

**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:	2024/62/93098/E
Site Address:	37, Snelsins Road, Cleckheaton, BD19 3UE
Description:	Erection of single and two storey side 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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 03-Jan-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93098
Location	37, Snelsins Road, Cleckheaton, BD19 3UE.
Proposal	Erection of single and two storey extension.
Publicity end date	17/12/2024
Number of representations received	1
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
- **LP 53** – Contaminated and unstable land

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	Yes	<p>2004/94062 – Erection of 153 No. townhouses and apartments and formation of public open space and school drop off point – Withdrawn.</p> <p>2004/95600 – Erection of 136 townhouses and apartments and formation of public open space – Conditional Full Permission.</p> <p>2022/92628 – Confirmation of compliance of conditions on previous permission 2004/95600 for erection of 136 townhouses and apartments and formation of public</p>

		open space – Compliance with Conditions.
Consultations required	Yes	KC Highways – The highways team requested the submission of a parking layout plan for three off-street parking spaces. This was submitted by the applicant and deemed acceptable by the highways team, therefore, there are no objections to this proposal.

Assessment

The application seeks permission for a two-storey and single storey side extension (incorporating the existing single storey side extension).

The proposed side extension will have a maximum height of approximately 8.3m, an eaves height of 6.5m, projecting around 3.2m from the side elevation of the existing building, with a width of 7m.

The Kirklees SPD sets out that two storey side extensions should comply with certain parameters set out at paragraphs 5.16 and 5.20 on pages 28 and 29 (and listed below) and if they do not, they need to be justified. In addition, the proposal site lies within a corner plot and therefore paragraph 5.23 of the SPD is also of relevance:

Side extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	The neighbouring property closest to the proposal has no windows in the North West facing elevation, therefore, it is considered there will be no significant impact on the natural light into habitable rooms in neighbouring properties.	
Positioning windows to minimise or avoid any	The proposed rear window in the	

potential overlook into neighbouring gardens	extension will not facilitate overlooking to a degree that warrants the application to be refused, therefore, it is considered acceptable.	
Two storey side extensions should:		
Not take up all or most of the space to the side of a house		All of the space to the side of the house is taken up, however, the street scene contains houses in close proximity to each other, therefore, there would be no terracing effect or significant impact on the local character and street scene.
maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property		A 1m gap is not retained to the side boundary however, as aforementioned, a terracing effect is avoided and there is no significant impact on the local character and street scene.
be set back at least 500mm from the front wall of the house		The extension is only set back 300mm from the front elevation of the existing dwelling, although this combined with the set-down from the ridgeline of the dwelling would ensure that the extension would appear subservient in relation to the host dwelling.

Design and Visual Amenity:

Summary of local street scene/character:

37 Snelsins Road is a two-storey detached property constructed primarily from artificial stone, Marley type grey concrete roof tiles, and white uPVC windows. The application property is surrounded by homes of a similar style, character, size, and age. Moreover, the dwelling benefits from amenity space to the front, alongside a hard-standing driveway and garage to the side, as well as a garden space 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 	As the extension is to be constructed using materials to match the existing building, it is considered that the impact on the local character and street scene will not be significant.	✓
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 	The extension is subservient to the original building and is to be constructed using matching materials, therefore, the impact on the original house will not be significant.	✓
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 	The proposal is subservient to the original building in terms of height, scale, and massing.	✓

	<ul style="list-style-type: none"> • Chapter 12 of the NPPF 		
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 walls are proposed to be beige coloured 'stone effect' concrete blocks and the windows white uPVC, both to match the existing building.	✓
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 set to be constructed from Marley type grey concrete roof tiles to match the existing building.	✓
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 proportionate to those existing in the building in terms of size and positioning.	✓
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 alternate access arrangements required.	✓

The design of the proposal is therefore acceptable and accords with Policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 35, Snelsins Road, Cleckheaton, BD19 3UE – Neighbouring property to the South East.
- 30, Laithe Hall Avenue, Cleckheaton, BD19 6UB – Neighbouring property to the rear.
- 32, Laithe Hall Avenue, Cleckheaton, BD19 6UB – Neighbouring property to the rear.

	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 heavy screening to the rear of the property and presence of new windows in the side elevation of the neighbouring dwelling to the South East, 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 	Due to the positioning of the extension and, as aforementioned, the absence of windows in the side elevation of the South East neighbour, it is considered 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 	As the proposal is positioned to the front of the existing side extension of the application property, and it is in close proximity to the neighbouring	✓

		dwelling, there will be no significant impact on overbearing or overshadowing.	
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 application property will retain at least 50% of its garden space, which is considered 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	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	As the submitted parking layout plan has identified the ability for three parking spaces on the site, it is considered that the proposal would 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 	A parking layout plan detailing three off-street spaces was submitted at the request of the highways team, and this has been deemed acceptable by the highways team, therefore, the parking provision is 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 will be adequate space on site for waste storage.	✓
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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 	While the site is within a bat alert layer on the Council's GIS mapping system, 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 potential to disturb those protected species are found.	
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
A timescale to be applied to the completion of the works was requested.	This is deemed immaterial and does not carry any significant weight to the outcome of the proposal.	✓
Consider the location of skips/extra vehicles throughout the works to maintain highway	This is deemed immaterial and does not carry any significant weight to the outcome of the proposal.	✓

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 and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

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.

4. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and guidance contained within Chapter 15 of the National Planning Policy Framework.

5. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the

Communities and Local Government; and Environment Agency’s ‘Guidance on the permeable surfacing of front gardens (parking areas)’ published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout to mitigate flood risk and in accordance with Policies LP 21 and LP 22 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework

NOTE No construction related noise shall be audible beyond the site boundary outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Public Holidays.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

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
Application Forms	-	-	11/11/2024
CCS	-	-	11/11/2024
Grouped Plans and Elevations	02 issue C – Proposed	-	11/11/2024

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	01 issue B – Existing	-	11/11/2024
Location Plan	-	-	11/11/2024
Proposed Site/Block Layout	05B	-	11/11/2024
Existing Site/Block Layout	05A	-	11/11/2024
Proposed Parking Plan	-	-	02/12/2024

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: 17/12/2024