

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:	2024/62/92907/W
Site Address:	16, Greenhead Avenue, Dalton, Huddersfield, HD5 8EA
Description:	Erection of two storey side and single storey rear extensions
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.

John Holmes

AUTHORISED OFFICER

Date: 04-Dec-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/92907
Location	16, Greenhead Avenue, Dalton, Huddersfield, HD5 8EA
Proposal	Erection of two storey side and single storey rear extensions.
Publicity end date	25 th November 2024
Number of representations received	One. This will be discussed in the representations section of the report.
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	✓	

If 'No' to all above, proceed with a fast track report

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 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 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	Yes	The original submitted scheme raised concerns regarding the two storey side extension. It was recommended that the side extension be set back by 0.5m behind the front elevation of the

		existing dwelling and down from the roof ridge of the original house in line with the SPD. The agent submitted amended plans showing this. These plans will be assessed in the following report.
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

Assessment

This application seeks permission for the erection of a two storey side and single storey rear extension.

The single storey rear extension will project 3m from the rear wall of the house and will have a span across the rear of 8.15 meters, it will have a lean-to roof design with an overall height of 3m to the eaves and 4m to the topmost part of the roof.

The two storey side extension will project 3m from the southwest facing side elevation and will have a length of 7.6m along the existing building and at a single storey level will extend beyond the rear as part of the single storey rear extension.

the roof will be of a gabled roof design with a height to the eaves of 5.1m with an overall height of 8m.

The extensions will be constructed from brick and natural blue slate roof tiles to match that of the host property.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size,	Yes – there is a large garden area to the front	

with a general principle that at least half the garden area is retained	and rear more than half of this will be retained as amenity space. Usable private amenity space would be provided.	
Be set behind the original building, and not projecting beyond the sides		No – although the rear extension would project to the side of the property this would not project further than the two storey side extension which will be assessed later in the report.
Maintain external access to the rear garden	Yes – external access would be maintained.	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes – due to being single storey in height and having a limited projection considered to be keeping with the scale of the original dwelling. The usage of matching materials means the extension is considered to be in keeping with the style of the original house.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – does not cover more than half of the total area around the original house.	
not exceed 4 metres in height	Yes – it does not exceed 4 meters in height	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraced houses or	Yes – the house is an end of terrace property and the extension would not project more	

by 4 metres for detached properties	than 3 meters from the rear wall.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes – the projection would not exceed 3m. Eaves being 3m.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – the extension would be on the boundary line with No.14. However, weight is given to the PD fallback option of the single storey rear extension.

The Kirklees SPD sets out that 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.

Side extensions	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes – there are no properties located directly next to the southwest of the application site where the extension would be located therefore would not impact levels of natural light.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	Yes- although there is glazing to the front elevation and side elevation the closest properties/gardens to these elevations are over ~15m away. Furthermore, glazing already exists on these elevations therefore it is considered that the additional glazing will not cause any further significant harm.	
Two storey side extensions should:		

Not take up all or most of the space to the side of a house	Yes – the extension is set in from the side boundary of the property by 0.7m.	
maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property		No - a gap of only 0.7m would be maintained to the property boundary however there are no neighbouring properties directly adjacent to the southwest so this 0.3m shortfall is considered acceptable.
be set back at least 500mm from the front wall of the house	Yes – the amended plans show the extension is set back from the front elevation of the property by than 500mm	

Design and Visual Amenity:

The application site refers to 16 Greenhead Avenue, a two storey end of terrace property located in the area of Dalton, Huddersfield. The property is constructed from brick and benefits from garden amenity space to the front, side and rear.

The property is located in a residential area, where there is a sense of similarity on the same side of the road. This is because, these properties in the immediate vicinity to the application site share a similar style of design and construction, in that they are terraced and constructed from brick. The opposite side of the road hosts properties with a differing material pallet however they are of a similar scale to the host.

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

	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	As the side extension has been amended to be set in and set down from the original house it now creates a visual break from public viewpoints.	✓

	Chapter 12 NPPF	Many properties along the street have similar two storey side extensions so would not appear out of place within locale. The single storey rear extension would be set back behind the original house and two storey side extension so would not be largely visible from the street. In any case both elements would be constructed from matching materials so would not appear out of place within the streetscene.	
Impact on original house	- KDP2 of the SPD - Policy LP24 Design (c) and (d) of the KLP - Chapter 12 of the NPPF	Considered to be acceptable on the basis of being set back from the front elevation and being set in from the adjacent boundary in addition to being constructed from matching materials.	✓
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 side extension will both be set down from the existing roof ridge and set in from the front elevation and the rear extension will have a limited projection with a PD fallback option. The extensions have roof forms to harmonise with the original dwelling which means that in terms of height, scale and massing the extension would be subservient to the original house and the wider street scene.	✓
Facing materials and detailing	- KDP 9 of the SPD - Policy LP24 Design (d) (iii) of the KLP	The walls are proposed to be facing brickwork and natural blue slate roof tiles to match the existing property for the	✓

	Chapter 12 of the NPPF	extension. Condition recommended to ensure the materials match those of the host property.	
Roof style	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	Lean-to and gable roof form for the extensions to create a harmonious effect when viewed from public view points.	✓
Window proportions	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	There will be no windows in the side elevation facing onto No.14. There will be a single window and glazed bifolding doors to the rear northwest elevation and to the side southwest elevation. At the first floor level there would be no windows in the side elevation but an additional window in the front and rear elevations. This glazing is considered to be modest and therefore acceptable.	✓
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Chapter 12 of the NPPF	Private domestic extension – no alterations to general access arrangement. External access to the rear of the property will remain.	✓

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:

- 14 Greenhead Avenue – adjoined neighbour to the northeast – impact to this property will be assessed below.*
- There are no properties within 30m of the side or rear elevation and therefore the proposal would not have any significant impact to these.*

Furthermore the closest property to the front elevation is located at a separation distance of 15m and also would not be significantly impacted.

	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	There will be no openings within the northeast elevation facing No.14. Therefore the development will not cause significant impact to this 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 rear extension, although built up to the boundary, will have a limited projection of 3m. The impact of the development in this regard is not considered to be of such significance as to warrant refusal in this case. It should also be noted that there is likely a PD fallback option for this extension as the property benefits from PD rights.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Acceptable level of remaining garden space.	✓

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	N/A	N/A
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	There is additional bedroom proposed however the garage space would remain and in any case the driveway has sufficient space for 2 modern sized cars.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plan however sufficient space within site boundary.	✓

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	N/A	N/A
Impact on ecology	• KDP 12 of the SPD	While it is within a bat alert layer, the small	✓

	• Policy LP30 • Chapter 15 of the NPPF	scale alteration to the host would not have significant impacts to roosting potential. It is recommended that a bat 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 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
Objection – - The proposed extension to the rear would significantly reduce the level of privacy currently enjoyed by	While it is noted that the applicant property is on a slightly higher ground level it is also noted that the projection of the single storey rear extension would be limited to 3m. As the property benefits from full PD rights this element could likely be undertaken as permitted development. It is also noted that	✓

existing properties, particularly in relation to gardens. - Loss of light due to the property being located on a higher ground level. - This extension could set a precedent. - Overdevelopment of the site.	other properties on the street have side and rear extensions. The impact upon privacy / as a result of overshadowing is not considered to be significant in this case. It is considered minimal weight can be afforded the impact of the proposal with regard to precedent given all cases are subject to individual assessment on the basis of their own merit and the conclusions drawn in relation to the scheme as set out in the 'Assessment' section of this report insofar as the proposal is concluded as acceptable with regard to visual impact / impact upon amenity. The proposal is not considered to constitute over development due to the large plot and amount of garden area remaining. The proposal meets the requirements of principle 7 of the House Extensions and Alterations SPD in this regard.	
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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: 2024/92907

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 LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Key Design 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. Notwithstanding the plans submitted the external walls and roofing materials of the extensions 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, 9 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 42 of the Conservation of Habitats and Species Regulations 2017. 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
Location plan	01	-	10/10/2024
Grouped plans and elevations	02revC	2	26/11/2024
Climate change statement	-	-	10/10/2024
Application form	-	-	10/10/2024

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 2015 and otherwise actively engaged with the applicant in dealing with the application. The original submitted scheme raised concerns regarding the two storey side extension. It was recommended that the side extension be set back by 0.5m behind the front elevation of the existing dwelling and down from the roof ridge of the original house in line with the SPD. The agent submitted amended plans showing this. These plans have been assessed in the above report.

Report Dated: 05/12/2024