

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

| | |
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| Reference No: | 2025/62/90676/W |
| Site Address: | 11, Lea Street, Lindley, Huddersfield, HD3 3LS |
| Description: | Erection of two storey side extension |
| Recommending Officer: | Molly Storer |

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: 14-May-2025

HOUSEHOLDER DELEGATED REPORT –

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| Application Number | 2025/90676 |
| Location | 11, Lea Street, Lindley, Huddersfield, HD3 3LS |
| Proposal | Erection of two storey side extension |
| Publicity end date | 25 th April 2025 |
| Number of representations received | None |
| Kirklees Local Plan Allocation/Designation | Unallocated |
| Extension to Time (EoT) | 15 th May 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 | ✓ | |

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

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 | None required |
| Parish/Town Council comments sought | No | None required |
| Planning History | Yes | 2007/94243 – Erection of sunroom/conservatory and shower room – Refused. |

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| | | <p>This was a proposed 4.9m single storey rear extension. Reason for refusal:</p> <p><i>'The proposed rear extension, by virtue of its size, siting and projection, would have a detrimental effect on residential and visual amenity and would be contrary to policies BE14 and D2 of the Kirklees Unitary Development Plan.'</i></p> <p>It is noted that, from analysis of aerial imagery, a single storey extension to rear has been constructed at some point between 2018 and 2021 and it is considered, on the balance of probabilities, likely this would be a lawful structure given the timeframe it was constructed between.</p> |
| Consultations required | N/A | None required |

Assessment

The application seeks permission for a two storey side extension. The proposed two storey extension would be located on the southern (side) elevation of the property.

The extension would project 3.064m from the side elevation and have a width of 8.007m the height to the eaves would be 5.4m with an overall height of 8.1m. The roof will be of a gable roof design following on from the existing property.

The proposed construction materials would be stone for the walls and slate for the roof to match the existing.

The Kirklees SPD sets out that two storey side extensions should comply with certain parameters set out at paragraphs 5.16 and 5.20 on pages 28 and 29 (and listed below) and if they do not, they need to be justified.

| Side extensions should: | <u>Yes - COMPLY</u> | <u>No - JUSTIFY</u> |
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| Ensure reasonable levels of natural light to | Yes – An opening within ground floor side elevation of | |

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| the habitable rooms in neighbouring properties | neighbouring property however this a door and therefore appears to be non-habitable – proposed extension is set in from shared boundary. It is also noted that the existing garage already in close proximity to this opening. | |
| Positioning windows to minimise or avoid any potential overlook into neighbouring gardens | Yes – no proposed openings within the side elevation. Proposed openings within the front and rear elevations are considered to cause no additional harm than existing glazing in these elevations. | |
| Two storey side extensions should: | | |
| Not take up all or most of the space to the side of a house | Yes – the extension is set in from the side boundary of the property by 1m. | |
| maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property | Yes – a 1m gap is maintained. | |
| be set back at least 500mm from the front wall of the house | | No, the extension will be set in line with the front elevation at the first floor level. At the ground floor level it will be set in by 1.3m however this will be covered by a canopy. Although this does not meet the requirements of the SPD it is considered acceptable as it mirrors the two storey side extension on the adjacent property No.13 and would therefore be in keeping with the street scene. |

Design and Visual Amenity:

Summary of local street scene/character:

11 Lea Street is a two storey, semi-detached property located in the area of Lindley, Huddersfield. The property is faced in stone and has a gable roof design constructed from slate tiles. Within the wider curtilage, driveway amenity space is present to the front elevation with a small front garden, and to the rear of the dwelling, is a substantially sized area of functional garden amenity space and a 3m single storey rear extension. The property is located in a residential area where all of the surrounding properties share the same style of design and construction, faced in matching materials. Therefore, it is concluded that there is a strong sense of similarity established within the street scene.

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 | Other side extensions within the street scene – although the extension is not set back or down this mirrors the side extension at No.13. No terracing effect will occur even though this neighbour has also extended to the side given the gap which would remain between no.13 and no.11. | ✓ |
| 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 | Constructed from matching materials and set in line with established elevations. The extension will have a limited projection and width therefore the structure appears subservient. | ✓ |
| Height, scale and massing | <ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) | Subservient due to its limited massing, maintaining a 1m gap to the boundary and | ✓ |

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| | <ul style="list-style-type: none"> and (d) of the KLP • Chapter 12 of the NPPF | mirroring the extension at No.13. | |
| 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 walls will be constructed from stone and the roof would be constructed from slate. These would match the existing and recommended to be conditioned to match. | ✓ |
| 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 | Gabled roof to match the existing | ✓ |
| 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 | Openings within the front and rear elevations would be, proportionate in terms of size and scale with the existing. No openings within the side elevation. | ✓ |
| Accessibility for all users | <ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF | Main entrance to the property would be retained as existing | ✓ |

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:

- No. 13 Lea Street – this property is located to the south of the application site. The impact to this property will be assessed below.
- No.9 Lea Street – this property adjoins the application site to the north. The extension is not considered to have any significant residential amenity impact on these neighbours due to the extension being proposed on the opposite side of the property. This means that the

existing development would screen the extension which will not be visible from No.9.

- No. 26 & 28 Stanley Road – these properties are located to the rear of the application site. Due to a large separation distance of ~20m and openings within this elevation not in closer proximity to existing on this elevation, it is considered that the extension will not significantly impact this neighbour.

There are no properties directly to the rear of the application site.

| | 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 | <p>Limited impact to no.13 due to there being no windows located within the side elevation facing this property.</p> <p>Openings to the front and rear are not considered to significantly increase overlooking over and above that which exists already.</p> | ✓ |
| Impact on light and outlook of neighbours and any overbearing or overshadowing impact (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 | <p>There would be limited overbearing/overshadowing or loss of light to no.13 due to a two storey side extension facing the host property. This elevation at No.13 has no windows within this elevation on the first floor and only a single door on the ground floor. The extension would not extend beyond the front or rear building line of this neighbour and therefore it is considered that there would be no significant impact.</p> | ✓ |
| Remaining garden space of | <ul style="list-style-type: none"> • KDP 7 of the SPD | <p>An adequate amount of garden amenity space would be retained to the</p> | ✓ |

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| application property | <ul style="list-style-type: none"> • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF | front and rear of the property. | |
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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 | N/A | N/A |
| 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 | <p>The property would see one additional bedroom and it is considered that although the extension would reduce the parking area at the property a large part of the driveway would be retained and it is considered that there is no significant strain on parking within the street.</p> <p>Currently there is one usable off street parking space to the front of the host property and this would remain. In this case it is considered the benefit of soft landscaping in the street outweighs the benefit of creating off street parking upon this area of land and it is not considered necessary to require creation of further</p> | ✓ |

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| | | off street parking in this case given the existing situation at site with the existing garage not meeting size requirements to serve as a functional off street space. | |
| 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 plan however sufficient space within the site boundary to accommodate bin 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 | <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 | None | N/A |
| Impact on ecology | <ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF | The site is located within a bat alert layer on the council GIS System. A footnote will be inserted upon the decision relating to the safeguarding of bats potentially on site. | ✓ |
| Carbon Budget / Climate change statement | <ul style="list-style-type: none"> • KDP 8, 9, 10 & 11 of the SPD • Policy LP51 | Small scale domestic development to an existing dwelling. As such, no special measures required | ✓ |

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| | <ul style="list-style-type: none"> Chapter 14 of the NPPF | 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 |
|---------------------------|------------------|--------------------------|
| 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: 2025/90676

Officer Recommendation: Approve

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 LP1, LP2, LP21, LP22, LP24 and LP53 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 9, 12, 15 and 16 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 12, 15 and 15 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 and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1,2 and 9 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 of 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.

| Plan Type | Reference | Version | Date Received |
|--------------------------|-----------|---------|---------------|
| Location plan | 0001-P1 | - | 11/03/2025 |
| Existing floor plans | 0002-P1 | - | 11/03/2025 |
| Existing elevations | 0003-P1 | - | 11/03/2025 |
| Proposed site layout | 0007-P1 | - | 11/03/2025 |
| Proposed 3D views | 0006-P2 | - | 11/03/2025 |
| Proposed floor plans | 0004-P2 | - | 11/03/2025 |
| Proposed elevations | 0005-P2 | - | 11/03/2025 |
| Application form | - | - | 11/03/2025 |
| Climate change statement | - | - | 11/03/2025 |

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 2025 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: 28/04/2025