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:	2020/62/93528/W
Site Address:	33, Hammerton Road, Fartown, Huddersfield, HD2 2PS
Description:	Erection of two storey side and single storey rear extensions
Recommending Officer:	Laura Yeadon

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: 10-Mar-2021

Officer Report

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2020/91278&file_reference=833356

Site Description

33 Hammerton Road is a two storey red brick semi-detached dwelling located within an area without notation on the Kirklees Local Plan. The property is set back and set down from the roadside with a hard standing area to the front of the property, driveway to the side leading to a detached garage and a flat lawned garden to the rear. The surroundings are comprised of mainly residential properties.

Description of Proposal

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

It is proposed that a full width 6 metre projecting single storey rear extension would be located on the rear elevation of the property. This would have a flat roof at a height of 2.5 metres. The proposed side extension would project forward of the front elevation by 0.7 metres and would span the full depth of the dwelling and would project 3 metres beyond the existing rear elevation by 3 metres at a height with the eaves matching the existing with a roof ridge set down from the existing by 1.5 metres to the front elevation and to match the existing elsewhere. To the rear elevation it is proposed that a 3 metre projecting gable would be created adjacent to and above the proposed ground floor extension which would be set in from the shared boundary with the attached neighbour by 2.8 metres and set down from the existing ridge by 0.7 metres. The proposed construction materials are brick with a tiled roof and uPVC openings.

History of negotiations/amendments received

No negotiations have taken place.

Relevant Planning History

2020/92169 Prior notification for single storey extension
Not required

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, site notice and newspaper advertisement

Final publicity date expired 14th December 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:

In terms of visual amenity, due to the nature of the development proposed, large extensions are proposed to the property. Whilst noting this, a prior notification application has been submitted and approved for the 6 metre ground floor rear extension. The proposed side extension would incorporate a front projecting gable and whilst not secondary in appearance has a limited projection to the side and the front projection feature is considered to be visually acceptable and evident in the wider local area on other extended properties. The first floor rear extension would have a roof line set down from the existing and therefore the original roof can be clearly read. The extensions would be in keeping with the host property in terms of construction materials and the size, scale and massing are considered to be acceptable. In addition, the proposed extensions would not result in an overdevelopment of the plot and due to the difference in levels, a terracing effect would not occur should the neighbouring property propose to extend to the side.

As such, the proposal is acceptable in terms of its impact on visual amenity, in accordance with Policy LP24 of the Kirklees Local Plan.

3 – Impact on residential amenity:

In terms of residential amenity, openings are proposed within the front and rear elevations of the extension. No openings are proposed within the side elevation of the extension. In terms of the impact of the front elevation openings, the separation distance between the extension and the facing properties would be reduced to approximately 20 metres which is considered to be acceptable. The separation distance between the rear elevation

openings and the property beyond the rear boundary would be reduced to approximately 26 metres which is also considered to be acceptable in terms of overlooking. With regards to overshadowing, the impact of the 6 metre extension is considered acceptable by virtue of the Larger Home Extension government initiative. In terms of the impact on the attached neighbour, this property has also been extended and ground floor level. In terms of the impact on from the first floor element of the extension, this has been set in from the shared boundary by 2.8 metres which would mitigate the harm from overshadowing and loss of light to this property. In terms of the impact on the adjacent property, No. 35 there are side elevation openings which could be affected by the proposal however these appear to be secondary and non-habitable openings based on the existing floor plan of the application site. There would be a degree of separation between the side elevation of No. 35 and the side elevation of the application site by virtue of the driveway to the neighbouring property and also the difference in levels.

It is therefore considered that in terms of residential amenity, there are minimal concerns and the proposal would comply with both local and national policy.

4 – Impact on highway safety:

Whilst 2 no, parking spaces are demonstrated on plan, as the resultant property would be 4 no. bedroom dwelling, 3 no parking spaces are required. The site plan demonstrates that there is sufficient space for the parking of 3 vehicles and therefore there are no concerns.

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. Due to the small scale nature of the proposal, it is not considered that specific mitigation measures are required in this instance.

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: 2020/93528

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, block plan, existing elevations and floor plan	2020-026(0-)01		5th November 2020
Location plan, existing and proposed block plan, proposed site plan, proposed elevations and floor plan	2020-026(0-)02		5th November 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 amendments have been requested as it was considered that the proposal was acceptable as submitted.

Report Dated: 10th March 2021

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