

**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:** 2020/62/93367/W

**Site Address:** Wellfield, 1, Upper Meadows, Upperthong, Holmfirth,  
HD9 3HR

**Description:** Erection of single storey rear extension and raised  
deck

**Recommending Officer:** Lucy Taylor

**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.**

Emma Thompson

***AUTHORISED OFFICER***

**Date: 30-Nov-2020**

## **Officer Report.**

**Reference:** 2020/93367

**Location:** Wellfield, 1 Upper Meadows, Upperthong, Holmfirth, HD9 3HR

**Proposal:** The proposal is for the erection of a single storey rear extension and raised deck.

## **Site Description.**

Wellfield, 1 Upper meadows is a two-storey detached property located in Upperthong, Holmfirth. The property is constructed from artificial stone and is finished with a concrete tiled gable roof. The property benefits from a substantial amount of closed garden space at the rear, with boundary treatment around its entire perimeter in the form of a low stone wall and natural shrubbery.

The property is located in a residential area with surrounding properties sharing a similar style of design and construction. This predominant style is of detached dwellings, faced with artificial stone and finished with tiled gable roofs. As a result of this, there is relatively strong similarity among the streetscene of Upper Meadows.

## **Description of Proposal.**

The proposal is seeking planning permission for the erection of a single storey rear extension and raised deck.

### **Erection of Single Storey Rear Extension:**

The proposed rear extension at 1 Upper Meadows will be constructed in place of a flagged area in the garden and act as a dining area within the interior of the dwelling. The extension will project 4.8 metres from the rear wall of the dwelling and have a length of 5.4 metres. The proposed eaves height of the extension can be measured at 3.35 metres, however, the erection of glazed lantern roof lighting within the flat roof of the extension generates an increased maximum height of 4.35 metres. The extension will be constructed from artificial stone and as a result, be in keeping with the host property and the flat roof will be infilled with concrete tiles to match the roof on the dominant dwellinghouse.

In addition to the roof lighting, the extension also proposes glazing on the east, west and south elevation. On the east and south elevation the proposed glazing is rather substantial in size and covers the length of the extension however, the glazing on the west elevation is much smaller in size and is proposed at only three high level windows. The glazing on the east elevation will also act as a new access point for the proposed raised decking, whereby it functions as a bi-folding door. All of the fenestration details will be

constructed using grey UPVC, the fenestration details on the rest of the dwelling are constructed from brown UPVC.

Erection of Raised Decking:

The proposed raised decking is to be erected at the rear of the property in conjunction with the proposed rear extension. It will comprise of a small section of raised composite decking, that has a total length of 3.9 metres. The decking will be raised 0.7 metres from external ground level and have stairs erected at either end to enable access to and from the ground area.

**History of Negotiations.**

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

**Relevant Planning History.**

The application site itself has no relevant planning history however, similar applications have been made nearby to the site:

- **2003/91947** – 3 Upper Meadows – Erection of sun lounge extension and extension to existing garage. *Granted in 2003.*
- **2000/92064** – 16 Upper Meadows – Erection of first floor extension. *Granted in 2000.*

**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 which expired on 20<sup>th</sup> November – two representations were received.

One representation was received against the proposed development, and the other was in favour of the proposal at Wellfield, 1 Upper Meadows.

- Representation against proposed development: Concern regarding potential overlooking from raised deck.
- Representation in support of proposed development: Suggested that development would improve privacy to neighbouring gardens and would be in keeping with the area in terms of style and scale.

**Consultation Responses.**

Holme Valley Parish Council is in support of the application.

**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 27<sup>th</sup> February 2019).

The site is Unallocated on the Kirklees Local Plan.

**Kirklees Local Plan:**

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **LP24** – 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 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

**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
- 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 NPPF.

Policy LP1 goes on further to state that “the council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

In terms of extending and making alterations to a property Policy LP 24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In the case of this application, the principle development on the application site is acceptable and shall be assessed against other material planning considerations below.

## **1. Impact on Visual Amenity:**

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.

The property is located in a residential area where all the surrounding properties have a similar style of design and construction. As a result, there is a strong sense of similarity within the streetscene. In addition, all the dwellings in the surrounding area are of a detached nature and therefore, there is a significant separation distance between each property.

The proposed rear extension at Wellfield, 1 Upper Meadows is single-storey in height and therefore, can be deemed to be of a subservient height when viewed against the two-storey detached property, and resultantly, will not dominate the rear elevation or be obtrusive. The extension will be constructed using artificial stone and the roof infilled with tiles that match those on the dominant dwellinghouse, therefore, the extension will be in keeping with both the host property, and the streetscene as a whole. Conclusively therefore, the proposed extension can be considered to be a neutral addition to the dwelling and surrounding area.

Furthermore, the raised decking is proposed to have a maximum height from external ground level of 0.7 metres, constructed within the rear garden. The erection of decking can be considered subservient with regard to the streetscene, because additional bulking and massing will be mitigated by the boundary treatments in place around the rear garden at the property. Therefore, the decking can be regarded as acceptable in terms of visual amenity, a contemporary addition to the fenestration of the property.

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.

## **2. 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 site shares its boundary with properties to the west, south west and south east. Therefore, development at 1 Upper Meadows has the potential to have some form of impact upon these neighbours. The impacts that may affect these properties are set out and discussed below:

- *3 Upper Meadows* – This property is located to the west of the application site. Due to the single-storey nature of the proposed extension, it is unlikely to result in any undue overbearing or overshadowing for this neighbouring property. Furthermore, boundary treatment is in place, in the form of tall hedging, which will further mitigate any potential negative impacts. The west elevation includes high level windows so to minimise any potential loss of privacy to the neighbouring occupants. Furthermore, this boundary treatment will also deter any negative impacts from the proposed decking, because the height of the hedging exceeds the proposed height of the decking area at Wellfield, 1 Upper Meadows.
  
- *4 Lower Meadows* – This property is located to the south west of the application site. It should first be noted that there is a significant separation distance between the application site and this neighbouring property. Taking this into consideration, along with the single-storey nature of the proposed extension, it can be concluded that no undue overbearing or overshadowing will be caused for this neighbouring dwelling. Furthermore, an outhouse in the rear garden of this property blocks visibility of the proposed works at Wellfield, 1 Upper Meadows, mitigating any potential negative impacts on neighbouring privacy or visual amenity.
  
- *133 Upperthong Lane* – This property is located to the south east of the application site. It should first be noted that there is a significant separation distance between the application site and this neighbouring property. Taking this into consideration, along with the single-storey nature of the proposed extension, it can be concluded that no undue overbearing or overshadowing will be caused for this neighbouring dwelling. Furthermore, the proposed glazing on the rear elevation will not impact on neighbouring privacy negatively, because the extent of glazing will increase minorly and be at the same level as glazing already erected on the application site. From a visual perspective, both the extension and decking will be visible from the upper floor of this neighbouring property, because the application site is at a higher ground level. However, at present both the dwelling and garden can be seen, therefore, due to the proposed developments been deemed acceptable from a visual amenity perspective, it can be concluded that no negative visual implications should be caused for this neighbouring property.

In light of the above the proposal is considered to have an acceptable impact on residential amenity.

### **3. Impact on Highway Safety:**

It has been acknowledged that there would be no further impact upon highway safety as the proposal is unlikely to intensify the domestic use at the property and will not alter the existing parking arrangements. For these

reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

#### **4. 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.

#### **5. Representations**

Two representations were received:

Representation against proposed development: Concern regarding potential overlooking from raised deck.

Response: This representation has been taken into consideration, however, it was deemed that the decking would not cause detriment to neighbouring properties in regard to overlooking. This is because the decking has a minor height from external ground level and there is significant separation distance from the application site and neighbouring properties. Furthermore, boundary treatment is in place to mitigate the impacts to a varying degree.

Representation in support of proposed development: Suggested that the development would improve privacy to neighbouring gardens and would be in keeping with the area in terms of style and scale.

Response: The application was deemed acceptable from a visual amenity perspective and in regard to neighbouring privacy.

#### **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: 2020/93367**  
**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, and to accord Policy LP24 of the Kirklees Local Plan.

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.

Note: The application site is not located within a coal risk area.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
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<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Plans - Grouped Plans and Elevations	2020/046/06 – Planning Drawing	1	7/10/20
Plans – Location Plan	LP01 – Location Plan	1	7/10/20

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. No amended plans were sought or submitted and as a result, no active engagement was had with the applicant in dealing with this application.

**Report Dated:** 26.11.20