

**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: 2021/62/90417/W

Site Address: 68, Newsome Road, Newsome, Huddersfield, HD4 6NQ

Description: Erection of two storey extension to rear

Recommending Officer: Laura Yeadon

DECISION - REFUSED

I hereby authorise the refusal 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: 10-May-2021

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021/90417>

Site Description

68 Newsome Road is a semi-detached bungalow located within an area without notation on the Kirklees Local Plan. The property is constructed from stone and render and is set up above Newsome Road separated by a garage which is located at road level and with a garden area above and larger garden area to the rear. Beyond the rear elevation is an area of defined Open Space which is currently used as allotments. Due to topography Newsome Road slopes upwards from north to south with the section of Newsome Road where the application site comprises of bungalows and to the rear there are split level properties of varying styles. Facing the application site is an area of Urban Greenspace known as Newsome Road Playing Fields which bounds Newsome Road with a row of trees.

Description of Proposal

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

The proposed two storey extension would be located on the rear elevation of the property and would project 3 metres from the rear elevation of the property being set in from the side elevation of the property by 2.2 metres and set in from the shared boundary with No. 66 by 3 metres. The extension would have an asymmetric roof line with the eaves height facing No. 66 being 3.65 metres and the eaves height and the eaves height facing No. 70 being 2.9 metres with the side elevation roofline following the line of the existing roof. The overall height of the extension would match the existing.

The proposed construction materials would be render above a stone dwarf wall to match the existing with the roof being tiled.

History of negotiations/amendments received

No amendments were sought as it wasn't considered that there would be a design solution that would provide the level of accommodation sought.

Relevant Planning History

No history

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 29th March 2021 – 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
- **LP 30** – Biodiversity and geodiversity

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
- Chapter 15 – Conserving and enhancing the natural environment

House Extensions and Alterations Supplementary Planning Guidance

Kirklees Council is currently in the process of producing its supplementary planning guidance on House extensions. Although this is at the draft stage, it does need to be considered in the assessment of planning applications with some weight attached. The general thrust of the advice is aligned with both the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character the host property and the wider street scene.

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 be located on the rear elevation of the property and would be 2 storeys in height to enable additional accommodation to be created within the roof space. Due to the overall scale and height of the extension resulting in a two storey structure the extension would result in the loss of character of the existing ‘true’ bungalow. Whilst it is recognised that the roof line would match the existing, the eaves heights differ on each side of the extension with both eaves set up from the existing eaves which appears at odds with the existing host property. The design, scale and mass does not sit well with the host building. It is therefore considered that harm the visual amenity of the host building with an extension that would be incongruous with the appearance of the bungalow and surrounding development. This is

emphasised further when viewed from the rear where the land levels are higher and where the extension would appear out of proportion.

The proposed materials of construction would match the host building and are considered acceptable.

It is not considered that the development would be visually attractive and would fail to improve the character of quality of the area contrary to paragraphs 127 and 130 of the NPPF.

It is therefore considered that the proposed extension would be unsympathetic and incongruous to the design of the bungalow which would, in term harm the character and appearance of the dwelling and the character of the wider street scene and would be contrary to Policy LP24 of the Kirklees Local Plan.

3 – Impact on residential amenity:

Openings would be located within the ground and first floor of the rear elevation, side elevation facing No. 70 at ground floor and rooflights are proposed within both roof slopes. In terms of the impact from the rear elevation openings, these would overlook the garden area of the property and therefore raise no concerns. The patio doors within the ground floor of the extension facing No. 70 are also considered to be acceptable given the 'fall back position' being that a single storey extension could be constructed with the same openings without the requirement of planning permission. It is not anticipated that significant harm from overlooking from the roof lights.

The extension would be set in from the side elevation of the dwelling and from the shared boundary with No. 66 by an acceptable distance so as not to cause harm from overshadowing or by being overbearing on either neighbouring property.

As such, it is considered that the proposed development would have an acceptable impact on residential amenity and would accord with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

4 – Impact on highway safety:

The development proposed would not increase the parking requirements for the dwelling. There would be no alterations to the current parking arrangements for the property which are limited in terms of offering any off street spaces. Given that an increase in parking would not be requested the proposals would not result in detriment to 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. Due to the small scale of development proposed, it is not considered that specific mitigation measures are required.

Biodiversity – the application site is within a ‘Bat Alert’ layer on the Council’s GIS system. Whilst formal comments have not been received from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not 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 proposals do not accord with the development plan and/or the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material consideration.

Recommendation

REFUSE

Decision Authorisation - Delegated Powers

Application Number: 2021/90417

Officer Recommendation: REFUSE

Reason for refusal

The proposed two storey extension, by reason of its scale, massing and design, would fail to respect the character and appearance of the host building resulting in a disproportionate and incongruous addition to the original dwelling. Furthermore, the development would fail to improve the character of quality of the streetscene. To approve the development would be contrary to

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			15 th February 2021
Block plan			15 th February 2021
Existing elevations and floor plans	2021/272/01		15 th February 2021
Proposed rear elevation	2021/272/02		15 th February 2021
Proposed right side elevation	2021/272/03		15 th February 2021
Proposed section and left side elevation	2021/272/04		15 th February 2021
Proposed ground floor plan	2021/272/05		15 th February 2021
Proposed first floor plan	2021/282/06		15 th February 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 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 were sought as it wasn't considered that there would be a design solution that would provide the level of accommodation sought.

7th May 2021

Report Dated:

Coal high