

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:	2024/62/93511/W
Site Address:	11, Basil Street, Crosland Moor, Huddersfield, HD4 5DP
Description:	Erection of single storey side and front extension
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: 05-Feb-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93511
Location	11, Basil Street, Crosland Moor, Huddersfield, HD4 5DP.
Proposal	Erection of single storey side and front extension.
Publicity end date	26/01/2025
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
- **LP 30** – Biodiversity and Geodiversity
- **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 12: Natural environment
- 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	No	
Consultations required	No	

Assessment

The application seeks permission for a single storey side extension.

The proposed extension projects 3.8m from the front elevation of the existing building, with a maximum height of 2.91m, eaves height of 2.13m, and a width of 2.32m.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.14, 5.15, 5.16 and 5.17 on pages 27 and 28 (and listed below) and if they do not, they need to be justified. The property is also set within a corner plot and therefore paragraph 5.34 on page 30 is also of relevance:

Side extensions	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
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Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	As the proposed extension is located to the South East of the property, where there is no neighbouring dwelling, it is considered that there will be no significant impacts on natural light to neighbouring properties.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	The only window proposed in the extension would be obscured by virtue of a condition at the end of this report securing this, therefore, there would be no potential overlooking onto neighbouring properties.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	The width of the extension is 2.32m, whereas, the width of the original house is 7.08m. As a result, the extension fulfils this.	
not exceed a height of 4 metres	The maximum height of the extension is 2.91m, not exceeding the 4m guideline.	
be set back at least 500mm from the original building line to allow for a visual break		The extension does project 3.8m from the front elevation of the existing building, rather than being set back. However, as there is no

		<p>neighbouring property to the South East of the application dwelling, it is considered that a visual break is not necessary in terms of impact upon residential amenity.</p> <p>With regard to visual impact, there are a number of factors present, these are set out in the design and visual amenity section of this report.</p>
Single storey front extensions permitted where:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
The house is set well back from the pavement or is well screened		With regard to visual impact, there are a number of factors present, these are set out in the design and visual amenity section of this report.
The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area		With regard to visual impact, there are a number of factors present, these are set out in the design and visual amenity section of this report.
The materials and design match the existing features of the original house	All of the proposed materials are match the existing building, including brick walls, a tiled roof, and uPVC windows.	
The extension would not unreasonably affect	As there is no neighbouring property	

the neighbouring properties	directly next to the proposed extension it is considered that it does not unreasonably affect any neighbouring properties.	
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Design and Visual Amenity:

The application site refers to 11 Basil Street, a two-storey detached dwelling constructed from primarily brick walls, a tiled roof, and uPVC windows. The property is located within a walled boundary, which is constructed from the same brick as the lower half of the building, with black fencing incorporated. Furthermore, the property benefits from a small area of amenity space to the front, and a small area of amenity space 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 proposed extension will be constructed using materials to match the existing dwelling, it is considered 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 	The proposal is to be constructed using materials to match the host property, therefore 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 proposal is subservient to the original building in terms of height.	✓
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 proposed extension is set to be constructed from brick walls, and uPVC windows, both of which are to match the materials of the existing building.	✓
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 roof of the extension is to be tiled, matching that of the existing property.	✓
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 proposed windows in the submitted plans 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.	✓

Justification present in relation to visual impact:

The proposal is not set well back from the street and is a size and scale which does not meet the requirements of the House Extensions and Alterations SPD in this case. Therefore, in the absence of justification it is considered the development could not be considered to have an acceptable visual impact.

In this case the following factors are considered to weigh in favour of the proposal:

- The development is to a dwelling which is a stand alone housetype within the street
- The extension is seen / viewed in the context of the adjoining access and, boundary with this access and garages beyond
- There is a lawful boundary treatment structure which provides a level of screening to the proposal
- The host property is the end property of a row of dwellings.

In this case the site specific circumstances are considered to be such that, whilst the proposal is of a size and scale and proximity to the street which may not be considered acceptable in other instances, it is considered the impact could not be considered so significant as to warrant refusal in this case.

The street is a mix of property type, with predominantly semi detached dwellings of a similarly design being within the street, the host property is an individual character and design in this case and is to the end of the row of properties in the street. The structure to the front boundaries provides a level of screening and it is noted this is lawful by virtue of the passage of time.

On balance it is considered that refusal in this case could not be substantiated and the visual impact of the development within the street does not lead to a degree of harm which is so significant as to warrant refusal taking account of the factors which weigh in favour of justifying the development.

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:

- 9, Basil Street, Crosland Moor, Huddersfield, HD4 5DP – Neighbouring property to the North West.
- 16, Basil Street, Crosland Moor, Huddersfield, HD4 5DP – Opposing neighbour.
- 18, Basil Street, Crosland Moor, Huddersfield, HD4 5DP – Opposing neighbour.

	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 there is only one window proposed in the extension, that will be obscured as a result of the condition added to the end of this report, it is considered that no overlooking will be facilitated from this window, and thus there will be no significant impact on the privacy of neighbours.	✓
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 	Due to the limited scale of the extension, and the absence of a neighbouring property to the South West of the application site, it is considered that there will be no significant effect on light and outlook of neighbours.	✓
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 	As aforementioned, due to the limited scale of the proposal, and the absence of a neighbouring dwelling to the South West of the application property, it is considered that there will be no significant effect on overbearing or overshadowing.	✓
Remaining garden space of	<ul style="list-style-type: none"> • KDP 7 of the SPD 	The property will retain all of its amenity space to the rear, and the majority	✓

application property	<ul style="list-style-type: none"> • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 	of the amenity space to the front of the site, therefore, this is considered an acceptable amount of remaining garden/amenity space.	
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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:

	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 	As the proposal is adequately set back from the nearest highway (Basil Street), it is considered that there will be no significant effects 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 	The proposed extension will not increase the number of bedrooms at the property, or affect the current parking arrangements for the site, therefore, there are no objections to the application on parking provision grounds.	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) 	Although nothing specific is submitted on plans there will be adequate space on, and around,	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 	the site for waste storage.	
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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 	While the site is within a swift nesting layer, the nature of the proposal is not considered to have significant impacts to roosting potential. It is recommended that in this case an appropriate approach of the LPA is the inclusion of an informative note upon and grant of permission which alerts the applicant of their private responsibilities if any signs of swifts or potential to disturb those protected species are found.	✓

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 • 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:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
None		N/A

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 constitutes sustainable development and is therefore recommended for approval.

Recommendation:

CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers

Application Number: 2024/93511

Officer Recommendation: Conditional Full Permission

Conditions and Reasons

1. The development hereby permitted shall be retained 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

2. The external walls and roofing materials of the extension hereby approved shall be retained for the lifetime of the development.

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.

3. The window in the South East elevation shall be fitted with obscure glazing to at least Level 3 on the Pilkington Scale (or equivalent) and be non-opening to a height of no less than 1.7m above floor level and retained as such thereafter.

Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan, Principles 3 and 4 of the House Extensions and Alterations SPD, and policies contained within Chapter 12 of the NPPF.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Forms	-	-	12/12/2024
Design and Access Statement	-	-	12/12/2024
Climate Change Statement	-	-	12/12/2024
Existing and Proposed Layout and Elevations	2452 01	-	12/12/2024

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 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: 27/01/2025