

**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: 2020/62/94254/W

Site Address: 43, High Lane, Hall Bower, Huddersfield, HD4 6RL

Description: Erection of two storey side and single storey rear extensions and demolition of existing conservatory

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: 10-Feb-2021

Officer Report

Site Description

43, High Lane, Hall Bower, Huddersfield, HD4 6RL

The application site comprises of a medium sized two-storey semi-detached dwelling constructed from stone and render. The property is located to the east of High Lane in Hall Bower and is stepped back from the public highway off an unadopted access road. Both nos. 41 & 43 are set at an angle away from adjacent properties, and do not follow the linear building line found on this side of High Lane. Garden and amenity space is available to the front, side and rear of the property, with off street parking available down the driveway to the side of the dwelling.

To the south and west of the site are a number of other similar residential properties, to the north and east of the site are undeveloped open fields.

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 for the erection of two storey side and single storey rear extensions and demolition of existing conservatory.

A two-storey side extension is proposed to the east of the host dwelling and will provide an integral garage, downstairs WC, master bedroom with en-suite and bedroom to the rear. Within the eastern elevation of this extension there is to be a Juliet balcony installed accessed via the new master bedroom. The proposed extension is to measure approximately 7.9m x 4.2m, with an approximate ridge height of 6.8m. This extension will also incorporate an alteration to the style of the existing roof which is currently of a jerkinhead (half-hipped) design. The proposed extension would provide a gable roof which will be in line with the existing ridge height of the host dwelling.

The existing conservatory to the rear of the host dwelling is to be demolished and replaced with a slightly larger dining room area. This extension is to be single storey and measure approximately 2.9m x 4.3m, with a ridge height of 2.9m. A roof lantern is also to be inserted into the roof.

Internally, minor alterations are proposed to allow for an amended layout.

The materials proposed to be used within the extensions and alterations include stone and render, slate roof tiles to match the existing, and grey UPVC doors and windows.

Officer note: It was confirmed by the applicant's agent that it is the applicant's intention to change the existing UPVC windows within the host dwelling to grey to match those installed within no. 41 High Lane.

History of negotiations/amendments received

Amended plans were requested by Highways to show existing and proposed bin storage at the site.

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.

32 High Lane

2006/91962 – Erection of two storey extension. Approved 27th June 2006.

34 High Lane

2004/94857 – Erection of ground floor extension. Approved 13th December 2004.

Representations

Final publicity date expires:

Neighbour Letters – Expired 8th February 2021.

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.

Consultation Responses

KC Highways Development Management – Comments received 12th January 2021. No objection to the proposals although they do request that details be provided for bin storage.

Officer note: Following receipt of amended plans showing the bin collection points and storage area, highways are happy to remove the condition relating to bin storage.

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 but is located within the Strategic Green Infrastructure Network. The site is also adjacent to the Green Belt (but is not located within it) and is within the Newsome Neighbourhood Plan Area.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways and access**
- **LP22 – Parking**
- **LP24 – Design**
- **LP31 – Strategic Green Infrastructure Network**

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 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

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

Principle of Development:

The site is without notation in the Kirklees Local Plan (KLP), Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption is favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered to be acceptable and the proposals shall now be assessed against all other material planning considerations, including visual and residential amenity.

These issues along with other policy considerations will be addressed below.

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 all of a similar age and design. The majority of these properties consist of semi-detached two storey dwellings. The proposals seek to replace the existing conservatory with a new single storey rear extension, construct a new two storey side extension and undertake internal alterations. Whilst there is somewhat of a uniform design within the streetscene whereby bay windows, pebble dash and render are typically present, a number of properties on this street have been altered or extended 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 extension to the rear would not be openly visible from the public domain but could be seen at a distance from New Laithe Hill. The proposed two storey side extension however would be visible from High Lane and New Laithe Hill. Nonetheless, whilst the proposed side extension is relatively large in scale and size, perhaps not wholly subservient to the host property, two storey extensions can be found within the immediate vicinity of the site, and given the orientation of nos. 41 & 43, it is considered that the proposals would not dominate the street scene nor detract from it. Moreover, the host property benefits from a large domestic curtilage which is of a sufficient size to support the proposed extensions and alterations without amounting to overdevelopment. There would also be a reasonable amenity space retained with the property.

In respect to detailing and design, whilst the proposals will see an alteration to the style of the existing roof which is currently of a jerkinhead design. The proposed two storey side extension would provide a gable roof which will be in line with the existing ridge height of the host dwelling. Gable roofs can be found throughout the street and therefore this alteration is considered to be in keeping with the surrounding area. The proposals will also see more modern additions installed such as the change in the colour and style of UPVC windows and doors. This will provide a more updated feel to the property which in officer's opinion is acceptable and would have little impact on the visual amenity of the area.

Materials proposed with the extensions and alterations do in part reflect what is currently found within the host dwelling. However, the amended grey UPVC windows and doors would differ to the white UPVC that can be found currently. That being said grey UPVC can be found within the adjoining property at no. 41 High Lane and therefore would not be considered an alien feature in the general context of this site. The materials proposed are therefore deemed to be acceptable.

To conclude, the site is not within a Conservation Area or located in close proximity to any Listed Buildings. The proposals are also considered to be appropriate in size, scale and design in this location, in this isolated case given the property does not clearly address the street and that they would not appear incongruous 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.

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 no. 41 High Lane

This neighbouring property adjoins the application site to the west. This dwelling is most likely to be impacted by the proposed single storey rear extension. Whilst it is noted that a large window is to be installed within the western elevation of the rear extension, the existing boundary fence which runs in between both of these dwellings is to be raised to approximately 1.8m in height which will provide some extra screening. It should also be noted that the window within the eastern elevation of the conservatory at no. 41 is obscurely glazed and therefore there are no concerns in respect to overlooking or loss of privacy in this instance. In addition to this, as the proposed rear extension will be viewed against the conservatory at no. 41, and will be of a similar scale and size, it is considered that the proposals would not appear overbearing in nature on this neighbouring property. Finally, turning to overshadowing, whilst it is noted that there may be some additional shadowing from the proposals, the host dwelling and no. 41 are already overshadowed to the rear by the dwellings themselves which are two storeys in height, and therefore any shadowing created from the new rear extension would be slight in comparison to this.

No other dwellings share a close relationship with the site such that they would be adversely affected by the proposed development.

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.

Impact on Highway Safety:

No amendments are proposed to the existing access to the site from High Lane, and whilst the proposals will create a third bedroom at the dwelling, the site can provide sufficient space for the parking of 2 vehicles and therefore is in line with local guidance. The Council’s Highways engineers were consulted on the proposals and raised no objections.

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.

It is therefore considered that there would not be a material change to the use of the access or any intensification of any such access. 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.

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.

There are no other matters for consideration.

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: 2020/94254

Officer Recommendation: Approve.

Conditions & 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 extensions 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.

4. The single storey rear extension shall not be occupied until a screen fence of 1.8m in height above ground level has been erected in the position shown on drawing no. (20050) 01B. Thereafter the screen fence shall be retained.

Reason: In the interests of residential amenity so as to prevent potential loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Site Plans	01	B	08.02.2021
Existing Plans and Elevations	02	-	11.12.2020
Proposed Floor Plans	03	B	08.02.2021
Proposed Elevations	04	B	08.02.2021

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. Amended plans were requested by Highways to show existing and proposed bin storage at the site.

Report Dated:

09/02/2021