

**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:	2024/62/92654/W
Site Address:	74, Chiltern Avenue, Lindley, Huddersfield, HD3 3PF
Description:	Erection of single storey side extension
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.

John Holmes

AUTHORISED OFFICER

Date: 06-Nov-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/92654
Location	74 Chiltern Avenue, Lindley, Huddersfield HD3 3PF.
Proposal	Erection of single storey side extension.
Publicity end date	29/10/2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	No allocation 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

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 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	2008/90773 – ERECTION OF DETACHED BUNGALOW – REFUSED Given the nature of this proposal, the planning history is considered to be of limited weight as a consideration which is material to the determination of this case.
Consultations required	No	

Assessment

The application seeks permission for a single storey side extension.

The proposed extension has a maximum height of 6.52m with an eaves height of 2.71m. The extension is proposed to extend 3.5m from the side elevation of the original property with a depth of 6.65m.

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:

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

Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	The proposed extension will cause no significant overshadowing onto habitable rooms in neighbouring properties.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	The positioning of windows on the proposed extension means no viewpoints are possible into neighbouring gardens.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	The extension will extend 3.6m from the side elevation of the original building which has a width of 7.07m, therefore, not extending more than two thirds of the width of the original house.	
not exceed a height of 4 metres		The total height of the extension is 4.77m, however, the proposal is set down and back from the original building, with no overshadowing or overbearing effects on the original or neighbouring properties, therefore, is permissible.
be set back at least 500mm from the original building line to allow for a visual break	The extension is set back 3.74m from the front elevation of the original building.	

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Design and Visual Amenity:

Summary of local street scene/character:

The proposal refers to 74 Chiltern Avenue, a semi-detached property constructed from artificial stone, concrete roof tiles, and uPVC windows and doors. The style of the original building and proposed extension is similar to the neighbouring properties in the street scene.

The property benefits from a large garden area to the North West and rear, as well as a garage to the North West and large driveway to the front of the dwelling.

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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	All materials used to construct the extension are to match the existing building, therefore, there will be no significant impact on the local character of the area and surrounding street scene.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	The extension will use materials to match the existing building, as well as be set down and back from the original dwelling, thus having no significant impact on the original house.	✓
Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD 	The extension is subservient to the original building in height,	✓

	<ul style="list-style-type: none"> • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	scale, and massing, therefore, will have no significant impact in this regard.	
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	The walls are to be constructed using artificial stone, and windows and doors uPVC all to match the existing building.	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	The proposed roof is to be concrete tiles in order to match the existing dwelling.	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	All proposed windows are proportionate and aligned with existing windows in the home.	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF 	Private domestic extension – no alterations to general access arrangements.	✓

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:

- 72, Chiltern Avenue, Lindley, Huddersfield, HD3 3PF – Neighbouring property to the North East.

	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)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	No significant impact to this neighbour's privacy as the only window facing the property will serve a bathroom which would be conditioned to be obscured.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	The extension is not close enough to the neighbouring property to have a significant effect on light or outlook.	✓
Impact on overbearing or overshadowing	<ul style="list-style-type: none"> • KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	The extension is not close enough to the neighbouring property to have a significant effect regarding overbearing or overshadowing.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) 	Adequate garden space will remain at the application property.	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 		
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The proposal is considered sufficient distance from other neighbouring properties that it would not significantly impact upon their residential amenity. The proposal is therefore concluded to be 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	<ul style="list-style-type: none"> KDP 15 of the SPD Policy LP22 Parking (f) of the KLP Chapter 12 of the NPPF 	The extension is set far enough back from the closest road (Chiltern Avenue) to have no significant effect on highway safety.	✓
Parking provision	<ul style="list-style-type: none"> KDP 15 of the SPD Policy LP22 Parking (f) of the KLP Chapter 12 of the NPPF 	The extension does not affect the existing garage or driveway space and will not increase the number of bedrooms in the property, therefore, there is no significant impact on parking provision.	✓
Provision for waste storage	<ul style="list-style-type: none"> KDP 16 of the SPD Policy LP24 Design (d) (iv) Chapter 12 of the NPPF 	Although this is not detailed on the submitted plans, adequate space will remain on the site 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:

	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	<ul style="list-style-type: none"> • 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 on trees.	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	The property is not located in any areas of ecological interest, therefore, will have no significant impact on ecology.	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • KDP 14 of the SPD 	The rear garden and landscaping would be retained to allow for run-	✓

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 and be retained thereafter.

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.

4. The proposed ensuite window in the front elevation shall be fitted with obscure glazing to at least Level 3 on the Pilkington Scale (or equivalent) and be non-opening to a height of no less than 1.7m above floor level and retained as such thereafter.

Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan, principle 3 of the House Extensions and Alterations SPD and policy within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Climate Change Statement	-	23/09/2024
Site Plan	TQRQM24252145317327	23/09/2024
Location Plan	TQRQM24252151003583	23/09/2024
Proposed Plans and Elevations	2	23/09/2024
Existing Plans and Elevations	1	23/09/2024

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: 29/10/2024

