

**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:	<b>2024/62/92489/W</b>
Site Address:	2, Rawthorpe Crescent, Rawthorpe, Huddersfield, HD5 9NZ
Description:	Demolition of existing garage and erection of side extension to form replacement garage and utility area
Recommending Officer:	Joshua Merriman

**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: 30-Oct-2024**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2024/92489
<b>Location</b>	2, Rawthorpe Crescent, Rawthorpe, Huddersfield, HD5 9NZ.
<b>Proposal</b>	Demolition of existing garage and erection of side extension to form replacement garage and utility area.
<b>Publicity end date</b>	17/10/2024
<b>Number of representations received</b>	None
<b>Kirklees Local Plan Allocation/Designation</b>	No allocation in the Kirklees Local Plan.
<b>Extension to Time (EoT)</b>	No
<b>Recommendation</b>	Conditional Full Permission

	<b>NO</b>	<b>YES</b>
<b>Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)</b>	✓	
<b>Contrary to previous decision</b>	✓	
<b>Called in by Ward Member</b>	✓	

<b>Significant number of representations received</b>	✓	
-------------------------------------------------------	---	--

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 30** – Biodiversity and Geodiversity
- **LP 46** – Waste disposal
- **LP 51** – Protection and improvement of air quality
- **LP 57** – The extension, alteration, or replacement of existing buildings

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 9: Construction materials
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	<b>YES / NO</b>	<b>SUMMARY</b>
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	Yes	KC Highways – Due to the application involving the removal of an existing garage and driveway parking space, a consultation was carried out to ensure the parking on the property remained adequate.

### **Assessment**

The application seeks permission for a single storey side extension. The proposed side extension would have an eaves height of 2.23m and a maximum height of 4.09m. The extension would project 3.17m from the existing side elevation of the dwelling, while having a depth of 7.54m. 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. The property is also set within a corner plot and therefore paragraph 5.34 on page 30 is also of relevance:

<b>Side extensions</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>

Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	The extension is not of a large enough scale to cause any significant loss of light for neighbouring properties.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens		The proposed window in the North facing elevation of the extension would enable a small ability to view the neighbouring garden and back windows, however, the proposed window is located in a utility room which is classed as a non-habitable room, therefore, it is deemed acceptable.
<b>Single storey side extensions should:</b>		
not extend more than two thirds of the width of the original house	The extension extends less than two thirds of the width of the original house.	
not exceed a height of 4 metres		The maximum height of the extension is 4.16m, however, the proposal is still subservient to the original building, does not cause harm to neighbouring properties, and does not significantly affect the local character and street scene, therefore, is permissible.
be set back at least 500mm from the		The proposed extension lies flush with the front elevation of

original building line to allow for a visual break		the original building but is set back adequately from the pavement and set down adequately to enable a visual break.
----------------------------------------------------	--	----------------------------------------------------------------------------------------------------------------------

## Design and Visual Amenity:

### *Summary of local street scene/character:*

The application refers to 2 Rawthorpe Crescent, a semi-detached two-storey property constructed from brick and render walls, roof tiles, and uPVC windows and doors. The neighbouring properties and surrounding street scene contains building of a similar character, size, and scale.

The property benefits from a gravel area to the front of the property as well as a driveway to the North and a large amenity space to the rear.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on the Local character and street scene	<ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Chapter 12 NPPF</li> </ul>	The proposed extension will not have any significant impacts on the local character of the area and surrounding street scene	✓
Impact on original house	<ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> </ul>	The extension is subservient to the original house and all materials used for construction will match the original dwelling, therefore, no significant	✓

	<ul style="list-style-type: none"> <li>Chapter 12 of the NPPF</li> </ul>	impact will be had on the original house.	
Height, scale and massing	<ul style="list-style-type: none"> <li>KDP 1 and 2 of the SPD</li> <li>Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	The height, scale, and massing of the extension are all proportionate to the original dwelling.	✓
Facing materials and detailing	<ul style="list-style-type: none"> <li>KDP 9 of the SPD</li> <li>Policy LP24 Design (d) (iii) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	The proposed extension will be constructed using brick walls, a tiled roof, and uPVC windows and doors, all of which are to match the existing building.	✓
Roof style	<ul style="list-style-type: none"> <li>KDP 1 and 2 of the SPD</li> <li>Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	The proposed roof is to be constructed using tiles to match the existing dwelling.	✓
Window proportions	<ul style="list-style-type: none"> <li>KDP 1 and 2 of the SPD</li> <li>Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	All proposed windows are proportionate to, and aligned with, the those of existing building.	✓
Accessibility for all users	<ul style="list-style-type: none"> <li>KDP 17 of the SPD</li> <li>Policy LP24 Design (f)</li> </ul>	Private domestic extension – no alternative access arrangements are to be provided.	✓

	<ul style="list-style-type: none"> <li>Chapter 12 of the NPPF</li> </ul>		
--	--------------------------------------------------------------------------	--	--

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:

- 156, Bradley Mills Road, Rawthorpe, Huddersfield, HD5 9PJ – Neighbouring property to the North.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>KDP 3 &amp; 4 of the SPD</li> <li>Policy LP24 Design (d) (iv)</li> <li>Chapter 12 of the NPPF</li> </ul>	The extension only has one proposed window, and it is not overlooking from a habitable room, therefore, the impact on neighbours' privacy will not be significant.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>KDP 4, 5, 6 of the SPD</li> <li>Policy LP24 Design (b)</li> <li>Chapter 12 of the NPPF</li> </ul>	<p>The extension is not large enough in scale or close enough to the neighbouring property to have a significant effect in terms of light and outlook.</p> <p>Further the removal of the garage will improve the amenity of the neighbour in opening up the outlook.</p>	✓
Impact on overbearing or overshadowing	<ul style="list-style-type: none"> <li>KDP 5, 6 of the SPD</li> <li>Policy LP24 Design (b)</li> </ul>	As mentioned above, the extension is not large enough or close enough to the neighbouring property to have a	✓

	<ul style="list-style-type: none"> <li>Chapter 12 of the NPPF</li> </ul>	significant impact on overbearing or overshadowing.	
Remaining garden space of application property	<ul style="list-style-type: none"> <li>KDP 7 of the SPD</li> <li>Policy LP24 Design (b) and (c)</li> <li>Chapter 12 of the NPPF</li> </ul>	The property will retain a large garden area to the rear which is deemed acceptable.	✓

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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on highway safety	<ul style="list-style-type: none"> <li>KDP 15 of the SPD</li> <li>Policy LP22 Parking (f) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	The extension is set far enough back from the nearest road (Rawthorpe Crescent) to not have a significant impact on highway safety.	✓
Parking provision	<ul style="list-style-type: none"> <li>KDP 15 of the SPD</li> <li>Policy LP22 Parking (f) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	The property has retained adequate space for two off-street parking spaces, including one on the front driveway of the property, and one on the gravel area to the front of the dwelling. This parking provision is acceptable enough to not cause a	✓

		significant impact on highway safety.	
Provision for waste storage	<ul style="list-style-type: none"> <li>• KDP 16 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	Although this is not detailed in the submitted plans, the property will retain enough space for waste storage.	✓

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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on trees	<ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i) (iv) Policy LP33 Trees</li> <li>• Chapter 12 of the NPPF</li> </ul>	The proposal is not close enough to have any significant impact upon trees.	✓
Impact on ecology	<ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>	While the site is within a bat alert layer, the nature of the proposal is not considered to have significant impacts to roosting potential. It is recommended that in this case an appropriate approach of the LPA is the inclusion of an informative note upon and grant of permission	✓

		which alerts 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	<ul style="list-style-type: none"> <li>• KDP 8, 9, 10 &amp; 11 of the SPD</li> <li>• Policy LP51</li> <li>• Chapter 14 of the NPPF</li> </ul>	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	<ul style="list-style-type: none"> <li>• KDP 14 of the SPD</li> <li>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP</li> </ul>	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

Conclusion:



Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Climate Change Statement	-	-	05/09/2024
Plans and Elevations	2424-01	-	05/09/2024

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:**

17/10/2024