, the bulk of the extension is already in situ
be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and	Yes	
not adversely affect habitable room windows where they adjoin a neighbour's boundary	Yes	

Design and Visual Amenity: Are the considerations in the following table acceptable?

Site Description

39 Slipper Lane is a brick built, semi-detached dwelling with an existing two storey extension to the side, conservatory to the rear and large outbuilding in the rear garden. The property has a drive and gardens to the front and a long, enclosed garden to the rear.

The property backs onto open fields with fields to the north side. There are similar properties on the opposite side of the road and adjacent to the south side.

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	Further comments	✓ / X / N/A

	the Kirklees Local Plan and the NPPF		
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 	Acceptable given the design and detail	
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 	Acceptable	
Height, scale and massing	<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 	Acceptable	
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 	To match the main house	
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 	Appropriate in context	
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 	Similar to main house for the rear extensions and the additions to the existing front of the side extension will enhance the appearance	
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17of the SPD • Policy LP24 Design (f) 	Private domestic extension which would not change the existing	

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 	access into / around the property.	
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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?

There are no properties to the front, north side or to the rear of the dwelling which could be affected by the works proposed. The only neighbour is the adjoining 37 Slipper Lane.

	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 	No loss of privacy	
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 	No overshadowing or overbearing. The 4.9m projection is set back from the adjoining dwelling by the width of the house and the extension would be single storey.	
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 	Ample amenity space retained	

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	Further comments	✓ / X / N/A

	the Kirklees Local Plan and the NPPF		
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 	Not a significant increase in the size of the property	
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 	Sufficient parking within the site with at least two spaces on the drive	
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 	Bin storage would not be moved	

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
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.	✓

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
0		

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: 2024/91866

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, 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: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Location plan	(EX) 002	1048111	11/07/2024
Proposed site plan	(20) 002	1048104	11/07/2024
Existing plans	(EX) 001	1048110	11/07/2024
Proposed plans	(20) 001	1048109	11/07/2024
Climate change statement	-	1049043	11/07/2024

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: 05/09/2024