

**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: | 2025/62/90648/W |
| Site Address: | 256, Reinwood Road, Quarmby, Huddersfield, HD3 4DS |
| Description: | Erection of two storey side extension |
| Recommending Officer: | Joanna Rednall |

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: 15-May-2025

The Site

256 Reinwood Road, Quarmby, is an end terrace of seven stone property with a hipped slate roof located on an acute corner with Myrtle Grove. The property is bounded by a small wall with a drive to the side of the property.

The Proposal

The application is seeking planning permission for erection of two storey side extension.

The approximate measurements of the extension are as follows:

- 4m width
- 6.7m depth
- 5.5m eave height
- 7.6m ridge height

The front and rear elevation of the extension are finished in stonework to match the existing dwelling, and the side elevation is finished in stone and render. The roof form is hipped and finished in blue slates.

Internally, the extension serves a kitchen/dining area at ground level and two bedrooms at first floor.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

Relevant planning history for this site is summarised as follows:-

2021/91622 - Erection of two storey side extension - *Conditional full permission*

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 4th May 2025

No representations were received as a result of the publicity.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive

approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Paragraph 5.19 of the House Extensions and Alterations SPD sets out that two-storey side extensions can have a significant effect on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area. It goes on, at paragraph 5.20, to state that two-storey side extensions should:

- not take up all or most of the space to the side of a house;

- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house.

The proposed extension is considered to appropriately comply with the key design principles as set out in the SPD. The side extension has been designed with a hipped roof and will be built using matching materials to the original house. The development would, therefore, be in keeping with the main house and the surrounding area which is characterised by very similar properties.

Paragraph 5.21 of the Council's SPD states setting extensions back and down from the host dwelling is important to avoid a terracing effect and closing the gap between semi-detached or detached houses. However, in this case as the land to the side is open and extends onto a highway, it is not considered that terracing is a matter for concern. Furthermore, the host property is an end terrace property, where the area is dominated by terraced properties and this proposal will merely result in an extension of one of these, in a design that matches the existing property.

While the extension is relatively large, where it could be considered that the extension is no longer subservient to the original house given its prominent position, in this case it is considered the extension would be subservient. This is due to the fact that it represents the only extension to the property, allowing it to remain subordinate in overall scale and appearance. However, given the limited remaining capacity for further development, it would be appropriate to remove permitted development rights for alterations within the roof space, rear extensions and detached buildings, in this case. This would prevent the overdevelopment of the site in the interests of visual amenity.

The proposal includes 3 parking spaces to the front of the dwelling and laying a new permeable surface. As there are many examples of similar hard standings created within the immediate area, it is considered such alteration would not have a significant visual impact on the character of the area in this case being generally characteristic.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”*.
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”*.
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

256, Reinwood Road is an end-terrace property and the land adjacent to the extension consists of a highway. As a result, the extension would retain a minimum separation distance of approximately 17 metres to neighbouring dwellings on Myrtle Grove. Taking this into account, there are no concerns that the proposal would bring the dwelling too close to any other dwellings in this direction. In conclusion, the development is not considered to have adverse overshadowing or overbearing impacts on any neighbouring properties.

In terms of overlooking, the windows on the front elevation would result in mirroring the existing relationship with the neighbouring properties on the opposite side. The rear windows would overlook Myrtle Grove with no direct facing windows. The side elevation is a blank elevation.

Due to these reasons, it is considered there will be no impact on neighbouring properties with regards the side extension, in terms of overshadowing, overbearing, or overlooking due to the position with no direct overlooking windows.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and

6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

The submitted block plan demonstrates that the proposal would provide off-street parking for a minimum of three vehicles. To help mitigate potential flood risk, these parking spaces should be conditioned to be surfaced using a permeable surface material. The proposal does not propose any changes highway access, and it is therefore considered that the proposal is acceptable in relation to highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any

development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

None received

7 – 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

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/90648

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 (as amended).

1. 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

2. 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.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A, B or E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To avoid overdevelopment of the site and retain any future extension combined with existing extensions as subservient additions to the host property. Also, to preserve the amenities of nearby residential

properties and to accord with LP24 of the Kirklees Local Plan and Policy in Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the proposed rear elevation on the approved plans, the roof line shall be stepped down from the existing ridge height of the host dwelling as indicated on the proposed front and side elevations.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP01, LP02 & LP24, of the Kirklees Local Plan and advice in the National Planning Policy Framework.

5. The development shall not be brought into use until all areas indicated to be used for parking on the submitted/listed plans have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 2009 as amended or any successor guidance. These areas shall be so retained, free of obstructions and available for the use specified on the submitted/listed plans for the lifetime of the development.
Reason: To ensure adequate space within the site for vehicle parking and to ensure adequate drainage of surface water within the site to mitigate flood risk in accordance with Policies LP22 and LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

NOTE: With reference to condition (6) above, the developer is advised to refer to Communities and Local Government 'Guidance on the permeable surfacing of front gardens' published 13th May 2009 (ISBN 9781409804864): www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. 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 |
|---|------------------|----------------|----------------------|
| Proposed Site Plan | - | - | 10/03/2025 |
| Existing Ground Floor Plan and Elevations | - | - | 18/03/2025 |
| Existing First Floor Plan and Elevations | - | - | 18/03/2025 |
| Proposed Layout and Elevations | - | - | 10/03/2025 |
| Application Form | - | - | 10/03/2025 |
| Climate Change Statement | - | - | 25/03/2025 |

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

13/05/2025

No coal