

**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:	2024/62/93203/W
Site Address:	26, Southlands, Kirkheaton, Huddersfield, HD5 0JU
Description:	Demolition of existing garage and erection of two storey side extension and associated alterations
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: 15-Jan-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93203
Location	26, Southlands, Kirkheaton, Huddersfield, HD5 0JU.
Proposal	Demolition of existing garage and erection of two storey side extension and associated alterations.
Publicity end date	02/01/2025
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

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, no response received.
Planning History	Yes	2002/92660 – Erection of kitchen/dining extension – Conditional Full Permission.
Consultations required	Yes	KC Highways – KC Highways requested the submission of a parking plan detailing three off-street parking spaces on the application site.

		The agent has since provided an acceptable plan, therefore, there are no objections from KC Highways.
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Assessment

The application seeks permission for a two storey side extension.

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	No windows to habitable rooms in neighbouring properties will be significantly affected by the proposed extension, as the only windows within the scope of the extension or to non-habitable rooms.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	The proposed windows in the rear of the extension will not significantly increase the potential to overlook into neighbouring gardens, as windows already exist in the rear elevation of the application property at the same height, therefore, it is considered no significant increase in overlooking would occur.	
Two storey side extensions should:		

<p>Not take up all or most of the space to the side of a house</p>		<p>All of the space to the side of the house will be taken up as a result of the proposed extension, however, the agent has provided plans detailing compliance with the required parking provision. The proposal would be similar to that of the adjoining property in terms of extending up to the boundary.</p>
<p>maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property</p>		<p>No gap to the side boundary is maintained, however, it is considered that this does not cause a terracing effect with the neighbouring property as a sufficient gap is still retained between the dwellings.</p>
<p>be set back at least 500mm from the front wall of the house</p>		<p>The proposed side extension lies flush with front elevation of the original property, however, other side extensions in the street scene also lie flush with the front elevation of the original house, including that of the adjoining neighbouring dwelling, therefore, the proposal is considered acceptable in this regard.</p>

Design and Visual Amenity:

Summary of local street scene/character:

26 Southlands is a semi-detached property constructed from primarily red brickwork and uPVC cladding walls, grey tiles and felt roofs, and white uPVC doors. The dwelling benefits from amenity space to the front, a driveway and a garage to the West, and a 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 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 not considered to be disproportionate in relation to the existing building on the basis of its projection to the side and fact it would be read as part of the pair of semi-detached properties to which it is attached, with similar development to the adjoining building and is to be constructed using materials to match the original dwelling, 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 	As the extension is to be constructed using materials to match the existing building, and the proposal is considered to be of a suitably subservient design in relation to the host property in this case, it is considered there will be no significant impact on 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 	The extension matches the existing building, in terms of height, scale, and massing. This is concluded acceptable in this case taking account of the adjoining property and development of that dwelling.	✓

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 set to be constructed from brickwork and uPVC cladding to match the existing building. Furthermore, most new windows and doors are to be white uPVC, matching the host property, with the new garage door being constructed from white steel, matching others in the street scene.	✓
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 proposed roof is set to be constructed using grey tiles and felt, both of which are 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 of the proposed windows are proportionate to those in the existing 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 policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 24, Southlands, Kirkheaton, Huddersfield, HD5 0JU – Neighbouring property to the West.
- 39, Southlands, Kirkheaton, Huddersfield, HD5 0JU – Property directly opposite the application site.

- 41, Southlands, Kirkheaton, Huddersfield, HD5 0JU – Property directly opposite the application site.
- 12, Southlands, Kirkheaton, Huddersfield, HD5 0JU – Neighbouring dwelling 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 	As windows to the rear of the application property already exist at the same elevation as the proposed windows, it is considered that there will be no significant impact on the privacy of surrounding properties as a result of these. Furthermore, there are no windows proposed in the side and only a roof light to the front roofslope which is at an angle and set further back than existing windows in the front dormer. The proposal is therefore considered to be acceptable in this regard.	✓
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 	The extension is not considered to have a significant impact on the windows of habitable rooms in neighbouring properties, any potential impacts on light and outlook of neighbours are not considered to be significant given the scale and nature of the development proposal being on land to the side of the existing building.	✓

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 	The extension is not considered to be overbearing to the original building, it can be considered from its limited projection that there will be no significant impact on overbearing or overshadowing onto 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 application property will retain almost all of its rear garden space, which is considered an acceptable amount.	✓

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 highway (Southlands) 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 	As previously set out, the agent has fulfilled the request for a parking plan by the KC Highways team, detailing three off-street parking spaces on the site. The plan has been considered acceptable, therefore, there are no objections	✓

		from a parking provision standpoint.	
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 within the submitted plans, there is adequate space on the application 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 site is not located in an area 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 	The rear garden and landscaping would be	✓

	<ul style="list-style-type: none"> Policy LP24 (d) (vii), LP27 and LP34 of the KLP 	retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	
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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
Kirkburton Parish Council have been consulted but no response has been received regarding the case.	Noted.	✓

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: 2024/93203

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. 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 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	Version	Date Received
Application Forms	-	-	11/11/2024
Climate Change Statement	-	-	22/11/2024
Location Plan	PL100-110	-	11/11/2024
Existing Block Plan	PL100-111	-	11/11/2024
Proposed Block Plan	PL100-112	-	11/11/2024
Existing and Proposed Ground Floor Plans	PL100-113	-	11/11/2024
Existing and Proposed First Floor Plans	PL100-114	-	11/11/2024
Existing and Proposed Elevations	PL100-115	-	11/11/2024
Proposed Block Plan	PL100-112B	-	09/01/2025

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: 09/01/2025

