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: 2020/62/93259/W

Site Address: 4, Millfield Close, Oakes, Huddersfield, HD3 4DJ

Description: Erection of two storey rear extension

Recommending Officer: Laura Yeadon

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 11-Jan-2021

Officer Report

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020/93259

Site Description

4 Millfield Close is a semi-detached two storey property which is constructed from red brick with a concrete tiled roof. The property has a lawned garden to the front adjacent to an off-street parking space and to the rear is a single storey out-rigger and a larger garden area. The property is set within a sloping site with the adjacent pair of semi-detached dwellings set on a higher ground level. Boundary screening is predominantly hedges. The surrounding development is predominantly residential with dwellings being similarly designed brick constructed semi-detached properties, some of which have been extended.

Description of Proposal

Permission is sought for the erection of a two storey rear extension.

The proposed extension would be located on the rear elevation of the property and would replace the existing single storey outrigger building. The extension would lie flush within the existing side elevation of the property and would be a total width of 3.5 metres projecting a total of 3 metres from the rear elevation of the property being set in from the shared boundary with No. 2 by 4.45 metres. The eaves height would match the existing eaves with the pitched roof being set down from the roof by 0.8 metres.

The proposed construction materials would be brick for the walls, concrete tiles for the roof and white uPVC for the windows and white aluminium for the doors.

The resultant accommodation would be a dining room extension at ground floor and bedroom at first floor.

History of negotiations/amendments received

No negotiations have taken place and no amendments sought or submitted.

Relevant Planning History

None

Representations

We are currently undertaking the legal 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.

Final publicity date expired 18th November 2020 – no representations received.

Parish/Town Council comments – not applicable

Consultation Responses

None required

Policy

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 without notation on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, 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.

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters

6) Representations
7) 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.

In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

2 –Impact on visual amenity:

The extension would replace the existing single storey outrigger on the rear elevation of the property with a two storey extension. The design of the extension is such that the roof line would be set down from the existing roofline by 0.8 metres and as the extension is part-width the rear elevation and roof of the original property can be clearly identified. When considered against the original property the extension, whilst being two storeys in height, would be a subservient structure and therefore would comply with the requirements of Policy LP24 of the Kirklees Local Plan. By being isolated to the rear of the property and undesirable terracing effect would not occur with the adjacent property No. 6.

The proposed construction materials would match the host property are therefore considered to be in keeping with both the host property and within the rear elevation street scene.

Due to the modest curtilage surrounding the property, it is not considered that the proposal would result in an overdevelopment of the site.

Taking all the above into consideration, it is considered that the proposal is acceptable in terms of visual amenity and would accord with the aims of Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

In terms of overlooking, the proposed openings would be to the rear elevation of the extension where patio doors are located at ground floor and a window is located at first floor with a ground floor window within the side elevation that would face the shared boundary with the attached neighbour. Due to the extension being set in from the existing boundary and the screening in place, this side opening is considered acceptable. Given the separation distance between the rear elevation of the extension and the property beyond the rear boundary being approximately 25 metres, the opening contained in the rear elevation are considered to be acceptable so as not to cause undue harm from overlooking.

With regards to overshadowing/being overbearing, the proposed extension would lie flush with the existing side elevation of the property on the elevation facing No. 6 Millfield Close. No. 6 is on a higher ground level than the application site and the properties are separated by approximately 4 metres with the projection of the extension being limited to 3 metres. Taking this into account and that the orientation of the extension being to the east of No. 6 there are minimal concerns. With regard to the impact from the extension on No. 2, due to the extension being set in from the shared boundary, it is not considered that there would be significant harm from additional overshadowing or by being overbearing on this property.

It is therefore considered that the impact of the proposal on residential amenity is acceptable in accordance with local and national policy.

4 – Impact on highway safety:

There would be no impact on the existing parking provision for the property or on highway safety.

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 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. As the extension is to be constructed from brick with a tiled roof, these materials are considered to be sustainable and would assist in the mitigation of climate change.

6 – Representations:

No representations have been 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: 2020/93259

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 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, and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan and advice within 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.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			29th September 2020
Existing elevations and section	01		29th September 2020

Plan Type	Reference	Version	Date Received
Existing floor plans	02		29th September 2020
Proposed elevations	03		29th September 2020
Proposed ground floor plan	04		29th September 2020
Proposed first floor plan	05		6th October 2020
Proposed section	06		6th October 2020

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. No negotiations have taken place as it was considered that the proposal was acceptable in its submitted format.

Report Dated: 11th January 2021

Coal - low