

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:	2024/62/91926/W
Site Address:	3, Barton Manor Close, Crosland Moor, Huddersfield, HD4 5PE
Description:	Demolition of existing conservatory and erection of single storey rear extension with associated alterations
Recommending Officer:	Laura Yeadon

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: 09-Sep-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91926
Location	3, Barton Manor Close, Crosland Moor, Huddersfield, HD4 5PE
Proposal	Demolition of existing conservatory and erection of single storey rear extension with associated alterations
Publicity end date	26 th August 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated land however is within a 'low risk' coal mining area
Extension to Time (EoT)	N/A EoT Date:
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
- LP 53 – Contaminated and unstable land

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 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

	YES NO	SUMMARY
Negotiations/Amendments during course of application	No	N/A
Parish/Town Council comments sought	No	N/A
Planning History	Yes	Previous history relates to wider housing development
Consultations required	No	N/A

--	--	--

Assessment

The application seeks permission for the erection of a single storey rear extension which would include the demolition of the existing conservatory.

The proposed extension would sit behind the existing garage which is set back from the rear elevation of the main two storey body of the property.

The extension would lie flush with the shared boundary with No. 5 and would project a total of 5.5 metres which would be 4.4 metres from the main rear elevation of the property. The extension would be 5 metres in width, set in from the other side elevation of the property by 3.4 metres. The eaves height would be 2.1 metres rising to a height of 3.5 metres to the ridge of the pitched roof.

The proposed construction materials would be stone for the walls, concrete tiles for the roof and uPVC for the windows and door, all to match the exiting dwelling.

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 – it would comply with this	
Be set behind the original building, and not projecting beyond the sides	Yes – it would sit behind the original garage and main body of the dwelling	
Maintain external access to the rear garden	Yes – existing access would be retained	
Single storey rear extensions should:		

be in keeping with the scale and style of the original house	Yes – it would comply with this	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – it would comply with this	
not exceed 4 metres in height	Yes – 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		No - the extension would project more than 3 metres however whilst larger than recommended, it is not considered to be significant to visual amenity due to being single storey in height with matching construction materials
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes – it would comply with this	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes – to the southern boundary	No – to the shared boundary with No. 5 however the property is already built up to this boundary and providing a gap of 1m would not serve a benefit in this regard and rear access is provided by a gap between the side elevation of the host property and the southern boundary.

Design and Visual Amenity:

Two storey modern link-detached property located within a housing development constructed of matching materials with varying designs. Amenity space is available to the front and rear of the property.

Surrounding development consist of mainly residential properties with terraces, sei-detached and detached properties. The predominant construction materials is stone/artificial stone.

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	Large projection however limited views from public vantage points to being located to the rear with built development surrounding the property – design in keeping with host property	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Subservient due to being single storey and 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	Single storey and part width of rear elevation – appears proportionate when viewed on proposed site plan	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Materials to match	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Simple pitched roof	✓

Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Full length openings to side elevation with a standard window	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Disability access proposed within existing garage including an internal platform lift	✓

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:

- 5 Barton Manor Close – attached neighbouring property – attached by single storey garage structure – extension would sit on boundary with a large projection however the openings closest to the boundary are to the rear of the garage which is non-habitable accommodation – overall height is relatively low with a roof pitch sloping away from the boundary – on balance, impact is considered acceptable given the distance between the main habitable openings in the rear of no.5 and the side of the proposed development.
- 9 Hob Lane – due to demolition of existing conservatory, the impact on this property would be reduced and separation distance greater than existing layout – limited harm to this property
- 32A Crosland Hill Road – separation distance approximately 23 metres and therefore limited harm
- 4 Barton Manor Close – facing property – no impact due to proposed works being to the rear of the dwelling

	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)	See above	✓

	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	See above	✓
Impact on overbearing or overshadowing	- KDP 5, 6 of the SPD - Policy LP24 Design (b) - Chapter 12 of the NPPF	See above	✓
Remaining garden space of application property	- KDP 7 of the SPD - Policy LP24 Design (b) and (c) - Chapter 12 of the NPPF	Acceptable level of garden 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:

	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	✓
Parking provision	- KDP 15 of the SPD - Policy LP22 Parking (f) of the KLP - Chapter 12 of the NPPF	Existing garage provision would be lost to reconfigure internal accommodation however, internal dimensions are substandard and therefore there is no loss of parking provision –	✓

		adequate space to accommodate 2 no. vehicles on driveway	
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 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	N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Bat alert layer – no interference with existing roof so unlikely that bats would be affected – note can be attached to decision notice regarding bats	✓
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:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
None	N/A	N/A

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: 2024/91926

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, LP51 and LP53 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 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 and roofing materials of the extension 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, Key Design Principles 1, 2 and 9 of 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:-

Plan Type	Reference	Version	Date Received
Location plan, existing site plan, elevations and floor plan	3BMC/P01		15 th July 2024
Proposed floor plan	3BMC/P02		15 th July 2024
Proposed site plan and elevations	3BMC/P03		15 th July 2024
Design and Access Statement			16 th July 2024
Climate Change Statement	Appendix A		16 th 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.