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:	**2022/62/90388/E**
Site Address:	4, Station Road, Skelmanthorpe, Huddersfield, HD8 9AU
Description:	Erection of single and two storey rear extension and roof alterations
Recommending Officer:	Nina Sayers

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 05-Apr-2022

Officer Report

Site Description

4 Station Road is a two-storey, detached dwelling in Skelmanthorpe, Huddersfield. The property has a small grass area separating the front of the dwelling from the highway and there is a larger garden to the rear. There is a driveway to the side of the property which leads to a detached garage. It would appear there has been a single storey and two-storey extension erected to the rear of the property in the past making the property 'L' shaped. This was likely erected prior to 1955.

It is noted that the entrance to the property is on the southern elevation of the property, which lacks architectural clarity of a principal elevation, therefore due to the orientation of the property in relation to the highway the western elevation is considered the front elevation for this application.

The property is located in a predominantly commercial street however the surrounding area and properties to the rear are largely residential. The street scene varies in character, materials and size, resulting in little uniformity in design.

Description of Proposal

The applicant is seeking permission for the erection of a two storey and single storey rear extension.

Two storey extension and roof alterations
The proposed extension would project 4 metres out the rear elevation of the property. As the existing property is 'L' shaped, this would be set in 0.6 metres form the existing maximum rear projection. The proposed would be two storey and the roof slope would extend from the existing roof ridgeline, slightly raising the roof slope of part of the existing dwelling.

Single storey rear extension
The proposed single storey rear extension would project 3.2 metres out the proposed two storey rear extension. It would be 2.9 metres wide and would have a gable end roof with a total roof height of 3.4 metres.

History of negotiations/amendments received

The description of the proposal was amended to 'rear' extensions rather than the originally advertised 'side' extensions as this was considered a more appropriate description of the site. This was re-advertised via neighbour notification for clarity in publication.

The description of proposal was further amended to include roof alterations to cover the amendments to the existing roof face. This was not re-advertised as the publicised plans and therefore principle of development did not change.

The annotated materials on the proposed plans were queried by officers. After discussing this matter with the agent, amended plans were received which show the single storey rear extension finished in grit stone. The development was not re-advertised via neighbour notification letters as the amendments would pose no additional harm to residential amenity.

Relevant Planning History

87/04169 Ground floor extension to dwelling. Granted conditionally

Representations

The application was advertised by neighbour letter. Final publicity expired 01/04/2022. It is noted that the boundary of Skelmanthorpe conservation area runs to the front of this property. As the proposed extension would be to the rear of the property and would therefore not affect the character of the conservation area, no site notice was considered necessary.

One representation was received in response to the above publicity. This will be discussed in section 6 of this report.

No objections were received form Denby Dale Parish Council.

Consultation Responses

Kirklees Council's Strategic Waste officers were consulted due to the proximity of this site to a historic landfill site. Their comments will be summarised in section 5 of this report.

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).

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.

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design
- **LP35** – Historic environment
- **LP53** – Contaminated and unstable land

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 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places

Assessment

The following matters are considered in the assessment below –

1) Principle of development
1) Impact on visual amenity and historic environment
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) 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. 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 acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

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

2 – Impact on visual amenity and historic environment

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. With regard to 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.

The proposed extension would be in keeping with the existing dwelling in terms of design and materials. There is variety in the street scene, the proposed extension would be to the rear of the property and would not be visible from the street. Therefore, no significant harm is considered to be caused to the wider street scene.

It is noted that the boundary of Skelmanthorpe conservation area runs to the front of this property. As the proposed extension would be to the rear of the property, and not visible from the street, this is considered to cause no significant harm to the historic character of the conservation area and therefore complies with LP53 of the Kirklees Local Plan.

There is adequate amenity space to the rear and side of the dwelling. It is noted the property has already been extended but due to the unique character of the building and given the proposed would be to the rear of the dwelling and set in from the existing rear projection, this is considered an acceptable proposal in this instance and would not be considered as overdevelopment.

It is noted that the proposal would include raising the roof of the existing dwelling to align with the proposed two-storey rear extension. Although this would result in an unusual design in relation to the existing dwelling, any other option or amendment would likely lead to an odd feature which would be less in keeping with the existing dwelling. Given the location of the site, and relationship with neighbouring properties, the property is not in a prominent position in the street scene. It is therefore considered, on balance, that the proposed would not result in significant harm to visual amenity.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extension and Alterations Supplementary Design Guide and the aims of chapter 12 of the National Planning Policy Framework.

<u>3 – Impact on residential amenity</u>

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out in terms of policy LP24 c), which states that proposals should promote good design by, amongst other things, providing a high standard of amenity for future and neighbouring occupiers.

Impact on 6 Station Road
The property directly to the north of the application site is set back significantly from the host dwelling and has no openings in the side elevation. The property is a commercial unit and therefore no harm to residential amenity would be caused.

Impact on 8 Station Road
The proposed extension would remain a significant distance from 8 Station Road which is also a commercial unit, therefore no harm to residential amenity would be caused.

Impact on 1 Northfield Lane
1 Northfield Lane is located due east of the property to the rear boundary and is set down at a lower topography. There would remain approximately 8.5 metres from the rear boundary with the neighbouring property which has significant boundary treatment between the properties. Taking this into consideration, no significant harm would be caused to the neighbouring property as a result of the proposed extension.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extension SPD and Paragraph 130 (f) of the National Planning Policy Framework.

4 – Impact on highway safety

The extension would serve a kitchen, utility, bedroom and bathrooms. The proposal would increase the number of bedrooms making it a four-bedroom dwelling. Properties of this size require three in-curtilage car parking space. The property has a detached garage and space for at least two vehicles on the driveway and therefore the existing parking is considered acceptable. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extension SPD.

5 – Other matters

Historic Landfill Site
Kirklees Council Strategic Waste were consulted as the application site is within 250 metres of a historic landfill site. The former landfill site has been developed for housing, so it is considered that landfill gas measures are not required and so there are no objections to the proposed development. The proposal therefore complies with LP53 of the Kirklees Local Plan.

Carbon Budget
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.

There are no other matters for consideration.

6 - Representations

One representation was received from a neighbouring resident who supports the proposed scheme. They did however request that consideration was given for parking of construction vehicles during development. This is not a material planning consideration for a development of this nature and size and therefore no further comment will be made.

7 – Conclusion

This application to erect a single and two-storey rear extension and roof alterations to 4 Station Road, Skelmanthorpe has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Design SPD, the National Planning Policy Framework and other material considerations.

Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

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.

As set out above, 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: 2022/90388

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 with Policies LP1, LP2, LP21, LP22, LP24, LP35 and LP53 of the Kirklees Local Plan, Key Design Principles of the House Extension SPD 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 SPD and the aims of chapter 12 of the National Planning Policy Framework.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

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 13.00hours, 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 can 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	022007-AAD-01-ZZ-DR-A-0001-P03		08/02/2022
Existing plans and elevations	022007-AAD-01-ZZ-DR-A-0002-P01		08/02/2022
Proposed plans and	022007-	As amended	02/04/2022

elevations	AAD-01-ZZ-DR-A-0003-P03		

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 description of proposal was amended to 'rear' extensions rather than the originally advertised 'side' extensions as this was considered a more appropriate description of the site. This was re-advertised via neighbour notification for clarity in publication.

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Report Dated: 04/04/2022