

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:	2024/62/92116/W
Site Address:	20, Hallas Grove, Dalton, Huddersfield, HD5 8ED
Description:	Demolition of existing garage and erection of two storey side extension
Recommending Officer:	Molly Storer

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 03-Oct-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/92116
Location	20, Hallas Grove, Dalton, Huddersfield, HD5 8ED
Proposal	Demolition of existing garage and erection of two storey side extension
Publicity end date	19 th September 2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	Unallocated on the Kirklees Local Plan.
Extension to Time (EoT)	No EoT Date: N/A
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

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).

	YES NO	/ SUMMARY
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

Assessment

The Kirklees SPD sets out that two-storey side extensions should comply with certain parameters set out at paragraph 5.20 on page 29 (and listed below) and if they do not, they need to be justified:

Two-storey side extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Not take up all or most of the space to the side of a house		The proposed side extension would be built up to the side boundary resulting in no space remaining to the side of the dwelling. However, given the property is an

		end terraced dwelling and the street scene consists of terraced house types (including other end of terrace dwellings with side extensions), the two-storey extension would not create an unusual nor incongruous appearance within the street-scene or detract from the overall appearance of the host dwelling. There would be access to the rear garden through the proposed garage on the ground floor.
Maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property		The proposed extension would be built on the site boundary and therefore a 1 metre gap to the side boundary would not be maintained. Whilst not compliant with SPD guidance, this is not uncommon with in the street scene and therefore would not be out of place. There are also no windows proposed within the side elevation and would most likely face non-habitable room windows at the neighbouring property.
Be set back at least 500mm from the front wall of the house		The front elevation of the side extension would align with the front elevation of the existing house. However, given that the roof is set down by 500mm and that other properties on the street have side elevations which align with the

		front elevation of the existing house, the impact of the proposal having regard to this criterion would be acceptable. It should also be noted that the house has an existing forward projection in the form of a bay window. The proposed extension would be set behind this further acting to alleviate any adverse harm.
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Design and Visual Amenity:

The application site relates to 20 Hallas Grove, an end of terrace two storey property in the area of Dalton. The property benefits from front amenity space, rear garden and a detached garage which is proposed to be demolished as part of this application.

The street-scene consist of residential properties mainly terraced/semi detached in nature. Dwellings benefit from off-street parking located to the front of the houses and gardens located to the rear. Whilst the majority of dwellings are similar in scale and design, numerous different renders are used on different properties.

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 proposed extension would be in keeping with existing buildings on the street scene by having a lower roof than the host structure and being set back from the front wall. With the street consisting of terraced houses, the addition of the side-extension would not look	✓

		dissimilar to dwellings within the existing local area.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed extension would add bulk to the side of the original house. It is considered the extension would not adversely affect the character of the original property. New external walls to all faces of the proposed extension will be new red brickwork to match existing to the West and North elevation with sandstone to match existing on the front South elevation. The upper pebble dash render to the first floor is proposed to be removed and replaced with white render. This will create an improved visual design of the overall house.	✓
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 proposed height of the extension sits below the host dwelling roof line to create a visual break. Whilst not wholly SPD compliant, the scale and massing has been deemed to be acceptable due to the nature of the locality.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposed extension would be constructed from red brick, sandstone and white render to match the existing. In the event that planning permission is approved, it is recommended this is secured by condition.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c)	The proposed roof style would match that of the host dwelling and other neighbouring properties. The roof would be	✓

	and (d) of the KLP • Chapter 12 of the NPPF	constructed from blue slate tiles which matches the materials used on the host dwelling roof. In the event that planning permission is approved, it is recommended this is secured by condition.	
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The windows proposed within the extension match the size and type used within the host dwelling. There will be no windows in the side elevation. The rear will have a single door at ground floor and a single window at first floor level. The front elevation will have a garage door on the ground floor and a single window on at the first floor level.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Accessibility to the rear garden would be gained through the dwelling.	✓

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:

- 18 Hallas Grove – property to the southeast – impact to this property will be assessed below.
- 22 Hallas Grove – property to the northwest – due to this property being located on the opposite side than the proposed development it is considered that the existing property will screen the extension and will not create any significant overbearing/overshadowing impact. In addition, there are no additional windows that will face in the direction of this property so privacy will not be impacted.
- 17 & 19 Hallas Grove – properties to the southwest – Although there will be additional glazing facing in the direction of this property this will not cause any further overlooking than the glazing that already exists in the front elevation. With regards to overshadowing, the extension will be

located across the road from these properties at a separation distance of ~22m and therefore is not considered to have any significant impact.

	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	The proposed extension will not include any windows in the southeast elevation which faces number 28. This property has a single door and a small window in the elevation facing the extension. However, given the window would serve a hallway, it is considered this impact would not be significant.	✓
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	The only window in question regarding light and outlook is the first floor window on the first floor of 18 Hallas Grove. As previously mentioned, this window is not considered to be a habitable room and therefore the extension is considered to have negligible impact.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Whilst the proposed extension would take up the space to the side of the dwelling, there would be adequate outdoor space retained for current and potential future occupants, therefore the proposal is acceptable in this regard.	✓

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	There are no proposed changes to highway access with the proposal. The development is considered acceptable in relation to highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposed extension would add an additional bedroom to the dwelling, taking the number of bedrooms on site to 3. The front amenity space has enough space to accommodate 3 adequately sized vehicles and therefore there is enough off-street parking on site.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	No impact to existing arrangements.	✓

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	N/A	✓

	• Policy LP24 Design (d) (i) • (iv) Policy LP33 Trees • Chapter 12 of the NPPF		
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Whilst the site is located within a bat alert layer, the small scale alteration to the host would not have significant impacts to roosting potential. In the event that planning permission is approved, it is recommended that an informative be attached to notify the applicant of their private responsibilities if any signs of bats or potential to disturb those protected species are found.	✓
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
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: 2024/92116

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 LP1, LP2, 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 and retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP1, LP2 & 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 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	PL-DR-20-01-B	-	05/08/2024
Existing site/block layout	PL-DR-20-02-A	-	29/07/2024
Proposed site/block layout	PL-DR-20-12-A	-	29/07/2024
Proposed site/block layout	PL-DR-20-01-A	-	29/07/2024
Existing elevations	PL-DR-25-04-A	-	29/07/2024
Existing floor plans	PL-DR-20-03-A	-	29/07/2024
Proposed elevations	PL-DR-25-14-A	-	29/07/2024
Proposed elevations sections	PL-DR-26-15-B	-	29/07/2024
Proposed floor plans	PL-DR-20-13-B	-	29/07/2024
Climate change statement	-	-	05/08/2024
Application form	-	-	29/07/2024
Design and access statement	-	-	29/07/2024

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: 26/09/2024

Coal - Low