

**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: 2020/62/93755/W

Site Address: 117, Springdale Street, Thornton Lodge, Huddersfield,
HD1 3NF

Description: Erection of single and two storey rear and side
extensions with alterations to roof

Recommending Officer: Katie Chew

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: 25-Jan-2021

Officer Report

Site Description

117, Springdale Street, Thornton Lodge, Huddersfield, HD1 3NF

The application site comprises of a linear two-storey end terrace property constructed from stone to the front and rear, and red brick to the side. The property benefits from garden/amenity areas to the front and rear, with access to the back garden via a path which runs along the south of the building between nos. 117 & 119 Springdale Street.

The property does not benefit from any off-street car parking, with car parking available outside the dwelling on the public highway. The site is located to the east of Springdale Street in Thornton Lodge, which is an adopted road. To the rear of the property is an unadopted single access track which runs behind dwellings located on Springdale Street and Springdale Avenue.

The site is not within a Conservation Area and there are no Listed Buildings within close proximity to the site.

Description of Proposal

The application seeks planning permission to erect single and two storey rear and side extensions with alterations to roof.

The application seeks to construct a two-storey extension to the rear, this extension will have a pitched roof and would project beyond the rear wall of the dwelling by approximately 3m. The extension will be approximately 4.9m in width, with a ridge height of 7.2m.

The application also seeks to construct a single storey wrap around extension to the rear and side of the host dwelling, this extension will measure approximately 1.5m in width and 7.4m down the side of the dwellinghouse, to the rear the single storey extension will be 1m in width and 5.2m in length. It will have a ridge height of 3.6m.

1 additional bedroom is to be created within the roof space of the dwellinghouse, this will involve the raising of the roof height from

approximately 8.1m to 8.4m, the insertion of 2 new roof lights, and an amended internal layout with a new staircase.

The materials proposed within the extensions are all to match the host dwelling.

History of negotiations/amendments received

Amendments were sought to reduce the single storey side extension in size in order to avoid overdevelopment of the site. Highways also requested that bin storage and collection points were presented on plan to enable them to assess highway safety.

Relevant Planning History

There is no relevant planning history at the application site, there is however relevant history at adjacent properties. Details are provided below.

115 Springdale Street

2017/90297 – The proposal is for erection of single storey rear extension. The extension projects 6m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.950m, the height of the eaves of the extension is 2.975m. Not required 10th March 2017.

113 Springdale Street

2011/90610 – Erection of single storey and two storey extension and alterations to roof. Approved 28th April 2011.

2010/92507 – Erection of single storey and first floor rear extensions. Refused 19th October 2010. Appeal part upheld/part dismissed 10th February 2011.

123 Springdale Street

2008/93133 – Erection of two storey extension. Approved 4th December 2008.

Representations

Final publicity date expires:

Neighbour Letters – Expired 22nd December 2020.

1 representation has been received in objection to the proposals, details are provided below.

- Concerns over overlooking and loss of privacy at neighbouring properties;

Officer note: This is discussed in more detail within the residential amenity section of this report.

- The proposals will block any access to neighbouring soil pipes, guttering, or to allow maintenance works to the stone work of the rear extension of a neighbouring property;

Officer note: Unfortunately, this would be a civil matter and therefore would fall outside the remit of planning.

- Concerns over the overhang of guttering onto neighbouring properties land;

Officer note: From looking at the plans submitted the gutter would be stepped back by approximately 0.1m and therefore the gutter would not overhang onto any neighbouring land.

- How would such a build occur without scaffolding encroaching onto neighbouring land?;

Officer note: Unfortunately this would fall outside of the planning remit and would be a civil matter to discuss outside of the planning application.

- The proposals will hinder neighbouring properties future plans to extend out at second floor level;

Officer note: Each application would be based on its own merits, and therefore it cannot be said that if the proposals were approved that they would hinder any future expansion for neighbouring properties on the street.

- The proposals will greatly hinder any future plans for neighbouring properties to install solar panels and may hinder on tv satellite signal;

Officer note: Whilst it is acknowledged that the proposals could impact on the amount of light received by any solar panels installed on the southern part of the roof of no. 115 Springdale Street, as no solar panels are currently installed at this neighbouring property this is not a material consideration in this instance. In regards to tv satellite signal, OfCom states that satellite TV reception is not generally affected by new structures unless the development blocks the 'line-of-sight' between a dish antenna and the satellite in the sky. While terrestrial TV ariels are generally mounted to receive signals in line with the horizon, and therefore liable to be blocked by taller structures, satellite signals are received from a much higher elevation. It is therefore considered that in this instance it would be unlikely for the proposals if approved to hinder on tv satellite signal.

- Concerns over the loss of light to neighbouring properties;

Officer note: This is discussed in more detail under the residential amenity section of this report.

- The proposals would be overbearing on neighbouring properties;

Officer note: This is discussed in more detail under the residential amenity section of this report.

Officer note: 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 only, details of which are outlined above. The amended plans were not re-publicised as these reduced the scale of development.

Consultation Responses

KC Highways Development Management – Comments received 14th January 2021. No objections to the proposals but does request details of bin collection and storage points are shown on plan.

Officer note: Amended plans were provided by the applicant's agent in which the bin storage and collection points are to remain the same as existing. This is deemed to be acceptable in this instance.

The above is a summary of the consultation responses received. Full responses from consultees can be viewed on the Council's Planning webpage.

Planning Policy Background

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 application site is unallocated in the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways and access**
- **LP22 – Parking**
- **LP24 – Design**
- **LP51 – Protection and Improvement of Local Air Quality**

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 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. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision making
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

- 1) Principle of development
- 1) Scale, design and visual impact of the proposed development
- 2) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 3) Impact on highway safety
- 4) Other matters

1 - Principle of Development:

1.1 – Sustainable Development

NPPF paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

As the site is without notation in the Kirklees Local Plan (KLP), it is considered that the principle of development in this instance would be acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

2 - Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 124 provides a principal consideration concerning design which states:

“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of the development in the local area, thus retaining a sense of local identity.

LP24 states that all proposals should promote good design by ensuring the following:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”

The application site is surrounded by a number of other residential dwellings that are of a similar age and design. A number of these dwellings have been extended or altered in some way over the years. It is therefore considered that dependent on design, scale and detailing it may be acceptable to extend the host property.

The proposed single storey side extension would be visible from Springdale Street to the front, whilst the proposals to the rear would somewhat be hidden from the public domain. Although it is noted that there is an access road located to the rear of the properties located on Springdale Street and Springdale Avenue, it is considered that this would be used mainly by occupiers of these dwellings rather than by members of the public. Nonetheless, the proposed extension to the side is considered to be small in scale and size. The rear extension, due to being two storey is considered to be of a somewhat large addition to the dwellinghouse. However, given the general context of the area these types of extensions are not uncommon and therefore the proposals would not appear as an alien feature in this location. The proposed rear extension will also be dropped down from the increased ridge height of the host dwelling and therefore appear subservient. Alterations are also proposed the roof of the host dwelling, to raise the roof by approximately 0.3m in height. Within Springdale Street there is a uniform appearance in respect to the stepped design of the terraced properties, although planning permission was granted in 2011 (app ref: 2011/90610) for similar proposals at no. 113, this application also included alterations to the roof of the dwelling. This has meant that the uniform appearance does not apply to this specific row of terrace properties which include nos. 113, 115

and 117. Given this, in this specific and isolated case the proposals are considered to be acceptable. The materials are to match what is currently found at the property and throughout Springdale Street, therefore they are considered to be acceptable. However, in the interests of visual amenity the external materials have been conditioned.

The host property and its associated curtilage are of a sufficient size to support the proposed extension without amounting to overdevelopment. Furthermore, a reasonable amenity space would be retained.

To conclude, the site is not within a Conservation Area, located in close proximity to any Listed Buildings, or openly visible to the public. The proposals are also considered to be appropriate in size, scale and design in this location, and that they would not appear incongruous or overly dominant in the general context of this site. The proposals therefore accord with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3 - Impact on Residential Amenity:

The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. This is echoed within sections B & C of the Kirklees Local Plan Policy LP24 which states that alterations to existing buildings should:

“maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers’.

Neighbouring properties with the most potential to be impacted by the proposals are discussed below.

Impact on 119 Springdale Street

This neighbouring dwelling is located to the south of the application site, approximately 2.8m away. Given the location and orientation of this dwelling in relation to the proposals there are no concerns in respect to overshadowing or loss of light. In addition to this, the proposals do not seek to install any extra windows within the southern elevation of the host dwelling, or within the extension. Therefore, there are no concerns in respect to overlooking or loss of privacy. Finally, whilst it is acknowledged that the proposed two storey extension will change the character and appearance of the host dwelling to the rear and this will therefore have some impact on this neighbouring property, it is considered that on balance as the proposals would be viewed against existing two storey properties on this street, a number of which have similar sized extensions already, any overbearing impact would be minimal when viewed in the general context of the area.

Impact on 115 Springdale Street

This neighbouring dwelling adjoins the application site to the north. As no windows are proposed within the northern elevation of the extensions there are no concerns in respect to overlooking or loss of privacy on this neighbouring property. It is acknowledged that the proposals, given their location and orientation in comparison to no. 115, would cause some overshadowing throughout the day over the existing single storey extension at this neighbouring dwelling, and whilst it is noted that there are a number of roof lights within the single storey extension which may be affected, there are additional windows to the eastern elevation and therefore these windows would not be the only light source into this room. In addition to this as the proposals are to be two storeys in height to the rear, it is possible that the extension would have an overbearing impact on no. 115. This relates to the light received by upper floor windows and the potential 'tunnelling' impact of this proposed extension together with the existing extension at no. 113. Within the rear elevation (at first floor level) of no. 115 there are 2 windows, one of these windows (the closest to no. 117) is an obscure glazed bathroom window, the other is transparent and appears to be a bedroom window. Whilst it is acknowledged that there may be some loss of light into the bathroom window, as this is already obscure glazed it is not considered to be a significant and defining factor within this assessment. In respect to the rear bedroom window there would be a separation distance of approximately 2.5m, it is considered that this separation distance between the existing bedroom window and the proposed extension would, in this case be sufficient to ensure that there was no significant loss of light, or that proposals would cause an unduly detrimental 'tunnelling' impact. In addition to this, extensions are not uncommon in this location, and the proposals would be viewed against the existing single storey extension at no. 115 and the two-storey extension at 113. It is therefore considered that on balance the proposals, whilst not ideal, would be acceptable in this location.

Impact on nos. 74 & 76 Springdale Avenue

These neighbouring dwellings are located to the east of the application site, approximately 23m away. It is considered that this large separation distance between the dwellings is sufficient enough to ensure that there are no concerns in respect to overlooking, overshadowing or the proposals appearing overbearing in nature in this instance.

The proposal does not give rise to any adverse impacts upon neighbouring residential amenity and as such, this aspect of the proposal is considered to be acceptable. It is therefore concluded that the proposals comply with Policy LP24 of the Kirklees Local Plan and Section 12 of the National Planning Policy Framework.

4 - Impact on Highway Safety:

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

No changes are proposed to the existing access or car parking arrangements at no. 117 Springdale Street. Whilst it is acknowledged that the dwelling currently has no off-street parking available and that parking is expected to occur on the street, the Kirklees Highways Design Guide outlines that Kirklees Council has not set local parking standards, but notes that as an initial point of reference for residential development, 2-3 bedroomed dwellings should provide 2 off street car parking spaces, but consideration to the accessibility of the development, the availability of and opportunities for public transport and local car ownership levels should also be given.

In this instance the existing dwelling has 2 bedrooms and therefore the additional bedroom would not require an increase in parking provision in this instance. Highways therefore raised no objections to the proposals.

For the aforementioned reasons it is considered that the scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, and the guidance contained within the National Planning Policy Framework.

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.

The proposal is for a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Permitted Development Rights

Given the scale and size of the proposed additions to no. 117 Springdale Street it is considered necessary and reasonable to remove permitted development rights for extensions to the host dwelling. This is to avoid the

overdevelopment of the site in the future and to protect the residential amenity of neighbouring properties.

There are no other matters for consideration.

6 - 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 proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation:

Approve.

Decision Authorisation - Delegated Powers

Application Number: 2020/93755

Officer Recommendation: Approve.

Conditions & Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

1. The development hereby approved 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 with Policy LP24 of the Kirklees Local Plan.

2. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the host dwelling.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Class A of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site, and to protect the residential amenity of neighbouring properties, to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Existing	HD-S20-1104-001	0	6 th November 2020
Proposed	HD-S20-1104-002	2	15 th January 2021
Location Plan	HD-S20-1104-003	0	6 th November 2020
Existing Site Plan	HD-S20-1104-004	1	15 th January 2021
Proposed Site Plan	HD-S20-1104-005	1	15 th January 2021

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with

the applicant in dealing with the application. Amendments were sought to reduce the single storey side extension in size in order to avoid overdevelopment of the site. Highways also requested that bin storage and collection points were presented on plan to enable them to assess highway safety.

Report Dated:

22/01/2021