

**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:	2024/62/92984/E
Site Address:	34, Rydal Grove, Roberttown, Liversedge, WF15 7DN
Description:	Erection of two storey rear extension and associated alterations
Recommending Officer:	Edward Cheseldine

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 16-Dec-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/92984
Location	34, Rydal Grove, Roberttown, Liversedge, WF15 7DN
Proposal	Erection of two storey rear extension and associated alterations
Publicity end date	13-Dec-2024
Number of representations received	0
Kirklees Local Plan Allocation/Designation	None
Extension to Time (EoT)	N/A
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 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed 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 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	In order to satisfy a paragraph 1.11 of the House Extensions & Alterations Supplementary Planning Document, it was requested that a justification was submitted for the following:

		• Justification for the height of the extension, potentially by, • Indicating a 45 degree angle of outlook is preserved from neighbouring rear windows. • Indicating what the ground-floor window of the adjacent property serves • Justification for the flat roof design A justification was received which is considered throughout the report.
Parish/Town Council comments sought	None	
Planning History	None relevant.	
Consultations required	None required.	

Assessment

The Kirklees SPD sets out that two-storey rear extensions should comply with certain parameters set out at paragraph 5.8 on page 25 (and listed below) and if they do not, they need to be justified:

	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Be proportionate to the size of the original house and garden	Yes - Footprint calculations indicate there would be a less than 50% increase. The property has a modest residential curtilage, a significant proportion of which will be maintained.	
Not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings)	Yes – Footprint calculation show there would be a less than 50% increase in terms of building. A significant proportion residential	

	garden will be maintained.	
Not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties	The extension will project 2.95m from the original rear elevation.	
Not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary		The height of the extension will meet the eaves of the property. The two-storey extension will be ~5.30m. The adjoining property has a flat roof rearward extension that meets the height of the eaves. For symmetry, the height is considered acceptable in this instance. The extension will be across the width of the elevation. Given the appropriate scale of the extension, the width is acceptable, so long as it does not conflict with the adjacent windows of the neighbouring dwelling.
Not adversely affect habitable room windows where they adjoin a neighbour's boundary	The adjacent windows that appear on the rear elevation and on the side projection of the rearward extension are all obscurely glazed. Outlook will therefore not be affected. There will be a slight reduction in light from the formation of an extension, although due to the direction of the windows, there will	

	still be a flow of light into the rooms.	
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In addition to the rear extension, a skylight is proposed on the rear roof plane, which is acceptable in terms of visual amenity.

Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character: 34 Rydal Grove is a two-storey, semi-detached dwelling in Roberttown. It is formed of brick exterior walls, with a pitched roof clad in stone slates. The dwelling has a modest rear residential garden and a driveway to the front of the property. Properties on the street have a similar appearance to the application dwelling, however some have been modified over time. Some buildings have flat roof extensions 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.

	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 extension is formed of a rearward projection, which cannot be seen from the majority of the public vantage points within the street. The extension is residential in nature. Rear extensions are present in the immediate vicinity.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	In terms of an impact to the original house, the overall appearance of the dwelling will be residential in nature. The extension will appear simplistic and does not constitute a change in character.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD	Height, scale and massing meet the criteria	✓

	• Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	set out in the House Extensions & Alterations SPD, justifications have been submitted for elements which do not conform to the guidance and have been found acceptable. They are appropriate to the host dwelling and surrounding area.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposal consists of rendered exterior walls and glazing, with patio doors. The agent has identified that render is not a dominant material within dwellings on the street. In consideration of the material change, it is noted that the projection of the extension is modest, therefore mitigating its presence from the street. The extension is simplistic in design which matches the original sections of the dwelling. There will be a notable difference between the extension and the rear section of the dwelling, however the impact is not considered to be to the detriment of visual amenity.	✓
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 flat roof will be installed on the extension, which is acceptable in this instance given the adjoining dwelling features a similar roof design.	✓

Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Window proportions match the existing dwelling. New patio openings will be formed on the ground-floor. The larger openings are commonplace on residential dwellings and are an appropriate scale.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	This proposal is compliant with Kirklees accessibility policies.	✓

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: Are the considerations in the following table acceptable?

The main properties affected are:

- 36 Rydal Grove

	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 are no proposed windows on the side elevation of the extension. There will be an enhanced view from first-floor windows to the neighbouring outdoor amenity space, however given the existing outlooks, it is not considered there will be a change to the current privacy arrangements.	✓
Impact on light and outlook of neighbours (to	• KDP 4, 5, 6 of the SPD	Initially, 45 degree angles of outlook were requested, however	✓

sides, rear and front)	• Policy LP24 Design (b) • Chapter 12 of the NPPF	following a site visit, it was observed that the adjacent windows and side facing windows are obscurely glazed. The extensions will project past the rear facing windows by ~1.40m, with a gap of ~1.90m therefore the extension will not obstruct these windows. There will be a slight reduction in light from the formation of an extension, although due to the direction of the windows, there will still be an adequate flow of light into the rooms. The roof shape mitigates this impact further.	
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- 32 Ryland Grove

	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 are no proposed windows on the side elevation of the extension. There will be an enhanced view from first-floor windows to the neighbouring outdoor amenity space, however given the existing outlooks, it is not considered there will be a change to the current privacy arrangements.	✓
Impact on light and outlook of neighbours (to	• KDP 4, 5, 6 of the SPD	Due to distance, there will be no impact.	✓

sides, rear and front)	• Policy LP24 Design (b) • Chapter 12 of the NPPF		
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- 12 Balmfield Crescent

	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 an enhanced view from first-floor windows to the neighbouring outdoor amenity space, however given the existing outlooks, it is not considered there will be a change to the current privacy arrangements.	✓
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	Due to distance, there will be no impact.	✓

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?

	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	N/A	N/A

	• Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF		
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	This application is for an increase in residential amenity space increasing the number of bedrooms from 2 to 3. Parking arrangements currently consist of two spaces on the driveway, which will not be altered if the proposals were to be constructed. Given the increase in residential space, the parking arrangements are acceptable.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Side access for bin storage will not be removed, under current proposals.	✓

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?

	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

Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF		N/A
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	None.	✓

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
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:

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, 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 of the extension hereby approved shall be constructed in an off-white render, in Ivory or a similar colour.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	24/1040/01	-	18 October 2024
Existing block plan	24/1040/02	-	18 October 2024
Existing elevations	24/1040/03	-	18 October 2024
Proposed group plans	24/1040/04a	-	18 October 2024
Proposed block plans	24/1040/05	-	18 October 2024
Climate change statement	-	-	18 October 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.

In order to satisfy a paragraph 1.11 of the House Extensions & Alterations Supplementary Planning Document, it was requested that a justification was submitted for the following:

- Justification for the height of the extension, potentially by,
- Indicating a 45 degree angle of outlook is preserved from neighbouring rear windows.
- Indicating what the ground-floor window of the adjacent property serves
- Justification for the flat roof design

The supplied justification and accompanying site visit was sufficient in overcoming the design concerns.