

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:	2024/62/91987/W
Site Address:	15, Heathwood Drive, Golcar, Huddersfield, HD7 4PH
Description:	Erection of single storey side 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	2024/91987
Location	15, Heathwood Drive, Golcar, Huddersfield, HD7 4PH
Proposal	Erection of single storey side extension.
Publicity end date	29 th August 2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	Unallocated in the Kirklees Local Plan
Extension to Time (EoT)	No
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
- 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	2012/92348 – Erection of single and two storey extension – Conditional Full Permission – this permission has not been constructed; permission has now expired. 2024/90810 - Certificate of lawfulness for proposed demolition of existing conservatory and erection of replacement single storey side extension – Refused. This application was refused as the proposed extension projects from a side elevation and fronts a highway (Public Right of Way COL/58/20) contrary to sub paragraph A.1(e) of Class A and was therefore not Permitted development. The impact of the proposal upon this footpath will be explored in the Public Rights of Way (PROW) section of this report.
Consultations required	No	

Assessment

This application seeks permission for the erection of single storey side extension.

The development involves the demolition of the existing side conservatory and erection of a single-storey extension with a lean-to roof.

The extension would measure 2.6m wide, 3.8m long and have a total height of 3.7m. The height to the eaves would be 2.3m. Materials used in the construction are to match the existing.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 on page 28 (and listed below) and if they do not, they need to be justified.

Side extensions	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to	Yes – due to being single storey in height and being located ~2m	

the habitable rooms in neighbouring properties	away from the nearest property (No11 Heathwood Drive) it would mean that the extension will not impact natural levels of light to the neighbouring properties.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	Yes- although there is glazing to the front and rear elevations the nearest properties are located 18m and 17m away respectively. In addition, the existing conservatory would have resulted in a similar level of overlooking as it is fully glazed. Removing this element in place of the proposed extension will result in a similar situation in respect of overlooking.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	Yes – the extension will have a limited width of 2.6m whereas the width of the original house is 5.2m.	
not exceed a height of 4 metres	Yes- the maximum height of the extension is 3.7m.	
be set back at least 500mm from the original building line to allow for a visual break	Yes – the extension will be set back behind the original building line of the front elevations by 3.7m.	

Design and Visual Amenity:

The application site relates to 15 Heathwood Drive, a two storey, detached house located in the area of Golcar

The dwelling incorporates a driveway for off-street parking leading to a single garage, with little garden amenity space to the side, front and a large, enclosed garden at the rear.

Heathwood Drive is a cul-de-sac accessed from Swallow Lane. There are various housing types along Heathwood Drive with terraced dwellings close to the junction with Swallow Lane and a mix of detached two-storey dwellings as well as bungalows. The street is occupied with varying dwelling designs however all built using similar materials.

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 lean-to roof design is considered to improve the existing visual impact of the conservatory and by removing this unsympathetic addition will create a more harmonious design of the overall house. In addition, the extension will be set back from the road such that it is 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 extension will be single storey in height and will have a limited projection of 2.6m compared to the relatively large original width which means that in terms of height, scale and massing the extension would be subservient to the	✓

		original house and 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 extension will be constructed from stone and concrete roof tiles to match the existing property. A condition is 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 considered to be more sympathetic to the original house than the existing conservatory 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	There will be a double glazed door to the rear of the extension and a window located in the front elevation – considered to be in keeping with the existing property.	✓
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.	✓

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 Heathwood Drive – property located to the northwest of the application site – impact to this property will be assessed below.*
- *6 Heathwood Drive – property located to the front (south) of the application site – due to the siting of this property set at ~17m away from the proposed extension and boundary treatment in the form of a hedge and fence it is considered that this neighbour will not be impacted by the extension.*

- 137, 135 & 133 Swallow Lane – properties located to the north of the application site – due to the siting of these properties ~18m away from the proposed extension with the applicant's garden and the scale of the proposal it is considered that these neighbours will not be significantly impacted by the extension.

	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 are no windows proposed in the west elevation facing onto this property. This blank elevation is considered to cause less overlooking to No.11 than the existing fully glazed conservatory. It is considered that there will be no significant additional impact on privacy to this property created by the proposal.	✓
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	Due to a separation distance of 2m being maintained to the proposed extension and boundary treatment as well as the public right of way separating the properties it is considered that there will be no significant overbearing or overshadowing impact to this property.	✓
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 remaining garden space.	✓

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	There will be no additional bedrooms created and the existing parking arrangements will remain. Therefore parking on site will be unaffected.	✓
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	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.	✓
Public Right Of Way (PROW)	• Policy LP24 • KDP 1 & 17	Public Right Of Way (COL/58/20) is located to the west of the site. The proposed works are at a separation distance of 0.57m away (at the closes pinch point) and the development is within the property's curtilage therefore it is considered the proposal will not affect the PROW, its setting or their users. A note will be attached to the report to ensure this is not impacted upon and the other legal duties on the developers regarding PROW.	
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.	✓

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:

Document and policies within Chapter 12 of the National Planning Policy Framework.

Note: Public footpath COL/58/20 is adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works.

The Council's public rights of way unit may be contacted by telephone 01484 221000. Contact via email can be made at publicrightsofway@kirklees.gov.uk.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	19/07/2024
Application form	-	-	19/07/2024
Proposed plans and elevations	15HD P02 rev B	-	22/07/2024
Location plan and existing plans	P01	-	19/07/2024

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 amended plans.

Report Dated:

16/09/2024