

**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:	2024/62/93117/E
Site Address:	8, York Place, Cleckheaton, BD19 3PA
Description:	Erection of two storey extension
Recommending Officer:	Faiza Bano

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	2024/93117
Location	8, York Place, Cleckheaton, BD19 3PA
Proposal	Erection of two storey extension
Publicity end date	29 TH December 2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	LP Green Space - Strategic Green Infrastructure Network, LB Airport Consult - Area 1, DEVELOPMENT_LOW_RISK_AREA
Extension to Time (EoT)	Yes Date:
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	No	N/A
Parish/Town Council comments sought	No	N/A
Planning History	Yes	<u>Planning Ref: 2011/92337</u>

		<p>Location: 8, York Place, Cleckheaton, BD19 3PA Proposal: Erection of external balcony Decision: RF - REFUSED Decision Date: 2011-11-23</p> <p>Planning Ref: 2015/93122 Location: 8, York Place, Cleckheaton, BD19 3PA Proposal: Erection of balcony to rear Decision: RF – REFUSED (Appeal Dismissed) Decision Date: 2015-12-07</p>
Consultations required	No	N/A

Assessment

The Kirklees SPD sets out that two storey side extensions should comply with certain parameters set out at paragraph 5.20 on page 29 (and listed below) and if they do not, they need to be justified:

Two Storey Side Extensions Should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
not take up all or most of the space to the side of a house;		No – the proposed extension projects out by approximately 5 metres. The design and scale are in keeping with the character of the area. No significant adverse effects will occur on neighbouring properties due to the application site being a corner plot. The extension provides essential space and functionality. Considered acceptable.
maintain a 1 metre gap to the side boundary to ensure the building is not too close to a		No – the application site is detached and the proposed development will include and build above

neighbouring property; and		the garage which is located along the boundary. The side elevation of this property will be in line with 72 High Street.
be set back at least 500mm from the front wall of the house.		Set back 490mm from the front wall and set below the original ridge line - considered acceptable.

Balconies and roof terraces should be:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens.	The proposed balcony will be positioned between the proposed two storey extension and northern corner of the existing dwelling. The rear boundary is screened by a very large hedge and the openings facing the rear of the application site from neighbouring properties are considered non-habitable. The positioning of the proposed balcony will not raise any concerns for privacy and overlook neighbouring homes.	
Sited away from locations that are sensitive to additional noise levels or disruption.	Yes – the extension is residential and will not be disproportionate to the site and neighbouring areas and is sited away from areas that are sensitive to additional noise levels or disruption. The balcony is located to the rear of the property on a slight slope overlooking the rear garden.	

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

Summary of local street scene/character:

The site to which the application site relates to is number 8 York Place. The property is a two-storey semi-detached dwelling constructed from coursed

stone and is roofed with slate tiles. The property benefits from a garden to the front, side and rear, with an accessible driveway to the front. The property is situated within a residential area and the street scene encompasses several dwellings that vary in terms of size, design and scale.

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 generally modest in scale and due to the application site sitting on a corner plot, the proposed development would not appear overly prominent. The proposed development would be located to the side and rear of the property and will not impact the character or street scene across the frontage of the property. the proposed development will be in line with neighbouring property 72 High Street. Balconies can be seen as a feature of the locality and therefore this would not significantly affect the local character of the area.	✓
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 	<p>The original property would remain the dominant feature.</p> <p>Due to the small scale of the balcony, it would be subservient to the original house. The additional opening to the rear is also not</p>	✓

		considered to have any significant negative impact to the original house.	
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 	<p>As above. The extension would project across the side of the property. The proposed development consists of a two-storey extension to the side.</p> <p>The balcony would project across the rear of the property and the scale and massing is limited. The balcony has an 'L' shape which would provide an additional 2.2m width along the side elevation of the proposed extension and 3m along the rear elevation of the original dwelling. In addition, the balcony's lightweight appearance will reduce its impact and will project out 1m across the first floor level.</p>	✓
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 	Facing materials to match existing.	✓
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 	Hipped roof style to extensions. The two-storey side extension features a hipped roof. The roof style is acceptable as it is in-keeping with the original roof style of the host property.	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD 	Modest size windows in extensions, which would	✓

	<ul style="list-style-type: none"> • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	be in-keeping with existing building.	
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 which would provide easy access into the main house.	✓

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: Are the considerations in the following table acceptable?

The main properties affected are:

- 72 High Street - the proposed extensions will not overshadow this property or its garden space. The proposed development will be in line with the building line of this property which will allow the extension to blend in seamlessly. Due to the height/scale and distance between the proposed works and boundary, there will be no impact on the first floor. No/limited impact to number 72, extension is designed ensure privacy to neighbours and will not produce conflict relating to light and outlook.
- 7 York Place – located to the south of the application site. Shall see the erection of the two-storey extension and balcony. However, the opening that face the application site for this property are considered non-habitable. Therefore, no issues regarding loss of privacy.
- 36 Wesley Street – located to the east of the application site – Shall see the erection of a two-storey extension. However, due to this property sitting on a lower topographical level, there will be no impact on this property. Thus, no issues regarding loss of light and outlook on this property.
- 38 and 40 Wesley Street – No impact on these properties.
- 15, 16 Claremont Street – Located to the rear of the application site. The rear elevations of this property face the rear elevation of the application site. The impact on these properties needs assessing due to the balcony that is a part of this application. 15 and 16 Claremont Street are sited upon a higher topographical level. The openings that face the application site are situated within the first-floor level of the rear elevation and these openings are considered non-habitable. In

addition, the large hedge will obstruct any direct line of sight into neighbouring properties and their amenity areas.

Previous planning applications for a balcony were refused due to privacy and visual amenity concerns, and the refusal was upheld on appeal in relation to application ref 2015/93122.

In this application, the proposed development includes a side extension, which effectively addresses the previous visual amenity concern, specifically from the main road. The extension ensures that the balcony will not be visible from the road, thereby preserving the visual amenity of the area.

Furthermore, an assessment of the floor plans for properties at the rear reveals that the openings are for non-habitable rooms, specifically a stair landing and a bathroom. The bathroom window features frosted glass, which significantly reduces any potential privacy issues.

Additionally, the hedge at the rear boundary has significantly grown since the previous application. While it can be trimmed, the larger hedge currently enhances privacy for both the applicant and the neighbours.

The proposed development complies with local regulations, ensuring that all design elements meet the required standards for privacy and visual amenity. By incorporating these measures, the development mitigates the concerns that led to the previous refusal, providing a balanced solution that respects both privacy and visual amenity.

	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 	Acceptable for the reasons set out above.	✓
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 above.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD 	As above.	✓

	<ul style="list-style-type: none"> • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 		
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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 	Parking is predominantly provided on-street and in curtilage, which remains acceptable due to the location of this property and the neighbouring houses. There would be no net loss of parking provision as a result of the application, which proposes an integral garage, replacing the existing detached garage.	✓
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 	<p>Maintains appropriate access and off-street in-curtilage parking.</p> <p>The application proposes to reduce the height of the existing walls along the northern boundary to ensure that visibility is improved at the junction.</p>	✓
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 plans however, there is sufficient space within the red line boundary to allow for storage on site.	✓

		Condition not considered necessary.	
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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: 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	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	N/A	✓
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.	✓

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	001 Existing		07-Nov-2024
Grouped Plans and Elevations	002 Proposed		07-Nov-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: