

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:	2024/62/93091/W
Site Address:	15, School Lane, Berry Brow, Huddersfield, HD4 7LT
Description:	Erection of single storey side extension with conservatory to rear elevation and associated external works
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: 19-Dec-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93091
Location	15, School Lane, Berry Brow, Huddersfield, HD4 7LT.
Proposal	Erection of single storey side extension with conservatory to rear elevation and associated external works.
Publicity end date	11/12/2024
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
- 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 31** – Strategic Green Infrastructure Network
- **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 12: Natural environment
- 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	No	
Consultations required	No	

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Assessment

The application seeks permission for a single storey side extension.

The proposed side extension would project 1.5m from the side elevation of the existing building, with a maximum height of 2.72m, eaves height of 2.46m, and a depth of 4.02m.

The proposed conservatory to the rear of the property would project a maximum of 3m from the rear elevation of the existing house, with a maximum height of 2.99m, eaves height of 2.11m, and a width of 3.14m.

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 side extension would not be close enough to any windows of neighbouring properties to have a significant impact upon natural light.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	The extension is not proposed to have any windows in the side elevation.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	The extension would extend only 1.5m from the side elevation of the existing house, whereas the original building has a width of 7.83m.	
not exceed a height of 4 metres	The extension is proposed to have a	

	maximum height of 2.72m.	
be set back at least 500mm from the original building line to allow for a visual break		The extension would only be set back 170mm from the front elevation of the existing building, however, due to the placement of the extension between properties, the impact is not considered to be significant in this case as a result of a reduced level of set back and it is considered acceptable in this regard.

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	At least half of the garden would be retained despite the erection of the proposed rear conservatory.	
Be set behind the original building, and not projecting beyond the sides		0.29m of the proposed rear extension would be projecting beyond the side of the original house, however, the erection of the proposed side extension would screen this and this element would not be highly visible from the street. As a result, it is considered that this is acceptable.
Maintain external access to the rear garden	A path maintaining external access to the rear garden will be retained.	
Single storey rear extensions should:		

be in keeping with the scale and style of the original house	All materials proposed to construct the extension will be in keeping with the original building.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	At least half of the total area around the house will be retained.	
not exceed 4 metres in height	The proposed conservatory will have a maximum height of 2.99m.	
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	The proposed extension will project exactly 3m from the rear elevation of the original house, which complies with the allowed dimensions for semi-detached properties.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	The eaves height of the proposed extension is 2.11m.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	The gap retained from the extension to the property boundary is a minimum of 1.11m.	

Design and Visual Amenity:

Summary of local street scene/character:

15 School Lane is a semi-detached property located in a neighbourhood of semi-detached and terraced homes of a similar character, age, style, and size. The property benefits from a small amenity space to the front alongside a hard-standing parking area, garage, and garden area 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	Further comments	✓ / X / N/A
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	the Kirklees Local Plan and the NPPF		
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	All materials proposed for the construction are to match the existing building or parts of the street scene, therefore, it is considered that there will be no significant effect on the local character and street scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The extensions are subservient to the original building; therefore, it is considered that there will be no significant impact on the original house.	✓
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	As aforementioned, the extensions are subservient to the original building in terms of height, scale, and massing.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposed wall material is brick and render to match the original house, alongside uPVC windows to also match the existing building.	✓
Roof style	• 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 material is EPDM single ply roofing rather than the existing tiles; however, this material is prominent within the street scene on outbuildings and garages, therefore, it is considered acceptable.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c)	All proposed windows are proportionate in terms of size and positioning to those in the existing building.	✓

	and (d) of the KLP Chapter 12 of the NPPF		
Accessibility for all users	- KDP 17 of 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:

- 17, School Lane, Berry Brow, Huddersfield, HD4 7LT – Neighbour to the South.

	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	The side extension contains no windows in the side elevation towards the neighbouring property, whereas the proposed conservatory to the rear is set away from the boundary, with intervening boundary screening able to be installed through utilisation of pd rights. The distance of the side elevation in relation to neighbouring occupiers is such that refusal on the basis of overlooking could not be substantiated in this case particularly having regard to potential screening that can be installed (and also the extent of development able to be	✓

		undertaken at the host property under pd rights in relation to rear extensions). As such it is considered refusal on grounds of impact of openings from the side elevations of the conservatory could not be substantiated in this case.	
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 the proposals being single storey, as well as their positioning, it is considered that there will be no significant effect on light and outlook on neighbours.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As aforementioned, due to the scale of the proposals and their placement on the site, it is considered that there would be no significant impact in terms of overbearing and overshadowing.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The property will retain at least half of the current garden space, which is considered to be acceptable.	✓

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	The proposals are set far enough back from the nearest road (School	✓

	• Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	Lane) to have no significant impact on highway safety.	
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The property will not result in the loss of any current parking provision and will not add any bedrooms as a result of the works; therefore, the parking provision remains acceptable.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Although nothing specific is detailed on 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	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	The proposals are not close enough to have any significant impact upon trees.	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	While the site is within a bat alert layer and twite buffer, the nature of the proposal is not considered to have significant impacts to roosting potential. It is	✓

		recommended that in this case an appropriate approach of the LPA is the inclusion of an informative note upon and grant of permission which alerts the applicant of their private responsibilities if any signs of bats or twites, 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 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: 2024/93091

Officer Recommendation: Conditional Full Permission

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. Notwithstanding the plans submitted the external walls and roofing materials of the development 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.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Application Forms	-	05/11/2024

Plan Type	Reference	Date Received
Climate Change Statement	-	06/11/2024
Plans, elevations and views as existing and proposed	2425-01	05/11/2024

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: 11/12/2024