

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:	2024/62/93495/W
Site Address:	75, Imperial Road, Edgerton, Huddersfield, HD1 4PG
Description:	Erection of single storey rear extension
Recommending Officer:	Joshua Merriman

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 14-Feb-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93495
Location	75, Imperial Road, Edgerton, Huddersfield, HD1 4PG.
Proposal	Erection of single storey rear extension.
Publicity end date	10/02/2025
Number of representations received	1
Kirklees Local Plan Allocation/Designation	The application site has 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

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 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	No	
Planning History	Yes	2021/94549 – Prior notification for erection of single storey rear extension – Refused. - The proposed extension would project beyond an original side elevation of the dwellinghouse and have a width greater than half the width of the original dwellinghouse. 2022/90514 – Erection of single storey rear extension and external alterations – Refused and Appeal Dismissed - The proposed single storey rear extension, by virtue of its size and massing, would appear as an incongruous and discordant feature to the host building, thereby causing detrimental harm to the visual amenities of the locality. 2024/92470 – Certificate of lawfulness for proposed erection of single storey rear extension – CERT OF LAWFUL OPPS REFUSED. - The proposed rear single storey extension would not benefit from a general planning permission as the proposed enlarged part of the

		dwellinghouse extends beyond a wall forming a side elevation of the original dwellinghouse.
Consultations required	No	

Assessment

Description of development:

The application seeks planning permission for the erection of a single storey rear extension.

The proposal will project a maximum of 4.53m from the rear elevation of the existing building, however will be reduced to 3m along the shared property boundary, with a maximum height of 3.75m, eaves height of 2.43m, and a width of 5.71m.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	At least half of the garden area at the application site will be retained following the erection of the extension.	
Be set behind the original building, and not projecting beyond the sides	The extension will be entirely set behind the original building, not projecting beyond the sides.	

Maintain external access to the rear garden	The current external access to the rear garden at the dwelling will be retained to the North East of the property.	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	The proposal is subservient to the original building and will be constructed using materials that either match, or are considered to have no significant impact upon, the original building. Therefore, the proposal is considered to be in keeping with the scale and style of the original house.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Over half of the total area around the original house will remain.	
not exceed 4 metres in height	The maximum height of the extension would be 3.75m, not exceeding 4m.	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraced houses or by 4 metres for detached properties		The maximum projection of the rear extension is 4.53m, however, the L shape of the proposal results in the extension being reduced at the shared boundary with the

		neighbouring dwelling at 77 Imperial Road. Given this, it is considered that the part of the proposal projecting more than the 3m required for semi-detached properties will have no significant impact on neighbouring homes and is therefore considered acceptable.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	The eaves height of the extension is only 2.43m, not exceeding 2.5m.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No gap is retained to the property boundary at the South West of the application site, however, as the property is semi-detached and adjoined at that side of the house, and the extension is scaled back to 3m towards the property boundary, it is considered that not retaining a gap to the property boundary is acceptable in this case.

Design and Visual Amenity:

Summary of local street scene/character:

The application site refers to 75 Imperial Road, a two-storey semi-detached property constructed from primarily brick and render walls, a slate tiled roof, and uPVC windows and doors. The property lies in a relatively uniform street scene, with the application dwelling being similar to its surrounding properties in terms of size, scale, character, design, and age. The property also benefits from a small area of garden/amenity space to the front of the house, with a garden also 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	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	As the extension is proposed to the rear of the property, will be set completely behind the original house, and is subservient to the original building, it is considered that there will be no significant impact on the local character and street scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed extension is subservient to the original building, and will be constructed using materials that either match, or are not considered to have any significant impact, on the original house.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The extension is subservient to the original building in terms of height, scale, and massing.	✓
Facing materials and detailing	• KDP 9 of the SPD	The walls of the extension are to be constructed using brick and render to match the	✓

	• Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	existing property. Windows and doors proposed in the extension are to be a mixture of uPVC, matching the existing building, and aluminium. However, any aluminium windows and doors will be located to the rear of the property, thus are not visible from the street and considered acceptable.	
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The roof proposed is a gey concrete interlocking tile roof rather than existing slat tiles, however, these are deemed similar enough to have no significant impact on the original house or local area.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Any proposed windows are proportionate to those in the existing building in terms of size and positioning.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alternate access arrangements.	✓

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:

- 73, Imperial Road, Edgerton, Huddersfield, HD1 4PG – Neighbouring property to the North East.
- 77, Imperial Road, Edgerton, Huddersfield, HD1 4PG – Neighbouring property to the South West.
- 43, Cleveland Road, Edgerton, Huddersfield, HD1 4PP – Neighbour to the rear.
- 45, Cleveland Road, Edgerton, Huddersfield, HD1 4PP – Neighbour 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)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Due to the heavy natural screening to the rear of the property, and the extension having no windows proposed in its side elevation, it is considered that there will be no significant impacts on the privacy of neighbours.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	The L shape of the extension reducing the projection of the proposal to 3m at the shared property boundary with 77 Imperial Road, this mitigates any significant impact on neighbouring properties in terms of light and outlook.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD	As aforementioned, the L shape of the extension reduces the potential impacts on neighbouring	✓

	• Policy LP24 Design (b) • Chapter 12 of the NPPF	properties with regard to light, overshadowing, and overbearing to an acceptable level.	
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The application property will retain at least 50% of its current garden space, which is considered to be an acceptable amount.	✓

Despite the maximum projection of the extension being 4.53m from the rear elevation of the existing building, the L shape of the proposal reduces the scale and mass of the extension to 3m at the shared boundary with the adjoined dwelling (77 Imperial Road), therefore causing any impacts on neighbouring properties to be insignificant with regard to light, outlook, overbearing, and overshadowing. This design amendment is considered acceptable to address the previously refused application.

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	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	As the extension is located to the rear of the property and set well back from the nearest highway (Imperial Road), it is considered that there will be no significant impact on highway safety.	✓

Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The extension will not increase the number of bedrooms at the property and will not take up any space currently used for parking as the property has no on-site parking space, therefore, the parking provision is deemed acceptable to remain as current.	✓
Provision for waste storage	• 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 will be adequate space on 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	• 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	• KDP 12 of the SPD	The application site is not located in an area of ecological interest.	✓

	• Policy LP30 • Chapter 15 of the NPPF		
Carbon Budget / Climate change statement	• 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	• 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.	✓

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:

One third party representation (objection) has been received, raising following the following summarised concerns (with officer response provided in italics):

- The remaining gap from the proposal to the property boundary is not 1m as suggested in the House Extensions and Alterations SPD.

Officer Response: This is considered within the 'Assessment' section of this report.

- The extension is too big for the appearance of the gardens.

Officer Response: The size and scale of the extension is considered within the 'Design and Visual Amenity' section of this report. The remaining garden space is considered adequate to service the needs of the property.

- As the ground beneath the garden at the application property is marshy clay and located at a lower level to neighbouring gardens, the property can occasionally experience drainage issues.

Officer Response: This is not a material planning matter to be considered for an application of this scale. This matter is covered by other regulatory functions, for example Building Standards.

- The extension is not in keeping with the local area.

Officer Response: The character of the proposal and its impact on the local character and of the area and surrounding street scene is assessed within the 'Design and Visual Amenity' section of this report.

- The width, length, and height of the extension are too great, having an adverse impact overbearing impact on the neighbouring property.

Officer Response: This is noted and taken into account within the 'Assessment' and 'Residential Amenity' sections of this report. The proposal has been reduced in scale at the shared boundary, complying with the necessary policies and guidance.

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: 2024/93495

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, or, in the case of the roof, be constructed using slate tiles.

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
Location Plan	PL01	-	10/12/2024
Proposed Site/Block Layout	PL10	-	10/12/2024
Existing Elevations	PL04 – Front and Rear	-	10/12/2024
Existing Elevations	PL06 – Side	-	10/12/2024
Existing Floor Plans	PL02	-	10/12/2024
Proposed Elevations	PL08 – Side 2	-	10/12/2024
Proposed Elevations	PL07 – Side 1	-	10/12/2024
Proposed Elevations	PL05 – Front and Rear	-	10/12/2024
Proposed Floor Plans	PL03	-	10/12/2024
Existing and Proposed Roof Plans	PL09 – Roof	-	10/12/2024
Application Forms	-	-	10/12/2024
Climate Change Statement	-	-	23/12/2024

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: 11/02/2025