

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: 2021/62/92376/W

Site Address: 43, High Lane, Hall Bower, Huddersfield, HD4 6RL

Description: Erection of two storey side and single storey front and rear extensions and demolition of existing conservatory

Recommending Officer: Katie Chew

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: 17-Sep-2021

Officer Report

Site Description

43, High Lane, Hall Bower, Huddersfield, HD4 6RL

The application site comprises of a medium sized semi-detached dwelling constructed from stone and render. The property is located to the east of High Lane in Hall Bower and is stepped back from the public highway off an unadopted access road. Both nos. 41 & 43 are set at an angle away from adjacent properties, and do not follow the linear building line found this side of High Lane. Garden and amenity space is available to the front, side and rear of the property, with off-street parking available down the driveway to the side of the dwelling.

To the south and west of the site are a number of other similar residential properties, to the north and east are undeveloped open fields.

The site is not within a Conservation Area and there are no Listed Buildings within close proximity to the site.

Description of Proposal

The applicant is seeking permission for the erection of two storey side and single storey front and rear extensions and demolition of existing conservatory.

A two-storey side extension is proposed to the east of the host dwelling and will provide an integral garage, downstairs WC, master bedroom with en-suite and bedroom to the rear. Within the eastern elevation of this extension there is to be a Juliet balcony installed accessed via the new master bedroom. The proposed extension is to measure approximately 7.9m x 4.4m, with an approximate ridge height of 6.8m. This extension will also incorporate an alteration to the style of the existing roof which is currently a jerkinhead (half-hipped) design. The proposed extension would provide a gable roof which will be in line with the existing ridge height of the host dwelling.

To the front a single storey porch is proposed to be constructed, the porch will measure approximately 1.6m x 1.6m, with a ridge height of 3.1m.

The existing conservatory to the rear of the host dwelling is to be demolished and replaced with a slightly larger dining room area. This extension is to be single storey and measure approximately 2.9m x 4.4m, with a ridge height of 2.9m. A roof lantern is also to be inserted into the roof.

Internally, minor alterations are proposed to allow for an amended layout.

The materials proposed to be used within the extensions and alterations include stone and render, slate roof tiles to match the existing, and grey UPVC doors and windows.

Officer note: It is important to note that planning permission has already recently been granted for the erection of two storey side and single storey rear extensions, and the demolition of the existing conservatory under application ref. 2020/94254. This application is identical except for an increase of approximately 0.2m in the side extension and the inclusion of the proposed porch to the front elevation.

History of negotiations/amendments received

No amendments have been sought in this instance.

Relevant Planning History

2020/94254 – Erection of two storey side and single storey rear extensions and demolition of existing conservatory. Approved 10th February 2021.

Representations

Final publicity date expires:

Neighbour Letters – Expired 20th July 2021.

No representations have been received to date.

Following the receipt of amended plans re-consultation was undertaken until the 15th September 2021. No representations were received.

Officer note: 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 only, details of which are outlined above.

Consultation Responses

No technical consultations required.

Parish/Town Council

N/A.

Local Ward Members

N/A.

Planning Policy Background

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 application site is unallocated in the Kirklees Local Plan but is located within the Strategic Green Infrastructure Network. The site is also adjacent to the Green Belt (but is not located within it) and is within the Newsome Neighbourhood Plan Area.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways and access**
- **LP22 – Parking**
- **LP24 – Design**
- **LP31 – Strategic Green Infrastructure Network**

Other Guidance Documents:

- Kirklees Highways Design Guide (2019)
- House Extensions and Alterations Supplementary Planning Document (2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 20th 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. In this instance the chapters of most relevance include:

- 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

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

- 1) Principle of development
- 1) Scale, design and visual impact of the proposed development
- 2) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 3) Highway Impacts
- 4) Other matters
- 5) Conclusion

1 - Principle of Development:

The site is without notation in the Kirklees Local Plan (KLP), Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption is favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered to be acceptable, and the proposals shall now be assessed against all other material planning considerations, including visual and residential amenity.

These issues along with other policy considerations will be addressed below.

2 - Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal considering concerning design which states:

“The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of the development in the local area, thus retaining a sense of local identity.

LP24 states that all proposals should promote good design by ensuring the following:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”

The application site is surrounded by a number of other residential dwellings all of a similar age and design. The majority of these properties consist of semi-detached two storey dwellings. The proposals seek to replace the existing conservatory with a new single storey rear extension, construct a new two storey side extension, front porch and undertake internal alterations. Whilst there is somewhat of a uniform design within the streetscene whereby bay windows, pebble dash and render are typically present, a number of properties on this street have been altered or extended in some way over the years. It is therefore considered that dependent on design, scale and detailing it may be acceptable to extend the host property.

The proposed extension to the rear has already been granted planning permission under application 2020/94254. This extension would not be openly visible from the public domain but could be seen at a distance from New Laithe Hill. The proposed porch to the front of the dwelling would be visible to the public but is to be small in scale and size and reflects similar porches found on High Lane. This element of the proposals is therefore considered to be subservient to the host dwelling and acceptable in this location.

Paragraph 4.5 of the adopted house extensions and alterations SPD states that:

‘Proposals for extensions should normally be smaller in scale than the original property and set back from the existing building line. Two-storey extensions should be set down from the ridge line and generally smaller in footprint. The materials, design, roof pitch and detailing should normally match the existing house detailing’.

The proposed two storey side extension (also granted permission under the above application) would be visible from High Lane and New Laithe Hill, and whilst relatively large in scale and size and perhaps not wholly subservient to the host property, two storey extensions can be found within the immediate vicinity of the site, and given the orientation of nos. 41 & 43, it is considered that the proposals would not dominate the street scene nor detract from it. Moreover, the host property benefits from a large domestic curtilage which is of a sufficient size to support the proposed extensions and alterations without amounting to overdevelopment. There would also be a reasonable amenity space retained with the property.

In respect to detailing and design, whilst the proposals will see an alteration to the style of the existing roof which is currently of a jerkinhead design. The proposed two storey side extension would provide a gable roof which will be in line with the existing ridge height of the host dwelling. Gable roofs can be found throughout the street and therefore this alteration is considered to be in keeping with the surrounding area. The proposals will also see modern additions such as the change in the colour and style of UPVC windows and doors. This will provide a more updated feel to the property which in officer’s

opinion is acceptable and would have little impact on the visual amenity of the area.

Materials proposed within the extensions and alterations do in part reflect what is currently found within the host dwelling. However, the amended grey UPVC windows and doors would differ to the white UPVC that can be found currently. That being said grey UPVC can be found within the adjoining property at no. 41 High Lane and therefore would not be considered an alien feature in the general context of this site, the materials proposed are therefore deemed to be acceptable.

To conclude, the site is not within a Conservation Area or located in close proximity to any Listed Buildings. The proposals are also considered to be appropriate in size, scale and design in this location, in this isolated case given that the property does not clearly address the street and that they would not appear incongruous in the general context of this site and taking into account the extant planning permission in place. The proposals therefore accord with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework. The proposals are also in general accordance with the Council's recently adopted SPD 'house extensions and alterations'.

3 - Impact on Residential Amenity:

The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. This is echoed within sections B & C of the Kirklees Local Plan Policy LP24 which states that alterations to existing buildings should:

"maintain appropriate distances between buildings" and "...minimise impact on residential amenity of future and neighbouring occupiers".

Furthermore, the Council's adopted SPD for house extensions and alterations provides additional details under key design principles 3: privacy, 4: habitable rooms and side windows, 5: overshadowing/loss of light, 6: preventing overbearing impact and 7: outdoor space. These will be discussed in more detail within the below assessments.

Neighbouring properties with the most potential to be impacted by the proposals are discussed below.

Impact on no. 41 High Lane

This neighbouring property adjoins the application site to the west. This dwelling is most likely to be impacted by the proposed single storey rear extension and the front porch. In respect to the proposed porch, this will be small in scale and size and be located approximately 4.3m away from the boundary of no. 41. It is considered that there would be no concerns in regards to overshadowing or the proposals being overbearing in nature given that it will be such a small addition and single storey in height. In addition, no

windows are proposed within the western elevation and therefore there are no concerns in regards to overlooking.

Whilst it is noted that a large window is to be installed within the western elevation of the rear extension, the existing boundary fence which runs in between both of these dwellings is to be replaced with a new timber fence measuring approximately 2m in height which will provide some extra screening. It should also be noted that the window within the eastern elevation of the conservatory at no. 41 is obscurely glazed and therefore there are no concerns in respect to overlooking or loss of privacy in this instance. In addition to this, as the proposed rear extension will be viewed against the conservatory at no. 41 and will be of a similar scale and size, it is considered that the proposals would not appear overbearing in nature on this neighbouring property. Finally, turning to overshadowing, whilst it is noted that there may be some additional shadowing from the proposals, the host dwelling and no. 41 are already overshadowed to the rear by the dwellings themselves which are two storeys in height, and therefore any shadowing created from the new rear extension would be slight in comparison to this.

No other dwellings share a close relationship with the site such that they would be adversely affected by the proposed development.

The proposal does not given rise to any adverse impacts upon neighbouring residential amenity and as such, this aspect of the proposal is considered to be acceptable. It is therefore concluded that the proposals comply with Policy LP24 of the Kirklees Local Plan, Section 12 of the National Planning Policy Framework and Council's adopted SPD 'house extensions and alterations'.

4 - Impact on Highway Safety:

No amendments are proposed to the existing access, and whilst the proposals will create an additional third bedroom at the dwelling, the site can provide sufficient space for the parking of 2 vehicles and therefore is in line with local guidance. The Council's highways officers were consulted on a similar scheme at the site which was previously approved under application 2020/94254 and raised no objections. It is therefore considered reasonable to assume that the same would apply here.

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

For the aforementioned reasons it is concluded that the scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, and the guidance contained within the National Planning Policy Framework.

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 proposal is for a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

6 - 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 proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation:

Approve.

Decision Authorisation - Delegated Powers

Application Number: 2021/92376

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 91 of the Town and Country Planning Act 1990.
1. 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 Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework, and adopted SPD 'house extensions and alterations'.

2. The external walls and roofing materials of the extensions 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 Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework, and adopted SPD 'house extensions and alterations'.

3. The single storey rear extension shall not be occupied until a screen fence of 2m in height above ground level has been erected in the position shown on approved drawing no. (20050) 03 Rev F. Thereafter the screen fence shall be retained.

Reason: In the interests of residential amenity so as to prevent potential loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework, and adopted SPD 'house extensions and alterations'.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Site Plans	01	E	7 th September 2021
Existing Plans & Elevations	02	E	7 th September 2021
Proposed Floor Plans	03	F	8 th September 2021
Proposed Elevations	04	F	8 th September 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 preapplication 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 have been sought as the proposals were deemed to be appropriate upon submission.

Report Dated:

16/09/2021