

**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:	2024/62/93008/W
Site Address:	8, Charles Avenue, Oakes, Huddersfield, HD3 4GF
Description:	Erection of single storey rear extension and extend drop kerb for extra parking
Recommending Officer:	Molly Storer

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: 20-Dec-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93008
Location	8, Charles Avenue, Oakes, Huddersfield, HD3 4GF
Proposal	Erection of single storey rear extension and extend drop kerb for extra parking.
Publicity end date	4 th December 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated on 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 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
- 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 and geodiversity
- **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	No	

Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

Assessment

Description of development:

The application seeks planning permission for the erection of a single storey rear extension and extended drop kerb for extra parking to the front.

The rear extension would have a projection of 2.6m and a width of 3.8m. It is proposed to have a height to the eaves of 2.5m and an overall height of 3.5m with a lean-to roof form. It is proposed that the construction materials would be timber cladding with interlocking roof tiles.

It is also proposed that a section of walling to the front of the property would be removed and the existing dropped kerb would be extended to facilitate the widening of the access to create car parking space to the front of the 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, with a general principle that at least half the garden area is retained	Yes – ample garden area to the rear would be retained.	
Be set behind the original building, and not projecting beyond the sides	Yes – the extension would be set behind the original building and not project beyond the side elevations.	

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, located to the rear and having a width which is less than the original house, it is considered to be keeping with the scale of the original dwelling.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – the extension 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 terraces houses or by 4 metres for detached properties	Yes – the house is semi-detached and the extension would not project more 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.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – the extension would be built up to the boundary with No.6. However, this is considered acceptable as No.6 hosts a two storey rear extension which extends further (3.2m) along the same shaded boundary.

Design and Visual Amenity:

The site is a two storey semi-detached property located within an area without notion within the Kirklees Local Plan. The property is constructed from brick with grey roof tiles. The property is situated along a road where the topography of the road slopes down from north to south. The surrounding development consists of similar two storey semi-detached properties where the predominant construction material is brick. A number of properties in the immediate area have been altered or extended in some way.

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 	Limited views from public vantage points as will be located to the rear. The extension is a distance / design such that it is concluded that the extension would have an acceptable impact upon the street scene. The dropped kerb would be created along the public footway, which would be appropriate with regard to visual amenity, as it would not have a harmful impact upon the appearance of the site or the character of the street scene. There are other existing dropped kerbs on the same pavement therefore this proposal would not be detrimental on visual amenity of the street scene.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD 	Considered to be acceptable on the basis of being single storey,	✓

	<ul style="list-style-type: none"> • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	located to the rear and being set in from the north side elevation.	
Height, scale and massing	<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 	Single storey and less than the full width of the rear elevation – appears proportionate when viewed from side elevations and the height does not affect first floor windows.	✓
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 	Although the walling materials will not match, in this instance, timber cladding is considered acceptable due to the extension being located to the rear and not being visible from public viewpoints.	
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 	Lean-to roof design considered acceptable.	
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 	Bi-folding door proposed to the rear elevation and a single window proposed to the side elevation. Limited glazing considered acceptable.	
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:

10 Charles Avenue – property located to the north of the application site.

6 Charles Avenue – property located to the south of the application site.

	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 	There are no openings within the south side elevation of the extension. The openings located within the rear elevation would have no material impact on privacy given that these would be at ground floor level and overlook the applicants land. There is a single window proposed in the north side elevation however, No. 10 is located on a higher ground level which will limit the impact. It is also considered that this window will not cause any further harm than glazing which already exists on this elevation.	✓
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 	With regard to No.10 it is considered that the remaining separation distance from the extension to the property at No.10 of 4m would limit any significant loss of light. Furthermore, due to the property being set at a higher ground level and its single storey nature, it is considered that there will be no significant overlooking/overshadowing impact to this neighbour.	✓

		With regard to No.6, this property has a two storey rear extension projecting further than that proposed and therefore this property will not experience any overshadowing/overbearing impact as a result of the extension.	
Remaining garden space of application property	<ul style="list-style-type: none"> • 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: 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	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	The proposed extension to the dropped kerb to the front of the property will not give rise to any issues. The street is residential in nature with the principle of a dropped kerb being established.	N/A
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 	No additional bedrooms are proposed and the scheme will widen the existing access to provide additional parking provision and improve vehicular access. Therefore there is considered to be sufficient parking onsite. In the event that planning permission is approved, it	✓

		is recommended an informative be attached to the decision notice to include advice should a Section 184 agreement be required. In addition, due to the works required and to ensure drainage concerns are addressed a condition is essential from a highway safety and drainage perspective. This is in line with Policies LP21, LP22, LP24, LP28 and LP34 of the Kirklees Local Plan, design principles of the SPD and the Council's Highways Design Guide.	
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 	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: 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	<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 	N/A	N/A
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD 	N/A	✓

	<ul style="list-style-type: none"> • Policy LP30 • Chapter 15 of the NPPF 		
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 • 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: 2024/93008

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. 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. The development shall be retained as such.

Reason: In the interests of highway safety and to ensure that the additional hardstanding is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan, Key Design Principle 14 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and Chapter 14 of the National Planning Policy Framework.

NOTE: 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	CA-2053(0)	-	25/10/2024

Plan Type	Reference	Version	Date Received
Existing plans	CA-2051(a)	-	25/10/2024
Proposed plans	CA-2052(a)	-	25/10/2024
Application form	-	-	01/11/2024
Climate change statement	-	-	25/10/2024

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated:

24th December 2024