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: 2021/62/91485/W

Site Address: 147, Dewhurst Road, Fartown, Huddersfield, HD2 1BJ

Description: Erection of 2 storey rear extension

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: 06-Sep-2021

Officer Report

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f91485

Site Description

147 Dewhurst Road is a two storey stone constructed end-terraced dwelling which hosts amenity space to both the front and rear of the property. To the side of the property is an adopted road which links Dewhurst Road to Blackhouse Road and also provides access to the rear of the dwellings on both roads. The site is bound to the rear by a breeze block and red brick wall. Surrounding development is comprised of mainly residential properties of varying styles and design.

Description of Proposal

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

The proposed extension would lie flush with the existing side elevation and would project 3 metres from the rear of the property and would span the full width of the dwelling. The eaves height would match the existing and the roof form would be a cat-side design.

The proposed construction materials would match the existing with openings proposed within the rear elevation at both ground and first floor and roof slope with no openings proposed within the side elevation.

History of negotiations/amendments received

None

Relevant Planning History

2003/92745 Erection of 2 storey rear extension
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 3rd June 2021 – no representations received

Parish/Town Council comments – not applicable

Consultation Responses

None

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
- **LP21** – Highway Safety
- **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 21st July 2021, 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 southern elevation of the property. Whilst the extension would span the full width of the rear elevation, it would sit adjacent to the existing single storey extension on the attached neighbouring property which also projects approximately 3 metres. The extension would have a roof form which would be a continuation of the existing roof and therefore it could be argued that the extension itself would be subservient and would therefore comply with Policy LP24 of the Kirklees Local Plan. This would also accord with the House Extensions and Alterations SPD which states under section 5.2 that a rear extension should respect the original house and garden in terms of its size. It is not considered that a 3 metre projecting extension would result in an overdevelopment of the site.

The construction materials proposed would match the existing property with the extension being constructed from stone with a tiled roof and double glazed openings.

Taking all the above into account it is considered that the proposal is acceptable in terms of visual amenity and would accord with Policy LP24 of the Kirklees Local Plan.

3 – Impact on residential amenity:

The extension would have openings within the rear elevation that would face the garden area. A garage within the rear garden of the rear facing dwelling would partially screen the extension from view however there would be an approximate 26 metre separation between the extension and the rear elevation of the neighbouring property which is considered to be acceptable. It is not considered that there would be harm from overlooking on to the adjacent bungalow as there are no openings within the side elevation of the extension.

In terms of overshadowing or by being overbearing the extension would sit on the southern side of the property and would be the full width of the rear elevation. Whilst there may be some impact on the adjoining property during the early evening hours this would be limited to the upper floor windows as there is a part-width single storey extension. It is acknowledged that the extension does not comply with section 5.8 which advises that extensions should be set in from boundaries by 1.5 metres however in this instance, if this advice was implemented, the resultant extension would be a width of approximately 2 metres which would not provide usable internal accommodation based on the proposed floor plans. In addition the extension has a low roof light with its shallowed pitched roof reducing the bulk and massing of the extension. It is not anticipated that there would be material harm on the adjacent bungalow due to the separation of the properties by the access road and that the bungalow has a rear elevation set back from the building line of the extension. The extension would face the openings within the side elevation of the bungalow however due to the existing separation and that no objections to the proposal have been received, this is considered to be acceptable.

4 – Impact on highway safety:

The site does not benefit from off street parking, and the proposal would provide an additional bedroom. However there is no real prospect of a workable parking space being achieved at the site and there is potential for on street parking. On balance the impact on highway safety is considered to be acceptable.

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 scheme proposes to be constructed from stone

for the walls which is a sustainable, recyclable material which is considered to assist in climate change mitigation.

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: 2021/91485

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
Block plan			27th April 2021
Location plan, existing and proposed elevations, floor plans and sections	03-003-001 Rev: B		27th April 2021
Proposed elevations, floor plans and section	03-003-002 Rev: B		27th 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 amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 3rd September 2021

Coal - low