

**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: 2021/62/92105/W

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

Description: Erection of two storey extension to rear

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 13-Jul-2021

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f92105>

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 application has been submitted following the refusal of permission under application number 2021/90417.

The proposed extension would project 3 metres from the rear of the property being set in from the shared boundary with the attached neighbouring property by 2.5 metres and set in from the side elevation of the existing side projection by 1.8 metres. The eaves height would match the existing with the roof ridge being set down from the existing ridge by 0.4 metres. The roofline would also follow the existing roof line. Openings are proposed within the rear elevation of the extension and patio doors proposed within the side elevation facing No. 70. Roof lights are also proposed in each side elevation roof slope.

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

History of negotiations/amendments received

Whilst no discussions have taken place since the submission of the application, pre-application discussions took place following the previous application decision.

Relevant Planning History

2021/90417 Erection of two storey extension to rear
Refused

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 1st July 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:

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. The scheme has been amended from the previous submission and now has a matching eaves height which is considered to be acceptable. The extension would be subservient to the host property and the original roof form would be clearly read.

The design of the proposal is simplistic with the roof line continuing the existing and the proposed construction materials would match the existing.

It is considered that the proposal has overcome the previous reason for refusal and is therefore considered to be acceptable and would accord with both local and national policy, including the now adopted SPD.

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 boundaries with both No. 66 and no. 70 by an acceptable distance so as not to cause harm from material overshadowing or by being overbearing on either neighbouring property. This is particularly important to no. 66 as the extension is due south of this bungalow.

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:

There are no proposed alterations to the current parking arrangements. Given the limited nature of works proposed, no further demonstration of additional parking provision is required.

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:

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: 2021/92105

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, the adopted SPD on House Extensions and Alterations 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
-----------	-----------	---------	---------------

Plan Type	Reference	Version	Date Received
Location plan			20 th May 2021
Proposed block plan			20 th May 2021
Existing elevations and floor plans	2021/272/01		20 th May 2021
Proposed right side elevation	2021/272/03		20 th May 2021
Proposed rear elevation	2021/272/02		20 th May 2021
Proposed ground floor plan	2021/272/05		20 th May 2021
Proposed first floor plan	2021/282/06		20 th May 2021
Proposed left side elevation and section	2021/272/04		20 th May 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: 13th July 2021

Coal high