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:	2021/62/91880/W
Site Address:	508, New Hey Road, Salendine Nook, Huddersfield, HD3 3XF
Description:	Erection of single storey side extension, front porch and alterations to garage roof
Recommending Officer:	Sam Jackman

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-Jun-2021

Application: 2021/91880/W

Site: 508, New Hey Road, Salendine Nook, Huddersfield, HD3 3XF

Proposal: Erection of single storey side extension, front porch and replacement garage roof.

SITE DESCRIPTION – 2021/91880

No.508 is a semi-detached dwelling faced in stone with a hipped roof. To the front and side is a linked single storey extension attached to the bay window to the front room. The roof of the extension is flat. The dwelling has a detached single garage (stone built) which connects to a driveway leading to an unnamed access road shared between no.508, two bungalows to the west and the adjacent YMCA club.

The YMCA club, to the north, has grounds to the rear of the site. The access road connects to New Hey Road, which the dwelling obliquely fronts onto.

DESCRIPTION OF PROPOSAL

The proposal is for a single storey side extension, front porch and replacement garage roof.

The front porch would be approx. 3m wide by 1.9m projection similar to that already built. It would have a lean-to roof and extended over the existing bay window, replacing the existing flat roof.

The existing side corridor would be replaced with a larger side extension, projecting 3.5m from the gable by 4.3m attached to the existing rear kitchen extension. The extension would have a lean-to roof again which will be extended over the existing rear flat roofed kitchen.

The extension would create a entrance lobby, utility and WC.

The existing garage would have a new pitched roof.

All materials are to match those of the host building.

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2F91880

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format.

RELEVANT HISTORY

2018/62/90705/W – Erection of two storey side extension -Conditional Full Permission - not built and now expired.

PUBLIC/MEMBERS RESPONSE

We are currently undertaking 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 which expired on the 17.6.21, whereby no representations have been received.

CONSULTATION RESPONSES

None

POLICY

The statutory development plan comprises:

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 unallocated on the Kirklees Local Plan.

Kirklees Local Plan (LP):
LP 1– Achieving sustainable development
LP 2 – Place shaping
LP 22 - Parking
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, together with Circulars, Parliamentary 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 & coastal change.
- **Chapter 15** – Conserving and enhancing the natural environment

Supplementary Planning Documents

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

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 NPPF.

Policy LP1 goes on further to stating that “the council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

In terms of extending and making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess the development, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In this case the principle of development on the application site is acceptable and shall be assessed against other material planning considerations below.

Impact on visual amenity:

The property is a semi-detached located across the corner with the entrance to YMCA and is not prominently visible, projecting towards the open land of

the YMCA, the extension would not cause harmful terracing being single storey.

The current side extension is single storey and smaller, which is considered visually unattractive as the architecture, materials and roof form fails to mimic or respect the host building. Its removal is considered beneficial to the visual amenity of the building,

Therefore, the altered side extension and porch are considered to be subservient in scale, with a harmonious design, so as not to visually unbalance the semi-detached pair.

The proposal also includes a new pitched roof over the garage and albeit adds additional volume it replaces an existing flat roof which will be visually more attractive.

Works are to be faced in matching materials, which is acceptable. A condition is to be imposed requiring them to visually match.

Therefore, the proposal is in accordance with Policy LP24 of the Kirklees Local Plan that states “extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”. The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area.

Impact on residential amenity:

The proposed extension does not project beyond the dwelling’s rear elevation and will not be evident from the habitable room windows of the attached neighbour, no. 506, or the detached neighbours to the east. While it will be visible from the garden spaces of these dwellings, it will not cause harmful overbearing or overshadowing.

To the west of the site, across the YMCA access, is a pair of semi-detached bungalows; nos.514 and 516 New Hey Road. They face no.508’s side elevation at an oblique angle; the proposed side extension will reduce the separation distance from the bungalows to no.508. The current separation distance is 22m, which will be reduced to a minimum of 16.5m, and given the extension is single storey there would be little impact given the differing orientations of the dwelling to the bungalows. Taking into account the separation distance and orientations, it is not considered that the proposal would cause materially harmful overbearing or overshadowing upon the residents of no. 514 and 516.

Turning to overlooking, the windows on the front and side are to non-habitable rooms and will therefore not impede on the privacy of neighbouring residents.

With regards the new garage roof, again would add additional height to the building but again given the separation distance is unlikely to impact on neighbouring properties.

Therefore, it is considered there will be no impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking as the proposal are small in scale and single storey with no additional overlooking windows.

Impact on highway safety:

In terms of highway safety there are no highway issues as the drive is not being affected by the proposal, as such would meet the aims of Policy LP22 of the Kirklees Local Plan with respect to highway safety and advice in Chapter 12 of 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.

Due to the size, scale and limited nature of development, it was not considered necessary to request specific measures to address the developments' resilience to climate change.

K.C. Biodiversity – the application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance.

This is due to the fact the extension would have no impact on the existing roof structure of the host property as the proposal is single storey. The new garage roof replaces a flat roof, which again has limited potential for bats.

As such the development would have little impact on bats and would be in accordance with Chapter 15 of the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.

Representations:

It should be noted that no representations have been received as a result of site publicity.

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.

Decision Authorisation - Delegated Powers

Application Number: 2021/91880

Officer Recommendation: APPROVE

Conditions and 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 51 of the Planning and Compulsory Purchase Act 2004.

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 with Policies LP01, LP02 & LP24, of the Kirklees Local Plan and advice in 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 LP01, LP02 & LP24 of the Kirklees Local Plan and advice in the National Planning Policy Framework

NOTE: The Council's GIS system indicates that the property is within a bat roost area and may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule: -

Plan Type	Reference	Date Received
Existing layout & elevations. Block Plan 1:250 / Location Plan 1:1250	HD.21.106.EX.01	13.5.21
Proposed ground floor layout	HD.21.106.PP.01	12.5.21
Proposed elevations	HD.21.106.PP.02	12.5.21
Proposed 3D visual	HD.21.106.PP.03	12.5.21

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 Planning 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. The Case Officer did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.

Recommendation and Authorisation Box

Report Dated: 24.6.21

Coal – low risk