

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:	2024/62/93476/E
Site Address:	7, Hall Drive, Norristhorpe, Liversedge, WF15 7AH
Description:	Erection of single storey front extension and external alterations following removal of existing dormer extension.
Recommending Officer:	Nicole Helliwell

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: 04-Apr-2025

Officer Report

Reference No. 2024/62/93476/E

Site Address: 7, Hall Drive, Norristhorpe, Liversedge, WF15 7AH

Proposal: Erection of single storey front extension and external alterations following removal of existing dormer extension.

Site Description

The application relates to 7 Hall Drive, a two-storey detached property situated in Norristhorpe, Liversedge. The dwelling is predominately faced in brick with render to the front elevation and incorporates a dual-pitched roof finished in tiles. The property currently benefits from a driveway to the front, an integral garage and gardens to the front and rear. The neighbouring properties are of residential use and are two-storey in height. Although the dwellings are relatively similar in terms of age and materials, there is some variation with regard to design. The site is not within a conservation area, nor are there any listed buildings nearby. However, public right of way SPE/138/20 is located adjacent to the northern boundary of the application site.

Description of Proposal

The application seeks planning permission for the erection of a single storey front extension and external alterations. The existing side dormer extension would be removed to allow for the proposed works. Permission is not required for the internal alterations to the property and therefore, the only matters for consideration are the proposed extensions and alterations. The proposed works are described below:

- Single storey front extension (projection approx. 1.5m, maximum height approx. 2.9m, and eaves height approx. 2.4m)
- Alterations to the roof to create a hipped roof form
- Alterations to fenestration within all elevations of the dwelling
- Alterations to the raised decking at the rear of the site.

History of Negotiations/Amendments

Amendments were received during the course of the application. The applicant's agent provided revised drawings to address the concerns relating to residential amenity. The revised plans were considered acceptable. However, Officers did not consider it necessary to readvertise the application given that the balcony and first floor rear extension would be omitted from the scheme.

Relevant Planning History

- **2022/93050:** Erection of single storey front and first floor rear extensions, installation of balcony to rear and external alterations following removal of existing dormer extension. Planning application details | Kirklees Council – Refused
- **2022/90375:** Erection of single storey front and first floor rear extension and balcony and exterior alterations. Planning application details | Kirklees Council - Refused

Representations

The application was advertised by neighbour notification letters, which expired on 21st February 2025. As a result of the above publicity, two representations have been received. The comments made have been summarised below:

- I understand that although the application has been amended slightly, it is still very similar to the plans submitted previously. I still have concerns in regard to the number of vehicles and the safety of residents while any work may be carried out.
- My main issue, as before, is to the erection of the high level 1st floor balcony which, although will be on the rear side of the property, nearest to No.9, still will be at such a height that it will overlook all neighbouring properties at the side of the site and those on Cornmill Crescent, which are at the rear of the property where the balcony is intended to be sited.
- I am aware that the previous application was turned down due to issues of privacy and properties being overlooked
- The planning application previously declined is very similar. Whilst we welcome any modernisation and recognise the changing needs of a growing family home. We are a little concerned that the property won't allow for the parking requirements of a 5 bedroom extended family home.
- The reconfiguration of the garage to a ground floor bedroom and a porch to the front will take away the garage and part of the driveway.
- There are already 4 cars for all family members and there will not be sufficient parking except for roadside parking which currently is on both sides of the road directly in front of the house and opposite/further down the road. If the approval recognises sufficient parking for all cars in the household, I don't see any issues.

Consultation Responses

Not Applicable.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **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

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
- House Extensions and Alterations SPD (adopted 29th June 2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change

Assessment

1. Principle of development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take

a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1. Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the SPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

Single Storey Front Extension

The proposed single storey extension would project approximately 1.5m from the front elevation of the original dwellinghouse. The enlargement would be constructed in a material palette to match the host property and would be appropriately designed. The extension would be modestly proportioned and would appear subservient to the host property. Furthermore, the enlargement would be sited on lower ground and would retain a distance of approximately 7.3m from the pavement such that it would not appear unduly prominent from public vantage points. For these reasons, it is considered that the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

Roof Alterations

The submitted plans confirm that the existing dual-pitched roof would be converted to a hipped roof form as part of the application. Whilst it is noted that the overall height of the property would increase by approximately 0.97m, it is considered that the alterations would not appear out of character with other properties in the street scene, where there are a variety of roof forms.

Alterations to Fenestration

The submitted plans confirm that alterations would be made to the existing fenestration within the northern, western and eastern elevations of the dwelling. Furthermore, a new window would be installed within the southern elevation of the property. Given that the fenestration would be appropriately designed and

would be in keeping with the style of the original build, it is considered that the proposed alterations would respect the visual amenity of the host dwelling and the surrounding area.

Alterations to Existing Raised Decking

It is noted that alterations would be made to the existing raised decking as part of the application. The raised decking would measure approx. 1.1m in height and approx. 2.2m cumulatively with the balustrade. Although the raised decking would measure approximately 0.52m higher than the existing, it would be sited to the rear of the dwellinghouse with limited visibility from public vantage points. On this basis, it would be acceptable with regard to visual amenity.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the proposal would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact on 12 & 14 Cornmill Crescent

12 and 14 Cornmill Crescent are residential dwellings located to the rear and occupy a position on lower ground relative to the application site. It is noted that the proposed development would occupy a position approximately 49m from the neighbouring properties. Given that the separation distances retained would be substantial, it is considered that the proposal would not cause any undue harm to the neighbouring occupants with regard to overbearing, overshadowing or overlooking.

Impact on 9 Hall Drive

9 Hall Drive is a residential property located east of the application site and occupies an elevated position relative to the host property. The proposed

single-storey front extension, hipped roof conversion, and alterations to the existing raised decking would have no significant impacts on the neighbour's residential amenity given their scale and nature.

The submitted plans demonstrate that new fenestration would be proposed within the eastern elevation of the dwelling. It is noted that the fenestration would serve an ensuite and a bathroom, which are non-habitable rooms. Should planning permission be granted, a condition would be imposed requiring these windows to be obscurely glazed to protect the amenity of the neighbouring occupants.

Impact on 5 Hall Drive

5 Hall Drive is a two-storey detached property located west of the application site and is sited on lower ground approximately 4m back from the principal elevation of the application property. It is considered that the neighbouring occupants would not experience any undue harm to their residential amenity as a result of the single storey front extension given that the enlargement would be sited at the opposite side of the dwellinghouse and would be positioned 6.8m from the shared boundary. Furthermore, It is considered that the proposed hipped roof conversion would have no significant impacts on residential amenity given their scale and nature.

The submitted plans confirm that the existing high level window would be removed and a new lounge window would be installed within the western elevation of the dwelling. However, given that the lounge window would be of secondary nature, it is not considered to have a significant impact on the neighbour's residential amenity.

The raised decking would be located approximately 1.2m from the common boundary shared with 5 Hall Drive. Although the decking would measure approx. 0.52m higher than the existing, it is considered that the proposed alterations would not cause any additional overlooking harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.

Impact on 6 Hall Drive

6 Hall Drive is a two-storey detached property located south of the application site and sits at an elevated position relative to the host property. It is noted that a separation distance of approximately 22.5m would be retained between the host dwelling and the neighbouring property. As such, it is considered that the proposal would not cause any undue harm to the neighbouring occupants with regard to overbearing, overshadowing or overlooking.

Occupier Amenity

The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. on this basis, the proposed works would ensure an acceptable standard of amenity for existing and future occupants.

Summary

Having considered the above factors, the proposal is not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal would create an additional bedroom, which would intensify the domestic use at the dwelling. However, the submitted plans demonstrate that off street parking would be retained for three vehicles which is considered to represent a sufficient provision for a five bedroom dwellinghouse. Therefore, the proposed development is considered acceptable in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

Carbon Budget

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Biodiversity

Whilst the site is in an area identified as being within a 'bat alert' layer on the Council's GIS mapping system, given that the proposed development is small scale, a footnote will be added to the decision notice to provide advice to the applicant should bats or bat roosts be found during construction.

Public Right of Way

Public footpath SPE/138/20 runs along the northern boundary at the application site. In this case, given the dwelling's substantial grounds there would be no impact upon the PROW's setting. Therefore, it has not been considered necessary to advertise the application as affecting its setting.

There are no other matters relevant to the determination of this application.

5. Representations

Two representations were received following the statutory publicity. The comments made have been summarised and addressed below:

- I understand that although the application has been amended slightly, it is still very similar to the plans submitted previously. I still have concerns in regard to the number of vehicles and the safety of residents while any work may be carried out.

Response: *Impacts from construction are temporary and are not material planning considerations.*

- My main issue, as before, is to the erection of the high level 1st floor balcony which, although will be on the rear side of the property, nearest to No.9, still will be at such a height that it will overlook all neighbouring properties at the side of the site and those on Cornmill Crescent, which are at the rear of the property where the balcony is intended to be sited.

Response: *The rear balcony has since been omitted from the application and is no longer under consideration.*

- I am aware that the previous application was turned down due to issues of privacy and properties being overlooked.

Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

- The planning application previously declined is very similar. Whilst we welcome any modernisation and recognise the changing needs of a growing family home. We are a little concerned that the property won't allow for the parking requirements of a 5 bedroom extended family home.

Response: *The proposal's potential impact on the highway network has been assessed within the 'Highway Safety' section of the report.*

- The reconfiguration of the garage to a ground floor bedroom and a porch to the front will take away the garage and part of the driveway.

Response: *The proposal's potential impact on the highway network has been assessed within the 'Highway Safety' section of the report.*

- There are already 4 cars for all family members and there will not be sufficient parking except for roadside parking which currently is on both sides of the road directly in front of the house and opposite/further down the road. If the approval recognises sufficient parking for all cars in the household, I don't see any issues.

Response: *The proposal's potential impact on the highway network has been assessed within the 'Highway Safety' section of the report.*

6. Conclusion

This application for the erection of a single storey front extension and external alterations at 7 Hall Drive has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered to be acceptable.

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: **Approve**

Decision Authorisation - Delegated Powers**Application Number:** 2024/93476**Officer Recommendation:** Approve**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 ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, and LP30 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the single storey front 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 to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

4. The roof alterations 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 to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

5. The proposed W.C and ensuite windows in the eastern side elevation of the dwelling shall be fitted with obscure glazing to at least Level 3 on the Pilkington Scale and retained as such thereafter.

Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and the Council's House Extensions and Alterations SPD.

NOTE: Public footpath SPE/138/20 is located adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works. The Council's Public Rights of Way unit may be contacted by telephone on 01484 221000. Public Rights of Way is based at PO Box 1720, Huddersfield HD1 9EL and the email address is publicrightsofway@kirklees.gov.uk.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. 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.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays

- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Date Received
Location Plan	21-143-P-01	13/01/2025
Existing and Proposed Plans	21-143-P-02-C	28/03/2025
Existing and Proposed Elevations	21-143-P-03-C	28/03/2025
Climate Change Statement	-	13/01/2025

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 Planning 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. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received were considered acceptable with regard to residential amenity.

Report dated: 04/04/2025