

**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:	2024/62/93573/W
Site Address:	62, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY
Description:	Erection of single storey rear extension
Recommending Officer:	Joanna Rednall

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: 06-Mar-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93573
Location	62, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY
Proposal	Erection of single storey rear extension
Publicity end date	13 th February 2025
Number of representations received	None received.
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	EoT Date: 10th March 2025
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	✓	

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 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 53** – Contaminated and unstable land

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

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	Yes	Amended plans were sought to reduce the scale of the development to reduce the impact on the adjoining neighbour. Amended plans were received on 14 th February 2025. These were not re-publicised as they did not fundamentally alter the development applied for.

Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

Assessment

Permission is sought for erection of single storey rear extension.

The measurements of the extension are as follows:

- 4m projection
- 5.6m width
- 2.3m eave height
- 4m ridge height

The extension is set 1m from the common side boundary with No.64, and is finished in render with a pitched roof incorporated above infilled with concrete tiles.

Internally, the rear extension serves a dining/kitchen area.

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

Single storey rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Be in keeping with the scale and style of the original house	The extension would be finished in render to match the host property and would appear subservient in scale to the host property.	
Not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	The extension would not cover more than half the total area around the original house.	

Not exceed 4 metres in height	The extension would not exceed 4 metres in height.	
Not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties		<p>No - The application property is an end terrace dwelling and the extension projects 4 metres from the rear wall.</p> <p>The application dwelling is set within a spacious plot and it is not considered the proposed extension would appear a disproportionate or incongruous addition. The application property is also an end terrace, and the extension is positioned 1 metre away from the boundary with adjoining neighbour, and reducing the extension by an additional metre in projection is not considered to result in a significant benefit in terms of visual impact / residential amenity in this case (discussed in more depth in the following report).</p>
Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	The eaves height would not exceed 2.5 metres.	
Retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	The extension retains a 1 metre gap from all property boundaries.	

Design and Visual Amenity:

Summary of local street scene/character:

The application property is an end terraced property located at the end of a row of four properties. The dwellings are two storey and faced with versions of render with tiled roofs. At the rear there are few examples of single-storey rear extensions. The host property is on raised ground in relation to the highway and extensions to the rear would therefore be of very minimal impact on the streetscene.

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 	Located to the rear of the host and would have a limited impact upon the street scene. The extension is modest in scale and the proposed materials can be secured by condition to ensure the development appropriately harmonises with the locality.	✓
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 	<p>The extension would be subservient in scale and would not dominate the rear elevation.</p> <p>The proposed render matches the appearance the existing house and is considered to be acceptable.</p>	✓
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 	As above.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD 	Faced in render to match the host. Condition to	✓

	<ul style="list-style-type: none"> • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	ensure this is the case is recommended.	
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 	Pitched roof, simple form of single-storey.	✓
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 	The submitted plans show three openings to the rear of the extension. The proportions are residential in style and would appear in keeping with its locality.	✓
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 which would not change the existing access into / around the property.	✓

The design of the proposal is therefore concluded to be acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, and the NPPF. Having regard to the level of projection, in this case it is considered there would be little design benefit to insist upon a 3m projection rather than the 4m projection proposed and the proposal would not have a visually harmful impact as a result of this element of the scheme. The proposal is therefore concluded to be acceptable having regard to this recommendation within the SPD.

Residential Amenity:

The main properties affected are:

- 60, Lingards Road – neighbour to the side, separated by approx. 3.7 metres. This property also benefits from a single storey rear extension (2022/90910) which projects 3.6m from the rear elevation. The extension would have no side windows and be of limited height and would project approximately 0.4 metres beyond the rear extension at No.60. Due to the existing extension to the rear of this neighbour, the limited height and scale of the proposed extension, as well as the separation distance, the proposed development is not considered to have a significant impact upon the amenity of No.60.

- 64, Lingards Road – attached neighbouring terrace. The proposed extension would have no side elevation windows with no resultant overlooking, and the extension would adequately limit its impact on No.64 with a 1 metre gap to the common boundary with no harmful overbearing or oppressive impacts occurring as a result, given the distance it would be sited from the boundary and the size / scale of the proposal.

In terms of overshadowing and loss of light, the submitted floor plans show that the proposed extension would slightly cut the 45-degree line from the closest window of No.64 (line taken from the centre of the cill). This line is cut for the last 0.9m.

However, when taking into consideration paragraph 4.18 of the Council's SPD which sets out consideration should also be given to the position of the extension in relation to the sun's path, overshadowing would be very restricted with no significant effects limited to early mornings given the site is north of no.64.

Taking the above into account, including the modest scale of development, the separation distance from the boundary, and the orientation of the extension in relation to the sun's path, the development is considered to avoid any undue impacts of overbearing / overshadowing / loss of privacy.

	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 	Acceptable for the reasons above.	✓
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 	Acceptable for the reasons above.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 	Over half of the existing garden space would be retained. Therefore considered acceptable in this regard.	✓

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?

	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 	The proposal would not affect the existing parking spaces and would not intensify use through additional bedroom accommodation. Considered acceptable.	✓
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 	As above.	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	None shown on plans however, there is sufficient space within the red line boundary to allow for storage on site. Condition not considered necessary.	✓

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?

	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 	N/A	N/A

	<ul style="list-style-type: none"> • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 		
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	Bat Alert layer - The building is in good order, well sealed and unlikely to have any significant bat roost potential. A cautionary note is recommended. The single storey design of the proposal is such it would not significantly affect the roof which is the part of the building most likely to accommodate bats.	✓
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.	✓
Contaminated and unstable land.	<ul style="list-style-type: none"> • Policy 53 of the KLP • Chapter 15 of the NPPF. 	The site is within a historic landfill buffer area. As such there is potential for contaminated land affecting public safety. A pre-cautionary condition	✓

		has been attached to advise the applicants of their duties should any unexpected land contamination be found.	
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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		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: 2024/93573

Officer Recommendation: Approve

Conditions

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 walling of the single storey rear extension hereby approved shall be faced in render which in all respects matches the host property which shall be retained thereafter.

Reason: In the interest of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. The roofing materials of the single storey extension hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interest of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

5. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either

- (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or
- (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure public safety and to comply with policy LP53 of the Kirklees Local Plan and policies within Chapter 15 of the NPPF.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)

- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulations within the Conservation of Habitats and Species Regulations 2017. 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing & Proposed plans	20 J 23	01 A	14/02/2025
Application form	-	-	07/01/2025
Climate Change Statement	-	-	07/01/2025

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 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. Amended plans were sought to reduce the scale of the development to reduce the impact on the adjoining neighbour. Amended plans were received on 14th February 2025.

Report Dated: 04/03/2025

