

**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: 2020/62/92854/W

Site Address: 46, Cleveland Road, Edgerton, Huddersfield, HD1 4PW

Description: Erection of single storey rear extension with associated works (within a Conservation Area)

Recommending Officer: Lucy Taylor

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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 29-Oct-2020

Officer Report.

Reference: 2020/92854

Location: 46 Cleveland Road, Edgerton, Huddersfield, HD1 4PW

Proposal: Erection of Single storey rear extension with associated works.

Site Description.

46 Cleveland Road is a two storey terrace property located in Edgerton, Huddersfield. The property is constructed from stone and has a gable roof. The site is located within a residential area, with properties sharing a similar traditional design. This predominant style is a combination of terrace and detached properties constructed from stone, with gable and hipped roofs. Extensions and exterior alterations are not uncommon in this area.

Description of Proposal.

Erection of single storey rear extension with associated works.

Erection of Single Storey Extension:

The proposed extension is to be located at the rear of the property and will project 2.89 metres from the rear wall of the dwelling. The total height of the extension from external ground level is expected to be 3.5 metres and have a flat roof. The external walls will be constructed from stone, the roof will be flat and covered in appropriate membrane.

The proposed extension includes the installation of glazed bi-folding doors which span both the side and rear of the extension. By design, the glazed door would cover half of the width of the rear wall and the entirety of the side wall of the extension.

History of Negotiations.

No negotiations have taken place and no amended plans have been sought or submitted.

Relevant Planning History.

Similar applications have been made nearby to the site:

- **2020/91828** – 42 Cleveland Road – Erection of outbuilding. *Granted in 2020.*
- **2020/90256** – 8 Cleveland Road – Erection of rear extensions and exterior alterations. *Granted in 2020.*
- **2014/62/91870/W** – 47 Cleveland Road – Erection of porch to front and single storey rear extension, and alterations to roof. *Granted in 2014.*

Representations.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters and a site notice which expired on 16th October 2020. The application was also publicised through a site notice at the property, this expired on 27th October 2020. Two representations were received.

The first representation is against the proposed development at 46 Cleveland Road, stating the rear extension will be imposing.

The second representation made regarding development at 46 Cleveland Road was a supporting comment. Suggesting that the extension is an entirely appropriate development and will cause little or impact to neighbouring residents or the conservation area more broadly.

Consultation Responses.

No consultations were deemed necessary for this proposal.

Policy/Legislation.

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).

The site is not specifically allocated on the Kirklees Local Plan however, it is within the Edgerton Conservation Area.

Kirklees Local Plan:

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP24** – Design
- **LP35** – Historic environment

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published February 2019, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 12** – Achieving well-designed places
- **Chapter 15** – Protecting and enhancing the natural environment
- **Chapter 16** – Protecting and enhancing the historic environment

Assessment.

The Following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 1) Principle of development
- 2) Impact on visual amenity and Heritage
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1. Principle of Development:

The site is located within the Edgerton Conservation Area. Therefore, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area. This relates to Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment.

Alongside this, LP1 of the KLP 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 NPPF.

2. Impact on Visual Amenity and heritage:

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity. Given the sites location in the Conservation area LP35 is also relevant which states:

“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted

where it can be demonstrated that the proposal would bring substantial public benefits that clearly outweigh the harm”.

The property is located within a residential area with surrounding properties sharing a similar style of design and construction. The properties located near to the application site are all terrace in style and faced with stone. Therefore, there is similarity within the streetscene on Cleveland Road, Edgerton.

The proposal refers to the erection of a single storey extension at the rear of the property. As the extension is single storey in height it is subservient on scale when viewed against the two storey property and is not of an obtrusive height therefore, does not dominate the rear of the dwelling. In addition, the proposed external construction materials of natural stone are appropriate and would be in keeping with the natural stone construction of the dwelling. The larger corner opening, whilst contemporary in design is considered to be acceptable given its location on a non prominent elevation and would not detract from the architectural style of the main dwelling. It is therefore considered that the proposal would not cause harm to the conservation area or its setting.

Taking into account all of the above, it is considered that the proposed extension and alterations would comply with local, national and emerging policies in relation to design and heritage.

3. Impact on Residential Amenity:

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to *“provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.”*

The impact of the development on each of the surrounding properties will be assessed in turn.

- *44 Cleveland Road* - This property is located to the North East of the boundary site and the extension would be constructed up to the shared boundary. Due to the small scale in size of the single storey rear extension with its flat roof design it is considered that the proposal would not result in undue overbearing or overshadowing on this property. In addition no windows would be located on the north eastern elevation which would prevent any overlooking.
- *50 Cleveland Road* – This property is located to the south west of the boundary site. The proposed extension would be located 3.5 metres from the shared boundary. Given this separation distance, combined with single storey nature of the development it is considered that the proposal would not lead to any undue overbearing or overshadowing impact. With regard to overlooking, the extension includes a set of bi-fold doors which look towards no.50, however existing boundary

treatment obscures any views from these towards no.50 which ensures that there would be no detrimental overlooking impact on no.50.

- *23 and 25 Rumbold Road* - These properties are located to the North of the application site and therefore, overlook the rear of the dwelling. Due to the small scale in size of the single storey rear extension it would not result in undue overbearing or overshadowing. Furthermore, there is significant separate distance between these properties and 46 Cleveland Road.

4. Impact on Highway Safety:

The erection of a rear extension will not increase car usage or reduce the capacity of car parking to the property. Therefore, the proposal is considered to have no impact on highway safety and as such complies with Policies LP22 and LP24 of the Local Plan.

5. Other Matters

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 predates 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.

In this case, due to the nature of the proposal it is not considered reasonable to require the applicant to put forward any specific resilience measures. However, it has been noted that the extension will be constructed from stone, which is considered to be a natural material that can be sourced locally. The proposal also includes significant glazing which would help to increase solar gain at the property.

6. Representations:

Two representations were received:

The first representation is against the proposed development at 46 Cleveland Road, stating the rear extension will be imposing.

Response: The proposed dimensions of the rear extension have been assessed in relation to their impact on residential amenity. The assessment undertaken did not result in the proposed extension being deemed as imposing on neighbouring properties.

The second representation made regarding development at 46 Cleveland Road was a supporting comment. Suggesting that the extension is an entirely appropriate development and will cause little or impact to neighbouring residents or the conservation area more broadly.

Response: These comments are noted.

7. Conclusions.

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: 2020/92854

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 so as to ensure the satisfactory appearance of the development on completion, to protect the character and appearance of the Edgerton Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

3. The external walls 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 to protect the character and appearance of the Edgerton Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	(20)001 - PROPOSED	1	1/9/20
Grouped Plans and Elevations	(EX)001 - PROPOSED	1	1/9/20
Location Plan	(EX)002	1	1/9/20
Proposed Site / Block Layout	(20)002	1	1/9/20
Design and Access Statement	28 August 2020		1/9/20
Heritage Statement	28 August 2020		1/9/20

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. There was no active engagement with the applicant in dealing with this application as no amended plans were required for the application.

Report Dated 29/10/20