

**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:	<b>2024/62/93371/E</b>
Site Address:	15, Riley Park, Kirkburton, Huddersfield, HD8 0SA
Description:	Erection of balcony to rear
Recommending Officer:	Edward Cheseldine

**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: 05-Feb-2025**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2024/93371
<b>Location</b>	15, Riley Park, Kirkburton, Huddersfield, HD8 0SA
<b>Proposal</b>	Erection of balcony to rear
<b>Publicity end date</b>	10-Jan-2025
<b>Number of representations received</b>	0
<b>Kirklees Local Plan Allocation/Designation</b>	None
<b>Extension to Time (EoT)</b>	N/A
<b>Recommendation</b>	Conditional Full Permission

	<b>NO</b>	<b>YES</b>
<b>Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)</b>	✓	
<b>Contrary to previous decision</b>	✓	
<b>Called in by Ward Member</b>	✓	
<b>Significant number of representations received</b>	✓	

### 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 and beautiful 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

	<b>YES / NO</b>	<b>SUMMARY</b>
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	Yes	Kirkburton Parish Council – No comment.

Planning History	None relevant	
Consultations required	None	

### **Assessment**

The Kirklees SPD sets out that balconies should comply with certain parameters set out at paragraph 5.5 on page 32 (and listed below) and if they do not, they need to be justified:

	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
Balconies should not alter the character of the area	<p>The development is for a balcony across the width of the dwelling. A glass balustrade will be erected, which will appear light weight and transparent. Steel poles will form the foundations of the balcony with composite decking boards. The bulk of the balcony will appear as glass. There is a balcony on the adjacent building to the south, which are designed appropriately.</p> <p>There will be a neutral impact to the character of the area.</p>	
Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens	<p>It is not considered necessary to condition screening. The assessment will be made within the <i>Residential Amenity</i> section of the report.</p>	
Sited away from locations that are	<p>The balcony will project 1.40m. It is not considered it will</p>	

sensitive to additional noise levels or disruption.	present a space where activities outside of the normal outdoor use could be achieved. In addition, there are other balconies within the building group.	
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**Design and Visual Amenity:** Are the considerations in the following table acceptable?

*Summary of local street scene/character:* 15 Riley Park is a detached dwelling, formed with stone exterior walls and a pitched-roof. It is located within a section of buildings with a similar appearance. There is a mild gradient, sloping from west to east, which the buildings are landscaped into.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on the Local character and street scene	<ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Chapter 12 NPPF</li> </ul>	The balcony will not be visible from Riley Park. There are modestly designed balconies within the building group, therefore there will not be a change to the character of the area.	✓
Impact on original house	<ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The balcony is positioned to the rear of building. Due to the materials and design, it will appear lightweight and will not alter the character of the dwellinghouse.	✓
Height, scale and massing	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c)</li> </ul>	The height, scale and massing are appropriate to the dwelling. The projection is modest and the scale is not	✓

	<ul style="list-style-type: none"> <li>and (d) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	disproportionate to the dwellinghouse.	
Facing materials and detailing	<ul style="list-style-type: none"> <li>KDP 9 of the SPD</li> <li>Policy LP24 Design (d) (iii) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	Materials and details are appropriate for a residential balcony.	✓
Roof style	<ul style="list-style-type: none"> <li>KDP 1 and 2 of the SPD</li> <li>Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	N/A	✓
Window proportions	<ul style="list-style-type: none"> <li>KDP 1 and 2 of the SPD</li> <li>Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	N/A	✓
Accessibility for all users	<ul style="list-style-type: none"> <li>KDP 17 of the SPD</li> <li>Policy LP24 Design (f)</li> <li>Chapter 12 of the NPPF</li> </ul>	This proposal is compliant with Kirklees accessibility policies.	✓

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:** Are the considerations in the following table acceptable?

*The main properties affected are:*

- 13 Riley Park

	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"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	<p>No. 13 is situated to the south of the application site.</p> <p>The balcony will overlook a rear space which is used as a shared access. There are no hard boundaries in this area. In addition there are already rear facing windows on the ground and first floor. Due to the use of the space, there will be no change to the existing relationship in terms of privacy.</p>	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>	No impact.	✓

- 19 Riley Park

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	<p>No. 19 is set at an acute from the application site. The rear elevation is slightly stepped down.</p> <p>The balcony will overlook a rear space which is used as a shared access. There are no hard boundaries in this area. In addition there are already rear facing windows on the ground and first floor. Due to the use of the space, there</p>	✓

		will be no change to the existing relationship in terms of privacy.	
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>	No impact.	✓

- 30 & 32, Low Town

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	<p>The rear elevation windows of 30 Low Town are ~18.70m from the balcony. The property is set down from the application site due to the topography of the land.</p> <p>No.32 is also set down in relation to the application site, at an adequate distance and off-set in relation to the application site, and as such the proposal would have an indirect relationship with this property.</p> <p>Considering the distance and slope of the land there will be no significant detrimental impact from the balcony.</p>	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> </ul>	No impact.	✓

	<ul style="list-style-type: none"> <li>Chapter 12 of the NPPF</li> </ul>		
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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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on highway safety	<ul style="list-style-type: none"> <li>KDP 15 of the SPD</li> <li>Policy LP22 Parking (f) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	<b>N/A</b>	<b>N/A</b>
Parking provision	<ul style="list-style-type: none"> <li>KDP 15 of the SPD</li> <li>Policy LP22 Parking (f) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>	This application will not result in a change to the occupancy numbers of the building therefore there will be no impact to current parking provisions.	✓
Provision for waste storage	<ul style="list-style-type: none"> <li>KDP 16 of the SPD</li> <li>Policy LP24 Design (d) (iv)</li> <li>Chapter 12 of the NPPF</li> </ul>	Side access for bin storage will not be removed, under current proposals.	✓

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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>

Impact on trees	<ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i) (iv) Policy LP33 Trees</li> <li>• Chapter 12 of the NPPF</li> </ul>		N/A
Impact on ecology	<ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>		N/A
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> <li>• KDP 8, 9, 10 &amp; 11 of the SPD</li> <li>• Policy LP51</li> <li>• Chapter 14 of the NPPF</li> </ul>	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"> <li>• KDP 14 of the SPD</li> <li>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP</li> </ul>	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
N/A		



<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan and site plan	-	-	27 November 2024
Grouped plans and elevations	-	-	27 November 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. No amendments were sought.