

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:	2024/62/93588/W
Site Address:	114, Slaithwaite Road, Meltham, Holmfirth, HD9 5PW
Description:	Erection of two storey and 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: 17-Feb-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93588
Location	114, Slaithwaite Road, Meltham, Holmfirth, HD9 5PW.
Proposal	Erection of two storey and single storey rear extension.
Publicity end date	12/02/2025
Number of representations received	2 from 1 address
Kirklees Local Plan Allocation/Designation	The application site is located in a twice buffer area, 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
Negotiations/Amendments during course of application	Yes	It was suggested that the two-storey rear extension could be moved further away from the property boundary, however, this would not be possible as the functions of the extension would be limited. As a result, the initial proposal has been deemed as acceptable in this regard.
Parish/Town Council comments sought	Yes	Meltham Town Council have expressed concerns regarding the scale of the project and the potential impact on neighbours. This will be addressed later in the report.

Planning History	Yes	2004/95686 – Erection of gate and trellis – Full Permission Unconditional. 2019/90603 – Erection of side extension – Conditional Full Permission.
Consultations required	No	

Assessment

The application seeks permission for a single storey rear extension and two-storey rear extension.

The proposed single-storey rear extension would project 3.22m from the rear elevation of the existing building, with a maximum height of 3m, eaves height of 2.75m, and a width of 5.51m.

The proposed two-storey rear extension would also project 3.22m from the rear elevation of the existing building, with a maximum height of 7.92m, eaves height of 5.82m, and a width of 4.92m.

The Kirklees SPD sets out that single storey rear extensions and two storey rear extensions should comply with certain parameters set out at paragraphs 5.1, 5.2, 5.6, and 5.8 on pages 23, 24, and 25 (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	The application property will retain at least 50% of its current rear garden space.	
Be set behind the original building, and not projecting beyond the sides	Both the single storey and two storey rear extensions will be completely set behind the original building, and not projecting beyond the sides.	
Maintain external access to the rear garden	The current external access to the rear garden, to the South	

	West of the dwelling, will be retained.	
Respect the original house and garden in terms of its size and scale	Both proposed extensions will be subservient to the original building in size and scale and ensure a large amount of garden space is retained, not overpowering the properties amenity space.	
Use appropriate materials which match or are similar in appearance to the original house	All materials proposed are either to match the existing building or will complement the materials within the original dwelling. As a result, all proposed materials are considered acceptable.	
Not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties	As the two-storey extension (being closest to the adjoined neighbouring dwelling) does not intercept the 45-degree angle from the centre sill of the closest neighbouring windows, it is considered that any impacts on neighbours with regard to overshadowing or loss of outlook will not be significant enough to warrant refusal.	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	The single storey extension will be subservient to the original house and use all materials to match the existing dwelling other than the use of a flat roof. However, in this case, a flat roof is	

	considered more optimal than a pitched roof in terms of visual appearance, drainage, and feasibility.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	A large amount of amenity space will still remain around the property due to the lengthy garden to the rear.	
not exceed 4 metres in height	The proposed single storey extension will have a maximum height of 3m, 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 proposed single storey extension will project 3.22m from the rear elevation of the existing property, exceeding the 3m guideline, however, as the breach is small and the single storey rear extension is to be located away from the property boundary, it is considered that the breach is insignificant, will have no impacts on neighbouring dwellings, and is therefore deemed acceptable.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		Where the proposed extension exceeds 3m in length the eaves height is 2.75m, exceeding the 2.5m guideline. Despite this, as mentioned above, this is considered an insignificant breach that will have little impact on neighbouring dwellings and is therefore deemed acceptable.
retain a gap of at least 1 metre from a property	A 1m gap is retained to the property boundary on both sides of the	

boundary, such as a wall, fence or hedge	proposed single storey rear extension.	
Two storey rear extensions should:		
be proportionate to the size of the original house and garden	The proposed two storey rear extension is subservient to the original house and garden in terms of size and scale.	
not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings)	Over 50% of the total area of land around the original house will remain following the erection of the proposed extension.	
not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties		The proposal will project 3.22m from the rear elevation of the existing building, exceeding the 3m guideline, however, as the 45-degree angle to the centre sill of the closest neighbouring window is not be intercepted, this is considered acceptable as there will be no significant impact on neighbouring dwellings with regard to overshadowing and overbearing.
not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary		The two-storey rear extension would exceed an eaves height of 3m where within 1.5m of the property boundary, however, as explained above due to the proposal not intercepting the 45-degree angle to the centre sill of the closest neighbouring window, it is not considered to have a significant

		impact on the neighbouring dwelling. Considering this, the two-storey rear extension is acceptable in this regard.
be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre		The extension is only set 0.22m away from the property boundary, however, this is considered acceptable due to there being no significant impacts on the neighbouring property as a direct result of this.
not adversely affect habitable room windows where they adjoin a neighbour's boundary	The 45-degree angle to the centre cill of the neighbouring windows closest to the proposals is not intercepted, therefore, it is considered that there will be no adverse effects on neighbouring habitable room windows that are great enough to warrant refusal.	

Design and Visual Amenity:

Summary of local street scene/character:

The application site refers to 114 Slaithwaite Road, a two-storey semi-detached property faced in painted render, a blue slate roof, and PVC windows and doors. The application property is located on a B Road (Slaithwaite Road) and has a large amount of amenity space to the side and rear of the house, which runs parallel with this highway. The property lies in a relatively varied street scene, being surrounded by properties with differing styles, characters, and sizes. The dwelling has also had Permitted Development rights previously removed.

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	Due to the proposals being subservient to the original house and being constructed using mostly materials to match the existing dwelling, 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	As the extensions are subservient to the original house and are to be constructed using materials that are sympathetic to the existing dwelling, 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 • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The extensions are considered to be subservient to the original building 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	A number of materials will be used to match those of the original house including painted render walls and PVC windows and doors.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Although a blue slate roof will be used on the two-storey extension to match the original roof, a flat roof will be used on the single-storey proposal. Despite this not matching the existing	✓

		dwelling, it is considered to be a good choice in terms of design and practicality as opposed to a pitched roof, therefore, this is deemed acceptable.	
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 existing in the dwelling 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.	✓

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:

- 116, Slaithwaite Road, Meltham, Holmfirth, HD9 5PW – Adjoined property to the North East.

	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 windows proposed in the North East facing elevation of the two-storey rear extension, it is considered that there will be no significant impact upon privacy of neighbours.	✓
Impact on light and outlook of	• KDP 4, 5, 6 of the SPD	As the proposals do not intercept the 45-degree	✓

neighbours (to sides, rear and front)	• Policy LP24 Design (b) • Chapter 12 of the NPPF	angle to the centre cill of the closest window in 116 Slaithwaite Road, 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) • Chapter 12 of the NPPF	As aforementioned, due to the extensions not intercepting the 45-degree angle to the centre cill of the closest window, it is considered that there will not be any significant impacts regarding overbearing or overshadowing to warrant refusal.	✓
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 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 proposals are set far enough back from the nearest highway (Slaithwaite Road), it is considered that there will be no significant impact on highway safety.	✓
Parking provision	• KDP 15 of the SPD	The number of bedrooms at the dwelling will not increase as a result of the proposals, and the	✓

	• Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	extensions will not remove any current parking space to the front of the dwelling, therefore, parking provision is considered 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 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 twite buffer 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 twites 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:

- Meltham Town Council have expressed concerns regarding the scale of the project and the impact on the neighbours

Officer Response: The impact upon residential and visual amenity is considered within the 'Assessment', 'Design & Visual Amenity', & 'Residential Amenity' sections of this report.

With regard to third part representations, two objections have been received from one address raising the following summarised concerns (with officer response provided in italics):

- The submitted drawings do not state how far the extension is set away from the boundary, nor the height of the extensions.

Officer Response: These dimensions can be found in the 'Assessment' section of this report.

- The two-storey rear extensions are considered overbearing, and it is felt this will unreasonably overshadow habitable rooms and private garden areas and will materially affect the amount of natural light enjoyed by the neighbouring property.

Officer Response: This has been considered and is addressed in the 'Residential Amenity' section of this report.

- The single storey extension isn't in keeping with the host dwelling (flat roof).

Officer Response: This has been considered and is addressed in the 'Design and Visual Amenity' section of this report.

- The extensions appear flush with the host dwelling and not set back therefore not appearing sub-ordinate to the host dwelling.

Officer Response: It is not a requirement for rear extensions to be 'set back', and the subservience of the extensions has been considered in the 'Design and Visual Amenity' section of this report.

- Do not believe the extensions comply with local and national planning policy therefore where is the justification?

Officer Response: The justifications to the proposals not meeting House Extensions and Alterations SPD guidelines are found in this report.

- Do not feel that the proposals are innovative or contemporary therefore should this application be refused?

Officer Response: The proposals will improve the functions of the property for existing and future users and are therefore considered to be innovative.

- Neighbour hasn't discussed the two-story proposal with the neighbouring occupants.

Officer Response: Whilst it is advised that early consultation is conducted with neighbouring properties, this is not a statutory requirement.

- Do not believe the proposals comply with Key Design Principle 2.

Officer Response: This is considered and addressed in the 'Design and Visual Amenity' section of this report.

- Do not believe the proposals comply with Key Design Principle 3.

Officer Response: This has been considered and is addressed in the 'Residential Amenity' section of this report.

- Do not believe the proposals comply with Key Design Principle 5.

Officer Response: This has been considered and is addressed in the 'Residential Amenity' section of this report.

- Do not believe the proposals comply with Key Design Principle 6.

Officer Response: This has been considered and is addressed in the 'Residential Amenity' section of this report.

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: 2024/93588

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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	01 B	-	30/01/2025
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 2024 and otherwise actively engaged with the applicant in dealing with the application. The case officer sought it necessary to seek additional plans showing the 45-degree angle from the centre sill of the closest neighbouring window.

Report Dated: 12/02/2025