

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:	2024/62/92590/W
Site Address:	36, Syringa Street, Marsh, Huddersfield, HD1 4PD
Description:	Erection of extension to rear, refurbishment of basement with steps to front, formation of driveway and drop kerb
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 10-Sep-2025

The Site

The application site refers to 36 Syringa Street, a two storey mid terrace property located in Marsh, Huddersfield. The property is constructed from natural stone and natural slate roof tiles. It has a front and rear amenity space and is located on a residential road with properties of the same size and style.

The Proposal

The application is seeking planning permission for the erection of extension to rear, refurbishment of basement and the formation of a driveway and drop kerb.

Single storey rear extension:

The extension will project 3.5m from the rear wall of the original dwellinghouse and will span the full width of the property (5.85m). It will have a height to the eaves of 2.5m and an overall height of 3.7m with a lean-to roof. The walls will be natural stone to match existing and the roof is to be tiles in grey concrete roof tiles.

Formation of driveway and drop kerb:

The proposal involves the removal of the existing front boundary wall and front garden to create one off-street parking spaces. A driveway access will be created to span the entire frontage, providing vehicular access onto Syringa Street.

Refurbishment of basement:

The refurbishment of the basement will involve creating two storerooms and a bathroom in the basement. This will only be accessible internally.

History of Negotiations

The agent was contacted due to a formal objection from highways. The objection was due to there not being enough space at the site for two off street parking spaces. The agent sent amended plans which showed external stairs removed from plans which left space for a car parking space. This was deemed acceptable by highways officers.

Planning History

2005/91906 – Erection of ground floor rear extension – Conditional Full Permission.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a neighbour notification letters .

Final publicity date expired: 12th November 2024.

Three representations were received as a result of the publicity. These are summarised below:

Concerns with regard to the cellar:

- Excavation will impact foundations and weaken joining walls.
- May increase damp/flooding.
- Concerns that it will have an impact on the structural integrity of the adjacent properties.
- Issues such as water damage and mould may arise.
- Concerns with regard to electrical or water works.

Other:

- Concerns over construction noise
- Dropped curb would impact already strained parking situation
- Visual amenity concerns with regard to the parking space

Consultations

KC Highways: Objected to the original application which proposed two parking spaces as well as external steps to the basement to the front of the property.

They stated that:

These parking spaces scale 4.6m in width x 4.4m in length. These dimensions do not meet the recommended minimum dimensions of 4.8m x 5.0m and in any case the proposals leave insufficient space for pedestrian access to the dwelling. The proposal will result in vehicles over hanging the footway along Syringa Street which would not be in the best interests of highway safety. On-street parking along this section of Syringa Street will result in poor sight lines from the proposed parking spaces onto Syringa Street. Intervisibility between pedestrians and vehicles exiting the proposed parking spaces could be poor because of the height of the adjacent boundaries. HDM would recommend that the proposed parking is removed, or this application should be refused on highway safety grounds.

The agent submitted amended plans showing the external steps removed and only one parking space. This was supported by highways officers.

Allocation & Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Section 5.5 & 5.6 of the Council’s adopted House Extensions and Alterations SPD relates to single storey rear extensions it states single storey rear extensions can have an adverse impact on neighbouring properties and gardens. Careful consideration should therefore be given to the design of these extensions to ensure their height and windows do not harm the privacy of neighbours. It notes that single storey rear extension should:

- be in keeping with the scale and style of the original house; not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- not exceed 4 metres in height;
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters;
- and retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge

With regards to this application, although the property is a terrace house and the extension would project 3.5m in length, the height of the eaves would not exceed 2.5m and the overall height would not exceed 4m. It is noted that the extension would be built up to the boundary with each neighbour, however to each side there is a large boundary fence which given the low eaves height, would screen the majority of the extension. The extension would use natural stone to match the host property and would not impact first floor windows. Therefore, it is considered acceptable.

In terms of visual amenity of the formation of a hardstanding area to the front of the dwelling, this alteration would result in part of the driveway turned into a parking space whilst the pedestrian access would be retained. This would not result in a loss of soft landscaping within Syringa Street as this area doesn't host any soft landscaping, officers note that the wider street scene is characterised by a mix of both soft landscaped areas and hardstanding used. Given the varied frontage treatments along Syringa Street and as the area is already hard-landscaped, the development is not expected to result in a significant loss of visual amenity or detract from the character of the area.

With regards to the refurbishment of basement as this would not cause any external alterations (with the removal of the external steps from the scheme) this is considered acceptable from a visual amenity perspective.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.*
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”.*
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

With regard to residential amenity, the proposed parking area to the front of the property would introduce vehicles manoeuvring within close proximity to neighbouring properties. This would have some impact on amenity however it would also slightly reduce the pressure of on-street parking in the area. The driveway it is not considered to be detrimental with regard to overlooking, overbearing or overshadowing.

With regards to the basement refurbishment, this will now only involve internal works. Therefore, is not considered to be detrimental with regard to overlooking, overbearing or overshadowing.

The properties most likely to be affected by the rear extension are No.38 Syringa Street to the west and No.34 Syringa Street to the east.

Impact on No.38 Syringa Street:

With regards to privacy there will be no windows in the elevation facing this property and therefore privacy is not likely to be impacted. However, it is considered that there will be some level of overshadowing. Although, as this property is located directly west of the site, shadowing will be limited to the early

hours of summer months which is not considered reason for refusal. The boundary already has a ~1.8m boundary fence and wall which given the low eaves height of 2.5m, will screen a large proportion of the extension and mitigate against an overbearing impact. Therefore, it is considered that there will be no significant impact to this property.

Impact on No.34 Syringa Street:

This property is set at a further back position to No.36 meaning that the extension will only project 2.1m beyond the rear elevation of this property, reducing impact. Again, this boundary too already has a ~1.8m boundary fence which given the low eaves height of 2.5m, will screen a large proportion of the extension and mitigate against an overbearing impact. With regards to privacy there will be no windows in the elevation facing this property and therefore privacy is not likely to be impacted. Therefore, it is considered that there will be no significant impact to this property.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

Due to the nature of the proposal, and the potential impact upon highway safety, KC Highways Development Management have been consulted. In this case with the submission of amended plans officers consider that an off-street parking space would be of benefit to both the highway and parking provision in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

The space provided is considered acceptable to facilitate 1 no. off street parking spaces which is considered acceptable in this case and in accordance with the Highways Design Guide SPD, Key Design Principle 15 of the House Extensions and Alterations SPD and Policy LP22 of the Kirklees Local Plan.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

Drainage

It is considered reasonable and necessary in this instance to impose a condition on the decision notice stating that the surface should be designed in accordance with DCLG guidance on the permeable surfacing of front gardens to prevent flood risk through surface water run-off as noted above in the assessment on highway safety. This would also be in compliance with Policy LP28 of the Kirklees Local Plan and highway safety Policy LP21 as well as advice within the NPPF alongside Key Design Principle 14 of the House Extensions and Alterations SPD.

6 – Representations:

Three representations were received as a result of the publicity. These are summarised below:

Concerns with regard to the cellar:

- Excavation will impact foundations and weaken joining walls.
- May increase damp/flooding.
- Concerns that it will have an impact on the structural integrity of the adjacent properties.
- Issues such as water damage and mould may arise.
- Concerns with regard to electrical or water works.

Officer note:

There are no visual or residential amenity concerns with regard to the refurbishment of the cellar. The external steps have now been removed from the scheme. These concerns are not material planning considerations and will be assessed at the building control stage.

Other:

- Concerns over construction noise
- Dropped kerb would impact already strained parking situation
- Visual amenity concerns with regard to the parking space

Officer note:

See the 'visual amenity' section for the assessment of this concern. It is considered that the parking area would reduce off street parking. It is also considered unnecessary to enforce a construction times condition given the limited scale of the proposal.

7 – 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

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2024/92590

Officer Recommendation: Approve

Conditions

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 (as amended).

1. 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

2. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 15 of the Council's adopted House Extensions and Alterations SPD, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway and the changes to the access within the adopted

highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	-	-	04/10/2024
Existing and proposed elevations and floor plans	HD14PD36-v4 Page 1 and 2	-	20/08/2025
Application form		-	04/10/2024
Design and access statement		-	16/09/2024
Climate change statement		-	04/10/2024

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 2024 and otherwise actively engaged with the applicant in dealing with the application. The agent was contacted after receiving concerns from highways officers. Amended plans were sent with external stairs removed and only one parking space proposed.

Report Dated:

20/08/2025
