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:	**2024/62/91870/E**
Site Address:	6, Fairways, Upper Hopton, Mirfield, WF14 8PY
Description:	Erection of single storey rear extension and external alterations
Recommending Officer:	Faiza Bano

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: 29-Aug-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/62/91870/E
Location	6, Fairways, Upper Hopton, Mirfield, WF14 8PY
Proposal	Erection of single storey rear extension and external alterations
Publicity end date	29th August 2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	LP Environmental designation - mid-altitudinal grassland, Bat Alert, LB Airport Consult Area 1
Extension to Time (EoT)	**Yes EoT Date: 30-Aug-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.

<u>Policy</u>

<u>National</u>

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	N/A
Parish/Town Council comments sought (Kirkburton)	No	N/A
Planning History	No planning history for	**Planning Ref:** 2024/90460

	application site. However, there is planning history for neighbouring properties.	**Location:** 8, Fair Ways, Upper Hopton, Mirfield, WF14 8PY **Proposal:** Erection of two storey side extension and single storey infill front extension with associated alterations **Decision:** FC - CONDITIONAL FULL PERMISSION **Planning Ref:** 2003/94357 **Location:** 10, FAIRWAY, UPPER HOPTON, MIRFIELD, **Proposal:** ERECTION OF TWO-STOREY EXTENSION **Decision:** FC - CONDITIONAL FULL PERMISSION **Planning Ref:** 2008/91533 **Location:** 10,FAIRWAYS,UPPER HOPTON,MIRFIELD,WF14 8PY **Proposal:** ERECTION OF SINGLE STOREY EXTENSION **Decision:** FC - CONDITIONAL FULL PERMISSION
Consultations required	No	N/A

Assessment

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraph 5.2 on page 23 (and listed below) and if they do not, they need to be justified:

Rear Extensions Should:	**Yes - COMPLY**	**No - JUSTIFY**
respect the original house and garden in terms of its size and scale	Yes – the extension does not cover more than half of the total area around the original house.	
use appropriate materials which match or are similar in appearance to the original house; and		No – the flat roof will have a EPDM finish and the door will be constructed from aluminium,

		However, this does not pose an issue as the main features of the extension will match the existing; - walls to be constructed from stone and uPVC windows.
not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.	Due to the detached nature of the site, the proposed extension will not overshadow neighbouring properties. Due to the modest scale of the proposed extension, there will be no impact on the loss of outlook of neighbouring properties.	

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

Summary of local street scene/character:

The site to which the application relates to is 6 Fairways. It consists of a single-storey stone built detached bungalow, a driveway and a garage to the side and a large garden to the rear, situated on a slight slope. The site is relatively exposed to the front, and it is enclosed to the rear by close board fencing and mature trees. The site and its surrounding area are wholly residential characterised by a mixture of bungalows and two storey stone built detached properties with various forms of rear extensions.

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 generally modest in scale and due to neighbouring properties having larger extensions, the proposed development would not	✓

		appear overly prominent. The proposed development would be located to the rear of the property and will not impact the character or street scene across the frontage of the property.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The original property would remain the dominant feature.	✓
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	As above. The extension would project across the rear of the property and is single storey.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing materials to match exiting. Roof finishing material is EPDM – appropriate for a flat roof style.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Flat roof style – acceptable as applicants could build something similar in size and scale under permitted 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	Modest size windows in rear extension, with bi-fold doors and sky lights, which would be in-keeping with existing building.	✓
Accessibility for all users	• KDP 17of the SPD	Private domestic extension which would	✓

	• Policy LP24 Design (f) • Chapter 12 of the NPPF	provide easy access into the main house.	

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:

- Number 4 Fair Ways - the single storey rear extension will not overshadow this property or its garden space. The proposed extension for the application site will be in line with the rear elevation line of this property. Due to the height/scale, there will be no impact on the first floor. No/limited impact to number 4, extension is designed to ensure privacy to neighbours and will not produce conflict relating to light and outlook.

- Number 8 Fair Ways - As above and no/limited impact to number 8. The proposed development falls in line with the existing subordinate elevation - extension will not directly impact the property, including access to the rear.

- Number 3 Top Meadow – This property is located to the rear of the application site. Due to the significant distance between number 3 and the proposed development area, the single storey rear extension will not overshadow this property or its garden space.

- There are properties immediately to the front. However, the proposed extension is to the rear and due to the set back from the frontage of the applicant site, it will not impact the properties opposite.

- Due to the position of the extension, there would be no impact to the properties located to the rear. The flat roof nature of the proposed extension, the sloped site and enclosed boundary will not impact views in or out of the application site negatively.

	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	• KDP 3 & 4 of the SPD	Acceptable for the reasons set out above.	✓

sides, rear and front)	• Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF		
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	As above.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	As above.	✓

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	Parking is predominantly provided on-street and in curtilage, which remains acceptable due to the location of this property and the neighbouring houses – off the main through-fare. The property also has a driveway big enough to fit a car after the construction of the proposed rear extension.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP	Maintains appropriate access and off-street in-curtilage parking.	✓

	• Chapter 12 of the NPPF		
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 allow for storage on site. Condition not considered necessary.	✓

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	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	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. 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.	✓

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:

No representations received.

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: **2024/91870**
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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Elevations	Proposed Right Side Elevation		03-Jul-2024
Proposed Elevations	Proposed Left Side Elevation		03-Jul-2024
Proposed Elevations	Proposed Rear Elevation		03-Jul-2024
Proposed Floor Plans	Proposed Ground Floor Plan		03-Jul-2024
Grouped Plans and Elevations	Existing Elevation & Floor Plan		03-Jul-2024
Existing Elevations	Existing Elevations		03-Jul-2024
Location Plan	Location Plan		03-Jul-2024
General	Climate Change Statement		03-Jul-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: 30/08/2024