

**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:	2024/62/93066/W
Site Address:	19, Regent Road, Kirkheaton, Huddersfield, HD5 0LW
Description:	Erection of single storey front 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: 07-Jan-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93066
Location	19, Regent Road, Kirkheaton, Huddersfield, HD5 0LW.
Proposal	Erection of single storey front extension.
Publicity end date	05/12/2024.
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 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 9: Construction materials
- 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	Yes	Kirkburton Parish Council have been consulted regarding the application.
Planning History	Yes	93/03668 – Conversion of part of garage to granny flat – Conditional Full Permission.

		94/93600 – Erection of dormer bedroom – Conditional Full Permission. 99/90475 – Erection of conservatory – Conditional Full Permission.
Consultations required	Yes	KC Environmental Health – The environmental health team provided the following response regarding the site being within a hazardous material site: <i>We have reviewed this application and supporting documents and do not consider there to be any significant Environmental Health impacts with this development. Therefore, we have no objections to permission being granted.</i> <i>We recommend a condition to control the hours of construction to protect the amenity of neighbouring occupiers.</i>

Assessment

The application seeks permission for the erection of a front extension.

The proposed extension will project a maximum of 2.22m from the front elevation of the existing building, with a maximum height of 4.1m, eaves height of 2.13m, and a width of 5.29m.

The Kirklees SPD sets out that front extensions should comply with certain parameters set out at paragraph 5.14 on page 27 (and listed below) and if they do not, they need to be justified:

Single storey front extensions permitted where:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
The house is set well back from the pavement or is well screened	The proposed extension is set back adequately from the pavement.	
The extension is small, subservient to the original building, well-designed and would not	The extensions is to be subservient to the original building, not overbearing the original	

harm the character of the original house or the area	property, and thus not harming the character of the original house or local area.	
The materials and design match the existing features of the original house	The proposed materials include brick walls and a tiled roof which is to match the material used on the existing building.	
The extension would not unreasonably affect the neighbouring properties	Due to the small scale nature of the proposed extension, it is considered that there would be no unreasonable effects on neighbouring properties.	

Design and Visual Amenity:

Summary of local street scene/character:

19 Regent Road is a two-storey semi-detached property constructed from mainly brick walls and tiled roofs. The property is located in a varied street scene of single and two-storey semi-detached properties. The dwelling benefits from amenity space to the front with a hard-standing parking area, as well as a garden area and garage 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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	The extension is subservient to the original house, and the proposed materials are to match the existing building, therefore, it is considered that there will be no significant impact on the local character and 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 	There will be no significant impact on the original house due to the subservience and matching character of the extension.	✓
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 	The extension is set to be subservient to the original building in terms of height, scale, and massing.	✓
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 extensions is proposed to be constructed using materials which match the existing property. Condition recommended to ensure this is the case.	✓
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 roof is subservient to the existing, constructed using tiles. Condition to ensure they match recommended.	✓
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 to be proportionate to those existing in the dwelling in terms of size and positioning.	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF 	Private domestic extension – no alternate access arrangements required.	✓

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:

- 21, Regent Road, Kirkheaton, Huddersfield, HD5 0LW – Neighbouring property to the West.
- 17, Regent Road, Kirkheaton, Huddersfield, HD5 0LW – Neighbouring property to the East.
- 34, Regent Road, Kirkheaton, Huddersfield, HD5 0LW – Neighbour opposite.
- 32, Regent Road, Kirkheaton, Huddersfield, HD5 0LW – Neighbour opposite.

	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 	Due to the limited scale of the proposal it is considered that there will be no significant impact on the privacy of neighbours.	✓
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 	As aforementioned, due to the limited scale and projection of the proposal it is considered that there will be no significant impact on light and outlook of neighbours.	✓
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 	Due to the limited projection of the proposed extension, it is considered that there will be no significant overbearing or overshadowing impact on neighbouring properties.	✓
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 	The property will retain all rear garden space which is considered acceptable.	✓

The proposal would see a 2m projection along the shared boundary, it is noted a window to the front of the neighbouring property is in proximity to the shared boundary. The scale of the projection and the design of the roof is such that the impact of the proposal upon this window is not considered to be significant in terms of oppressiveness / overbearing or leading to a significant degree of overshadowing. It is considered that refusal on grounds of impact to this window could not be substantiated in this case.

The response of the Environmental Health Team is noted, and an informative note is recommended to be included in relation to construction noise. Given the scale of the proposal, it is considered this is a proportionate approach in this case in relation to construction noise.

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	<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 is set far enough back from the nearest road (Regent Road) to have no significant impact 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 submitted plans outline adequate parking provision for two off-street parking spaces on the application site, which is considered acceptable.	✓
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 nothing specific is detailed in the submitted plans, there is adequate space 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 upon trees.	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	The property does not lie within any areas of ecological interest.	✓
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:

Document and policies within Chapter 12 of the National Planning Policy Framework.

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Forms	-	-	28/10/2024
Climate Change Statement	-	-	28/10/2024
REGENT ROAD – EXISTING	801 – 001	-	28/10/2024
REGENT ROAD – PROPOSED	801 – 002 - RevB	-	28/10/2024

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: 05/12/2024