

**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:	2024/62/93351/E
Site Address:	35, Pinfold Lane, Mirfield, WF14 9HZ
Description:	Erection of single storey rear extension and part first floor extension with extended dropped kerb and parking area to front
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.

John Holmes

AUTHORISED OFFICER

Date: 06-Feb-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93351
Location	35, Pinfold Lane, Mirfield, WF14 9HZ
Proposal	Erection of single storey rear extension and part first floor extension with extended dropped kerb and parking area to front
Publicity end date	31 st January 2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	Unallocated, LB Airport Consult Area 1, Low Risk Coal Area, Bat Alert
Extension to Time (EoT)	YES Date: 05/02/2025
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	Yes	Agent submitted a revised scheme
Parish/Town Council comments sought	No	N/A

(Kirkburton)		
Planning History	No	N/A
Consultations required	No	N/A

Assessment

The Kirklees SPD sets out that two storey rear extensions should comply with certain parameters set out in paragraph 5.8 on page 25 (and listed below) and if they do not, they need to be justified:

Two Storey Rear Extensions Should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be proportionate to the size of the original house and garden;	Yes – the proposed two-storey extension projects out by approximately 2 metres and has a width of approximately 3.1 metres. The proposed extension is an infill and due to the detached nature of the dwelling it is considered proportionate and acceptable.	
not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);	Yes – the extension does not cover more than half of the total area around the original house.	
not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;	Yes - The proposed extension projects out by approximately 2m which is in keeping with the SPD. Ample garden space will be retained to the rear of the house.	
not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;		No – the extension has an eaves height of 4.8 metres. Considered acceptable due to being an infill and in line with the

		rear boundary line of number 37.
be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and		No – the extension is approximately 1 metre away from the boundary. However, this extension is considered acceptable due to it being in line with the rear building line of number 37 – and does not interfere with the 45 degree rule.
not adversely affect habitable room windows where they adjoin a neighbour's boundary	Yes – the two-storey extension is designed to retain a gap from the boundary and does not cause any issues in terms of loss of outlook and overshadowing.	

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraph 5.2 on page 23 (and listed below) and if they do not, they need to be justified:

Rear Extensions Should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
respect the original house and garden in terms of its size and scale	Yes – the extension does not cover more than half of the total area around the original house. The proposed extension projects out by approximately 3.3m. The proposed development would have an eaves height of 2.5m, which is acceptable due to the detached nature of the dwelling. Ample garden space will be retained to the rear of the house.	
use appropriate materials which match or are similar in appearance to the original house; and	Yes - to match existing	
not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.	The proposed extension will not overshadow neighbouring properties. Due to the detached nature to the site and	

	modest scale of the proposed extension, there will be no impact on the loss of outlook of neighbouring properties.	
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Dropped Kerb / Creation of Means of Access

The application also seeks permission to extend the dropped kerb to provide additional in curtilage parking.

The proposal would essentially maintain the existing visual impact of the site, particularly regarding the hard-surfaced front amenity space. The removal of the front boundary wall and the creation of a dropped curb are not considered to have a significant or out-of-character visual impact within the street.

Design and Visual Amenity:

The site to which the application site relates to is number 35 Pinfold Lane. The property is a two-storey detached dwelling constructed from red brick and roofed with concrete 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 of a similar appearance 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, the proposed development would not appear overly prominent. The proposed development would be located to the rear of the property and will not negatively impact the character or street scene across the frontage of the property.	✓

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>Dropped kerb - The proposed alteration will have no significant effect on the original property. The impact will be limited to the front amenity space, which is currently entirely hard standing.</p>	✓
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 rear of the property. The proposed development consists of a single-storey and a two-storey extension to the rear.</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 	<p>Facing materials to match existing.</p> <p>Dropped kerb - Given the variety of materials used at the front of neighbouring properties within the street scene, and considering the existing visual impact of the host property being hard surfaced, the front amenity space is deemed acceptable.</p>	✓
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 	<p>Pitched roof style to extensions. All roof styles are acceptable as they are in-keeping with the original roof style of the host property and/or match the character of the street scene.</p>	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) 	<p>Modest size windows, including roof lights, in extensions, which would be in-keeping with existing building.</p>	✓

	and (d) of the KLP <ul style="list-style-type: none"> Chapter 12 of the NPPF 		
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. Dropped kerb - The current accessibility to the property will be retained, with enhanced access provided by the removal of the wall and the dropping of the kerb. As this is a private property, no alternate access arrangements are 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:

- 37 Pinfold Lane – The proposed two storey rear extension does not surpass the building line of the rear elevation of this property and the single storey extension meets the 45 degree rule. As such no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.
- 33 Pinfold Lane – This property is located to the opposite side of proposed works and shall see the addition of a rear projections to the existing dwelling, as such no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.
- There are properties to the rear, however, the proposed extension is the set back from the boundary and it will not impact the properties behind.

	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 • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 	As above.	✓

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 – off the main through-fare. The property also has a driveway big enough to fit a car after the construction of the proposed extension.	✓
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD 	Maintains appropriate access and off-street in-curtilage parking.	✓

	<ul style="list-style-type: none"> • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 		
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.	✓

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	✓

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
Grouped Plans and Elevations	Proposed Plans & Elevations 24:11:7423:03 Rev B		08-Jan-2025
Grouped Plans and Elevations	Plans & Elevations As Existing 7423-02		03-Dec-2024
General	Climate Change Statement		03-Dec-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 2024 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: 04/02/2025

