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:	**2024/62/92496/W**
Site Address:	55, Springwood Hall Gardens, Springwood, Huddersfield, HD1 4HA
Description:	Erection of first floor side extension, works to create additional parking areas to front and associated works.
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

Application Number	2024/92496
Location	55, Springwood Hall Gardens, Springwood, Huddersfield, HD1 4HA.
Proposal	Erection of first floor side extension, works to create additional parking areas to front and associated works..
Publicity end date	15/10/2024
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	✓	

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
- **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 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	**SUMMARY**

Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	Yes	2024/91436 - Erection of single storey rear and first floor side extensions – Conditional Full Permission.
Consultations required	No	

Assessment

The application seeks permission for a two-storey side extension.

The application refers to 55 Springwood Hall Gardens which is a two-storey detached property. The predominant materials of the property are brickwork, tiles, and uPVC doors and windows. The extension will utilise these materials to maintain the character of the original building. The proposed extension will project 6.58m to the side of the existing roof, taking the overall width of the property to 10.35m, with an eaves height of 5.57m, and an overall height of 7.62m.

The extension lies flush with the elevations of the original building, similar to the two-storey extension erected on the neighbouring house to the North East.

The Kirklees SPD sets out that two storey side extensions should comply with certain parameters set out at paragraphs 5.16 and 5.20 on pages 28 and 29 (and listed below) and if they do not, they need to be justified. In addition, the proposal site lies within a corner plot and therefore paragraph 5.23 of the SPD is also of relevance:

Side extensions should:	**Yes - COMPLY**	**No - JUSTIFY**
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Due to the set back positioning of the extension, it does not overshadow any windows of neighbouring properties, thus,	

	ensures no significant impact to the levels of natural light neighbouring properties receive.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	As the property is set back from the neighbouring dwelling, the outlook from the proposed rear bedroom window will have no significant impact upon the neighbouring garden to the North East. Furthermore, there is heavy natural screening between properties, limiting the overlook.	
Two storey side extensions should:		
Not take up all or most of the space to the side of a house	A distance of 2.05m remains between the edge of the property and the site boundary, including a footpath providing external access to the rear garden.	
maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property	As outlined above, the proposal would comply with this.	
be set back at least 500mm from the front wall of the house		The proposal is not set back from the front wall of the house, however, the neighbouring property to the North East has erected a similar two-storey extension that also lies flush with the front elevation of the building. As a result, the proposed extension would fit the street

		scene and is deemed acceptable.

Design and Visual Amenity:

Summary of local street scene/character:
The application refers to 55 Springwood Hall Gardens which is a two-storey detached dwelling with main areas of amenity space being located to the rear of the property. The building predominantly uses the materials of brickwork, tiles, and uPVC doors and windows. The extension will also use these materials to match the original building. The dwelling lies in a varied street scene including a similar two-storey extension to the North East.

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 dwelling is located in a varied street scene that includes similar extensions to the one proposed. The materials used are to match the existing building.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The extension is not overbearing to the original property and uses matching materials, ensuring there is no significant impact to the original property.	✓
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	Two-storey in height and lies flush to the original building, appearing proportionate to the host property.	✓
Facing materials and detailing	• KDP 9 of the SPD	Brickwork and uPVC doors and windows are to be used, matching the existing building.	✓

	• Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF		
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	A tiled roof will be used on the extension to match the existing building.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Proposed uPVC windows and doors to the front and rear of the property are in proportion with those existing and well-aligned.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no amendments are to be made regarding accessibility.	✓

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:

- 57, Springwood Hall Gardens, Springwood, Huddersfield, HD1 4HA.

	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)	Due to heavy natural screening between the properties and the set back nature of the application property,	✓

	• Chapter 12 of the NPPF	there will not be any significant impact on the neighbours' privacy.	
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 set back nature of the property means there will be no significant loss of outlook or light for neighbours to deal with.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	The set back nature of the property means there will be no significant overbearing or overshadowing onto neighbouring properties.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	An acceptable amount of garden space will be retained at the property, including a large garden space to the rear and a small, grassed area to the front of the dwelling.	✓

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	The building is set back far enough from the main road (Springwood Hall Gardens) to have no significant impact upon highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The building will increase from 4 to 5 bedrooms, however, works to the front driveway to create additional parking spaces enables to parking	✓

		provision for 3 off-street spaces as required.	
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	There is nothing specific outlined in the plan, however, there is enough space on the stie to facilitate adequate 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:

	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	The proposal is not close enough to have any significant impact upon trees.	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	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	• 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

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: 2024/92496
Officer Recommendation: Conditional Full Permission

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.

NOTE: Due to its location, a bat roost 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 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
Climate Change Statement	-	-	05/09/2024
Location Plan	-	-	05/09/2024
Existing and Proposed Site Plans	24/311/IA08	-	05/09/2024

Plan Type	Reference	Version	Date Received
Existing and Proposed Side Elevations and Roof Plans	24/311/IA07	-	05/09/2024
Existing and Proposed Elevations	24/311/IA06	-	05/09/2024
Existing and Proposed Floor Plans	24/311/IA05	-	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: 15/10/2024