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:	**2021/62/94003/E**
Site Address:	20, Stocks Way, Shepley, Huddersfield, HD8 8DL
Description:	Erection of single storey rear extension
Recommending Officer:	Katie Wilson

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: 24-Feb-2022

Officer Report – 2021/94003

Site Description

The application site is 20, Stocks Way, Shepley. It is a 2-storey semi-detached house, thought to date from the 1960's with small single storey extension to the side which projects to the rear. The walls are natural stone to the front with pale brown coloured brickwork elsewhere. The roof is dual pitched with hip to the side, and surfaced in grey concrete tiles. It is located within a residential estate of similar properties, many of which have been extended in various ways.

The land slopes gently from higher ground to the south west, to lower ground to the north east, and the house is set back and slightly up from the road side with driveway and garden to the front. At the back is a patio and low retaining wall to raised garden enclosed by other gardens to all sides.

Description of Proposal

Planning permission is sought for erection of a single storey rear extension.

- Rectangular footprint – projecting between 1.3m and 3.0m from the rear elevation and 8.3m wide.
- Mono-pitched roof design – approximately 2.6m eaves level and 3.6m overall height.
- Only openings in rear elevation – 3no sliding doors and 4no velux windows.
- The external wall and roof materials would be to match the existing.
- It would provide space for an enlarged kitchen and dining room.

History of negotiations/amendments received

The application was acceptable as submitted.

Relevant Planning History

No relevant planning history at the site or adjacent properties.

Representations

Final publicity date Expires: 23rd December 2021. No representations received.

Kirkburton Parish Council comments: no comments received.

Consultation Responses

No consultations received.

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 unallocated on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway Safety and Access
- **LP 22** - Parking
- **LP 24** - Design

Kirklees Council has adopted supplementary planning guidance on house extensions which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

National Policies and Guidance:
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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.

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change.
- Chapter 15 – Conservation and enhancement of the natural environment

Assessment
The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)

6) Representations
7) Conclusion

1 – Principle of development:

The site is without notation on 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 in favour of sustainable development contained in the NPPF. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”. This should be assessed in conjunction with the House Extension SPD and chapter 12 of the NPPF.

In this case, the principle of extending the existing dwelling is considered acceptable and shall be assessed against other material planning considerations below.

2 –Impact on visual amenity:

Chapter 12 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment (para.127 of the NPPF). Policy LP24 of the KLP expands on this further, setting out that good design should be at the core of all proposals in the district. Regarding extensions, it states under part c, that proposals should promote good design by ensuring ‘*extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details*’.

Key design principles 1 (local character and street scene) and 2 (impact on the original house) given in the Kirklees Householder extensions SPD reflect the above.

In this instance the original part of the house is thought to be as it stands without the single storey side extension that projects to the rear. Given the modest scale of the proposed extension it is considered that the cumulative impact would retain the original part of the building as the predominant feature.

In terms of materials and details, the external wall and roof materials would be to match the existing, and in officers’ opinion the mono-pitched roof design (albeit with shallow angle of pitch than existing roof slopes) would be sympathetic to the host dwellinghouse. The use of large sliding glazed doors on the rear elevation introduces a new feature and is considered acceptable.

With regard to impact upon local character and the street-scene, the house is within a residential estate of similar houses and many have already been extended in a variety of ways. The proposed extension would be in-keeping with this character and as it would be at the back of the hose and screened by

surrounding houses to all sides, it would have no impact upon the street-scene.

In summary, the proposal would promote good design and be in keeping with the host dwellinghouse and character of the surrounding area. This would be compliant with policy LP24 of the KLP and the Kirklees House Extensions SPD.

3 – Impact on residential amenity:

Policy LP24, part c, goes on to stipulates that extensions should *minimise the impact on residential amenity of future and neighbouring occupiers*.

Key design principles 3 (privacy), 5 (overshadowing/loss of light), 6 (preventing overbearing impact) and 7 (outdoor space) of the Kirklees householder extensions SPD expand upon LP24 and are discussed below.

In this instance, there would be four households potentially affected by the proposals; these are addressed as follows:

18, Stocks Way, Shepley - This is a similar 2-storey semi-detached house located to the north west of the application site. Its side elevation is parallel and facing that at the application site and it has a single storey extension at the side with small wrap-around at the back together with conservatory.

In terms of privacy, the proposed extension would project beyond the rear of the existing single storey extension approximately 1.3m. However, there would be no openings in the side extension. There would also be a distance of around 2.3m to the mutual boundary where there is 2.0m high fencing. Given these circumstances, it is considered that there would be no overlooking impact.

Regarding overshadowing and overbearing impact, given that the proposed extension is single storey, set in from the mutual boundary and partly screened by the existing extension, it is considered that these impacts would be relatively limited.

22, Stocks Way, Shepley – this is the adjoining semi, attached to the eastern side of the house at the application site. It already has a conservatory at the back with side elevation close to the mutual boundary.

In terms of privacy, the proposed extension would be close to the mutual boundary, however, there would be no openings in the facing side elevation and it is recommended that new openings are controlled by condition.

Regarding overshadowing and overbearing impacts, whilst it would be close to the boundary, it would not project beyond 3.0m and has a mono-pitched roof with relatively shallow angle of pitch. Given his context and that there is

already a conservatory at 22, Stocks Way, it is considered that these impacts would also be relatively limited.

60 and 58, Stocks Way, Shepley – these are another similar 2-storey semi-detached houses. They are located at the back of the application site and to the south west. Their rear elevations face onto the rear of the application site, however there would be gap of at least approximately 28.0m between them and the proposed extension with fencing, shed and shrubs in between. In these circumstances it is considered that there would be very little overshadowing, overbearing or overlooking impacts.

With regards to Key Design Principle 7 - Outdoor space. Extensions and alterations should ensure an appropriately size and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals. In this proposal, the garden area would be reduced by less than a quarter and this is considered acceptable.

4 – Impact on highway safety:

The site is accessed from Stocks Way, a residential estate road serving numerous other houses, and there is off street parking at the front together with an integral garage.

The proposal would not affect the existing parking arrangements, nor would it amount to an intensification of the existing use and so additional parking space is not required. As such the proposed development would not be harmful to highway safety and is compliant with policy LP21 and LP22 of the KLP together with Key Design Principle 15 (Provision for parking) of the Kirklees House extensions SPD.

With regards to Key Design Principle 16 - Provision for waste storage. Extensions and alterations should maintain appropriate storage arrangements for waste.

The proposed extension would be at the back of the house and retain external access between the front to the back gardens. As such it is considered that the existing provision for storage and access of household wastes could be maintained. This is compliant with key design principle 16 of the Kirklees house extensions SPD.

5 – Other matters:

Carbon Budget

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 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

Biodiversity

With regards to Key Design Principle 12 - Natural Environment. Extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

There are no records of protected species at or neighbouring the site and given the modest scale of the proposed development, it is considered that enhancement of the natural environment is currently not required in this instance.

Trees

With regards to Key Design Principle 13 - Vegetation and tree planting. Extensions and alterations should seek to retain existing vegetation and trees and enhance this provision through landscaping where possible.

There are no protected trees at the site and none suitable for protection. The proposed development works would be at the back of the house, screened from public views by the host dwellinghouse and surrounding buildings. In these circumstances it is considered enhance through landscaping is not currently required.

Flood Risk

With regards to Key Design Principle 14 - Drainage and floor risk. Extensions and alterations should ensure that all new developments are resilient and resistant to flood risk.

The site is in the EA flood zone 1 and a flood risk assessment is not required, furthermore the Council's mapping system shows no records of flooding. As such at this time it is considered that resilience and resistant measures are not required.

6 – Representations:

No representations received.

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: 2021/94003
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.

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 Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extension Supplementary Planning Document and the aims of 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 Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extension Supplementary Planning Document and the aims of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created in the side elevations of the side and rear extension hereby approved.
Reason: So as not to detract from the amenities of neighbouring property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extension Supplementary Planning Document and the aims of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing

access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays, 08.00 and 13.00 hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services may control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	Dwg no. 21.2791.01		18.10.2021
Ground floor plan; elevations and section as existing	Dwg no. 21.2791.01		18.10.2021
Ground floor plan; elevations and section as proposed	Dwg no. 21.2791.02A		18.10.2021

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. The application was acceptable as submitted.

Report Dated: 22.02.2022