

**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: 2021/62/91366/W

Site Address: 121, Somerset Road, Almondbury, Huddersfield, HD5 8HY

Description: Erection of three storey extension to rear and associated alterations

Recommending Officer: Laura Yeadon

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: 22-Jul-2021

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f91366>

Site Description

121 Somerset Road is an end-terraced property located within land without notation on the Kirklees Local Plan. The land to the rear of the property is a Council owned woodland and an area of Urban Greenspace. The property itself is constructed from stone and has a slate roof. The property is two storeys in height to the front elevation and three storeys in height to the rear elevation. A small garden area is located to the front elevation with a larger garden area to the rear. On the rear of the property is a part-width, three storey extension, also constructed from stone. The properties within the street scene are of a similar design.

Description of Proposal

Permission is sought for the erection of a three storey extension which would be a continuation of the existing projection. The extension would project 2.85 metres from the rear elevation of the property and would have a roof line also to match the existing which would result in a cat slide roof being formed. Openings are proposed within the rear elevation of the extension with no proposed openings within either side elevation. The proposed construction materials would be stone for the walls and grey slate tiles for the roof with sliding sash windows to match the existing.

History of negotiations/amendments received

None

Relevant Planning History

2019/94022 Works to trees Part in CA12 and TPO HD2/73
Granted

2018/92917 Works to trees Part in CA12 and TPO HU2/73
Granted

2006/94335 Formation of new vehicular access and driveway
Conditional Full Permission

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.

Final publicity date expired 25th May 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

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

House Extensions and Alterations Supplementary Planning Guidance

Kirklees Council has adopted supplementary planning guidance on House Extensions and Alterations in June 2021. 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. This is considered in detail in the report below.

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 the extension would be located on the rear elevation of the property and therefore out of view from public vantage points on Somerset Road. The existing projection to the rear of the property appears to be an original structure as it appears on the 1922 historical map. It is proposed that the rear elevation of the proposed extension would be extended across the width of the property, set in from the shared boundary with the attached neighbouring property by 0.2 metres with the total width being 6.3 metres. The form of the extension would be a continuation of the existing and would be in the form of a cat slide roof. The materials of construction would match the existing and it is therefore considered that the extension would have an acceptable visual appearance. A proposed block plan has been submitted which indicates that that once constructed there would be adequate amenity space to the front, side and rear of the property and therefore the works would not resultant in a development of the site.

Taking all the above into account it is considered that the proposal is acceptable in terms of visual amenity.

3 – Impact on residential amenity:

Openings are proposed within the rear elevation of the extension and also a small roof light within the roof slope. There are no properties within close proximity of the rear elevation of the extension which shall be overlooked. No openings are proposed within the side elevation of the extension which would impact on neighbouring properties.

In terms of overshadowing and/or being overbearing, the proposed extension would sit to the south of the attached neighbouring property. As such it is anticipated that some form of overshadowing would occur. However, it is also noted that the openings to the neighbouring property are set in from the shared boundary due to the external access between the two properties and the extension would be limited to 2.85 metres in projection. In addition, no objections to the scheme have been submitted.

The House Extensions and Alterations SPD has recently been adopted during the time period of this application and offers advice in relation to the design of extensions and alterations to residential dwellings. In relation to the impact on overshadowing a neighbouring dwelling, the SPD states that the starting point would be to have regard to the 45 degree guideline. A line should be drawn from the midpoint in the nearest habitable room window of the adjacent property which will indicate the impact the proposal will have from the proposed extension. Whilst this is not demonstrated on the submitted plans for this application, the SPD does states that proposals can be considered on a case by case basis. In this particular instance, due to the windows in the adjoining property are set in from the extension with the extension itself limited to a 2.85 metres in projection, it is considered that the proposal would meet the aims and advice within the supporting SPD.

As such, it is considered that on balance the extension is acceptable in this instance.

It is therefore considered that the proposal is acceptable from a residential amenity and would accord with Policy LP24 of the Kirklees Local Plan.

4 – Impact on highway safety:

Due to the location of the extension to the rear of the property, there would be no impact on parking for the property.

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 proposed development is to be constructed from natural stone which is a sustainable and recyclable material. This is considered sufficient to mitigate harm to climate change.

6 – Representations:

None

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: 2021/91366

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 LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed block plan	2021-011 (08)001		1 st April 2021
Location plan and existing elevations and floor plans	2021-011 (20)002		1 st April 2021
Proposed elevations and floor plans	2021-011 (20)002		1 st April 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 amended plans were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 12th July 2021

Coal - low