

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:	2024/62/93564/W
Site Address:	20, Rowley Drive, Lepton, Huddersfield, HD8 0AH
Description:	Erection of single storey rear extension, front porch, dormers, demolition of garden buildings including hip to gable alteration to existing roof and associated alterations.
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 20-Mar-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93564
Location	20, Rowley Drive, Lepton, Huddersfield, HD8 0AH.
Proposal	Erection of single storey rear extension, front porch, dormers, demolition of garden buildings including hip to gable alteration to existing roof and associated alterations.
Publicity end date	20/02/2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	The application site is located in a bat alert layer but is otherwise unallocated 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
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Negotiations/Amendments during course of application	Yes	During the course of the application, officers requested that the proposed outbuilding was removed from the proposals due to concerns regarding its resultant impact upon the residential amenity of the neighbouring occupants. An amended plan was received on this basis.
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

Assessment

Description of development:

The application seeks permission for the erection of a single storey rear extension, front porch, dormers, demolition of garden buildings, hip to gable alteration to existing roof and associated alterations.

The proposed rear extension will project 3.04m from the rear elevation of the original building, with a maximum height of 3.67m, eaves height of 3.42m, and a width of 7.57m.

The front porch will extend 1.34m from the front elevation of the existing building, with a maximum height of 5.54m, eaves height of 3.39m, and a width of 2.01m.

The proposed front dormers will extend 4.39m from the roof of the existing building, with a maximum height of 2.26m, eaves height of 1.37m, and a width of 2.82m. The rear dormers will also have these same dimensions.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1, 5.14, 5.4 and 5.6 on pages 3, 23, 24, 27, 31, and 32 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
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Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	At least 50% of the dwellings rear garden space will be preserved.	
Be set behind the original building, and not projecting beyond the sides	The rear extension will be completely 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 South of the property will remain.	
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 in terms of scale and is set to be constructed using materials to match the existing house.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	More than half of the total area around the original house will remain following the erection of the rear extension.	
not exceed 4 metres in height	The maximum height of the proposed rear extension is 3.67m, not exceeding 4m.	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties		The extension will project 3.04m which is greater than the guideline 3m for semidetached properties, however, this is considered to be an insignificant breach

		that will have no material impacts on neighbouring dwellings 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 3.42m where it exceeds 3m in length, however, due to the proposal only minimally breaching 3m in height, this is again considered to be an insignificant breach and acceptable.
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		A gap of only 0.56m is retained to the property boundary, however, there would still be no breach of the 45-degree rule from the centre sill of the closest neighbouring window, therefore, as there are no significant impacts as a result of this it can be considered acceptable.
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	The house is well set back from the pavement, by approximately 7m.	
The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area	The extension is small and subservient to the original building, and designed using materials to match the existing building, therefore would not harm the character of the original house or local area.	
The materials and design match the existing features of the original house	All the materials used are to match the existing building.	

The extension would not unreasonably affect the neighbouring properties	Due to the small scale of the proposal, it is not considered to unreasonably effect any neighbouring properties.	
Dormer extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
relate to the appearance of the house and existing roof	The dormers are suitably sized in comparison to the original house and roof and will also be constructed using materials to match the existing building, therefore relating well to the appearance of the house and existing roof.	
be designed in style and materials similar to the appearance of the existing house and roof	The dormers will be designed in subservience to the original roof and in materials to match the existing roof and dwelling.	
not dominate the roof or project above the ridge of the house	The proposed dormers will not dominate the roof of the application dwelling or project above the ridge of the house.	
be set below the ridgeline of the existing roof and within the roof plane	All proposed dormers are to be set below the ridgeline of the existing roof and within the roof plane.	
be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant	The rear dormers will be aligned with the rear dormer on the adjoined property in terms of height.	

Design and Visual Amenity:

Summary of local street scene/character:

The application site refers to 20 Rowley Drive, a two-storey semi-detached property faced in brick, stone, and render cavity, with a grey/brown interlocking tiled roof, and white uPVC double glazed windows and doors. The property lies within a relatively uniform street scene, surrounded by semi-detached dwellings with a similar style, character, age and scale. The application dwelling also benefits from a hardstanding parking area to the front and South, as well a large garden area 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 proposals are subservient to the original building, and are to be constructed using materials to match the existing house, it is considered that there will be no significant impact on the local character and street scene. Neighbouring properties have been extended and altered in the form of front extensions, dormers and alterations and as such there is no uniform character to the street scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Due to the proposals being subservient to the original house and constructed using materials to match those of the existing building, it is considered that there will be no significant impact on the original house.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD	The extensions are all subservient to the host	✓

	• Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	dwelling in terms of height, scale, and massing.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The walls are set to be faced in brick, stone, and render cavity, with windows and doors to be white uPVC double glazed, all of which match the existing building.	✓
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 proposed roof is grey/brown concrete interlocking roof tiles to match that of the existing building.	✓
Window proportions	• 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 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 required.	✓

It has been confirmed by the agent that the proposed dormers, both front and rear, will be completely faced in materials to match those of the existing building.

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:

- 17, Rowley Drive, Lepton, Huddersfield, HD8 0AH – Neighbouring property to the West.
- 18, Rowley Drive, Lepton, Huddersfield, HD8 0AH – Adjoined neighbour to the North.
- 19, Rowley Drive, Lepton, Huddersfield, HD8 0AH – Opposing neighbour.
- 21, Rowley Drive, Lepton, Huddersfield, HD8 0AH – Opposing neighbour.
- 22, Rowley Drive, Lepton, Huddersfield, HD8 0AH – Neighbouring property to the South.

	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	As there are no side windows proposed in the North and South elevations of the extensions, and those windows facing East and West are a minimum of 20m away from the closest opposing dwelling, it is considered that there will be no significant impact 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	As the footprint of the dwelling will not be significant increasing other than the single storey rear extension, and the adjoined dwelling at 18 Rowley Drive have also erected a single storey rear extension, it is considered that there will be no significant impact on light and outlook of neighbours.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b)	As aforementioned, the limited increase in footprint of the application dwelling mean it is considered	✓

	Chapter 12 of the NPPF	that there will be no significant impact on overbearing or overshadowing.	
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 half of its current garden space, which is considered to be an acceptable amount.	✓

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 dwelling is set well back from the nearest highway (Rowley Drive) which is not a busy 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 number of bedrooms at the dwelling will be 3, therefore, the property will require 2 off-street parking spaces which can be facilitated by the hard-standing parking area to the front of the house. Considering this, the parking provision is considered acceptable.	✓
Provision for waste storage	- KDP 16 of the SPD - Policy LP24 Design (d) (iv)	Although nothing specific is detailed within the submitted plans, there will be adequate	✓

	Chapter 12 of the NPPF	space on 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	- KDP 13 of the SPD - Policy LP24 Design (d) (i) (iv) Policy LP33 Trees - Chapter 12 of the NPPF	The proposals are not close enough to have any significant impact upon trees.	✓
Impact on ecology	- KDP 12 of the SPD - Policy LP30 - Chapter 15 of the NPPF	While the site is within a bat alert 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 bats or potential to disturb those protected species are found.	✓

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:

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 would constitute sustainable development and is therefore recommended for approval.

Recommendation: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2024/93564

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.

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.

4. The proposed ensuite window in the South 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 National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Form	-	-	18/12/2024
Grouped Plans and Elevations	001a – Existing	-	13/01/2025
Grouped Plans and Elevations	002a – Existing	-	13/01/2025
Grouped Plans and Elevations	05a – Proposed	-	13/01/2025

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	HD80AH-ASD-PROP.PLANS.003B	-	18/03/2025

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 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 sought necessary to decrease the scale of the outbuilding in the proposed plans due to significant impacts on residential amenity, to which the applicant decided to remove the outbuilding from the application and consider erecting an outbuilding which meets permitted development regulations outside of this application.

Report Dated: 19/03/2025