

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:	2022/62/91793/W
Site Address:	31, Crimble Bank, Slaithwaite, Huddersfield, HD7 5EU
Description:	Erection of single and two storey rear extension and exterior alterations
Recommending Officer:	Lucy Taylor

DECISION – CONDITONAL 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.

John Holmes

AUTHORISED OFFICER

Date: 23-Aug-2022

Officer Report.

Reference: 2022/91793

Location: 31, Crimble Bank, Slaithwaite, Huddersfield, HD7 5EU

Proposal: Erection of single and two storey rear extension and exterior alterations

Site Description.

31 Crimble Bank is a two-storey detached property located in Slaithwaite, Huddersfield. The property is faced in pebble dash render with a hipped roofing form infilled with tiles. The property benefits from an existing two storey rear extension to the rear. Within the wider curtilage, the property benefits from a significant extent of garden amenity space to the rear elevation.

Within the wider streetscene of Crimble Bank, the property is set back from the fronting highway and is located upon a higher topographical ground level. No on-site parking provisions are available, on-street parking is available to the front elevation of the application site.

To the rear of the site there is vehicular access available to the rear garden area via a access which runs to the north east of the property adjacent to the rear boundary of the garden.

Description of Proposal.

Planning permission is sought for the erection of a single and two storey rear extension and exterior alterations.

The old coal store would be demolished to facilitate the erection of the proposed extensions under this application. The existing two-storey rear extension would be retained.

The proposed two storey rear extension would be located to the east of the existing two storey extension at 31 Crimble Bank, with the same projection of 2.9 metres and height of 5.3 metres. The proposed two storey rear extension would have a width of 3.65 metres and have a flat roofing style to match the previously erected two storey rear extension. The walls of the two-storey extension would be faced in pebble dash render.

The two-storey extension proposed one regular window to the rear elevation at first floor level. This window will serve a bedroom within the interior of the dwelling.

The proposed single storey rear extension would wrap around the proposed two-storey extension, projecting 2.3 metres from its rear elevation and 1.2 metres from its eastern side elevation. The height of the single storey rear extension would be 3 metres with a flat roofing style. The extension will be constructed on a concrete plinth, with the walls constructed from Siberian larch vertical cladding.

The single storey extension proposes one large window to the rear elevation and an access door. A small window is proposed to the front elevation of the extension, where the extension wraps around the host dwelling. A window is also proposed in the western side elevation of the extension. In addition, two roof lights are proposed. All of these forms of glazing will serve a kitchen.

History of Negotiations.

Following a consultation response from KC Highways Development Management, the applicant submitted an amended block/layout drawing to demonstrate the provision of two on-site parking spaces.

Following the submission of these amendments, KC Highways Development confirmed the proposed scheme to be acceptable from a highway perspective, with the inclusion of a condition regarding surfacing and drainage and a footnote regarding vehicle crossings.

In addition, an amended 'proposed floor plan' was submitted to appropriately show the proposed window to the side elevation of the single storey rear extension.

Relevant Planning History.

A desktop investigation of 31 Crimble Bank shows that the existing two-storey rear extension is lawful, in place at the property since at least 2002.

Relevant planning history at neighbouring properties:

- **90/02490** – No. 33 Crimble Bank – Erection of extension to form kitchen and open porch. *Granted Permission 1990.*
- **2007/94608** – No. 32 Crimble Bank - Erection of two-storey extension and re-siting detached garage. *Granted permission 2008.*

Representations.

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 1 July 2022 – no representations were received.

Consultation Responses.

KC Highways Development Management – following the submission of amended plans, KC Highways Development Management consider the proposal to be acceptable on the grounds of highway safety, with the inclusion of a condition regarding surfacing and drainage and a footnote regarding vehicle crossings.

Policy/Legislation.

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 within a Strategic Green Infrastructure Network as identified by the Kirklees Local Plan. The site also falls in an area with a known presence of bats.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP30 Biodiversity and Geodiversity
- LP31 Strategic Green Infrastructure Network
- LP51 – Protection and Improvement of Local Air Quality

Supplementary Planning Documents:

Highways Design Guide (2019)

House Extensions and Alterations SPD - The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

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, 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 2 – Achieving Sustainable Development
- Chapter 4 – Decision-Making
- 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

Legislation

The Town & Country Planning Act 1990 (as amended).

The Planning and Compulsory Purchase Act 2004.

The Conservation of Habitats and Species Regulations 2017

Assessment.

The following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 1) Principle of Development
- 1) Impact on Visual Amenity
- 2) Impact on Residential Amenity
- 3) Impact on Highway Safety
- 4) Other Matters
- 5) Representations
- 6) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes onto further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“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.”*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local

Plan. Policy LP24 of the KLP is relevant and states that *“good design should be at the core of all proposals in the district”*.

In this instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

1) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal consideration concerning design which states: *“The creation of high-quality 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.”*

Paragraph 130 of the NPPF is of relevance, in particular the following parts:-

- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*
- *‘c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

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 development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

- *‘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...’*

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

The Council's House Extensions and Alterations SPD further states that two-storey rear extensions should:

- be proportionate to the size of the original house and garden
- not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings)

- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

The Council's House Extensions and Alterations SPD further states that single storey rear extensions should:

- be in keeping with the scale and style of the original house
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings)
- not exceed 4 metres in height
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terrace houses or by 4 metres for detached properties
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposed extensions to 31 Crimble Bank are considered to appropriately comply with the design criterion of the House Extensions and Alterations SPD as set out above. Although both the two-storey and single storey extensions are to be separated from the eastern side boundary by only 0.55 metres, based on the individual merits of the application site, this extent of separation distance is considered appropriate in retaining adequate levels of visual and residential amenity. In addition, the eaves height of the two-storey extension will exceed 3 metres but given the design of the extension to harmonise with the existing two-storey projection to the rear, an eaves height of 5.3 metres is considered acceptable in this instance.

The applicant has submitted a Design Statement as part of this application, which sets out that the proposed extensions are intended to present as subtle additions to the existing house, that also amend an awkward previous extension.

The proposed two-storey rear extension to 31 Crimble Bank is concluded to present as a subservient addition to the rear of the host dwelling. It would appropriately harmonise with the well-established existing extension at the property in terms of design, size/scale and proposed materials. The proposed extension would project to the same extent as this established architectural feature and would have the same height, with the same flat roofing style. This flat roofing style is considered to help further mitigate any potential of obtrusiveness, by form, naturally working to reduce potential for undue bulking or massing.

The two-storey rear extension proposes only one regular window to the rear elevation, also considered acceptable visually, in keeping with the

architectural design of the host property and the existing style of windows erected at 31 Crimble Bank.

In turn, it is concluded that the two-storey extension would not be an obtrusive addition to the host dwelling and would sympathetically complement the existing architectural style of the dwellinghouse.

The proposed single storey rear extension would introduce a more contemporary design to the rear elevation of 31 Crimble Bank, especially with regard to the use of cladding to face the extension. However, it is considered that the proposed cladding would appropriately harmonise with the site and its wider setting, especially the natural garden environment within which the extension would be built and the wider rural environment to the rear boundary of curtilage.

The submitted Design Statement provides a similar justification, setting out that *“the material pallet selected for the extension looks to pick up on the rural and natural setting with the ground floor extension being finished in natural ageing Siberian larch vertical cladding.”*

The introduction of Siberian larch vertical cladding would therefore appropriately comply with paragraph 4.4 of the Council’s House Extensions and Alterations SPD, which states: *“Contemporary designs and high-quality modern interpretations of distinctive and significant local characteristics will be welcomed where they are demonstrably appropriate to the site context...”*

It is noted that the extent of the development which is visible from the front of the host dwelling would not be significant, with additional built form concentrated to the rear of the property. In addition, given the existing relationship between 31 Crimble Bank and the fronting highway in terms of positioning and topography, it is concluded that the extensions will not disrupt the established character of the streetscene or wider locality.

Within the wider streetscene, rear extensions have been established to several neighbouring properties. The impact of the proposal upon the character of the access to the rear of the host property is not considered to be significant given the nature of additions which have been undertaken to the rear of neighbouring properties.

For all of the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Chapter 12 of the National Planning Policy Framework, LP24 of the Kirklees Local Plan and Key Design Principles 1 & 2 of the House Extension and Alterations SPD.

2) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *“...maintain appropriate distances between buildings”* and *“...minimise impact on residential amenity of future and neighbouring occupiers.”*

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

The proposal would see a reduction in the extent of rear garden amenity space at 31 Crimble Bank, but it is considered that an adequate amount would be retained. Therefore, the proposal is considered to appropriately comply with Key Design Principle 7 of the House Extensions and Alterations SPD.

It is considered that the properties most likely to be affected by the proposed development are those which directly neighbour the application site, these being No. 28 Crimble Bank and No. 32 Crimble Bank. It is considered that the proposed works would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

No. 28 Crimble Bank – this property is located east of the application site.

A minimum separation distance of only 0.55 metres would be retained between the site of the proposed extensions and the shared boundary of curtilage, however, the extensions are not considered to result in undue levels of overbearing or overshadowing for the occupiers of No. 28 Crimble Bank. Sunlight calculator software has been used to confirm that the proposed two-storey rear extension would not present any significant increase for potential overshadowing in either the summer or winter.

No glazing is proposed on either extension to face towards this neighbouring property. Therefore, appropriate levels of residential amenity will be retained.

No. 32 Crimble Bank – this property is located west of the application site.

The extensions will be retained from the shared boundary with No. 32 by over 6 metres, and the proposed two-storey rear extension will be set behind the footprint and height of the existing rear extension at 31 Crimble Bank. Therefore, it is concluded that the extensions would not result in undue levels of overbearing or overshadowing for the occupiers of this neighbouring property.

Although a window is proposed in the western side elevation of the single storey extension, this is not considered to result in detriment to neighbouring privacy. For reasons of differing topographies and forms of boundary treatment, the window will not result in undue overlooking.

For these reasons, the proposed development at 31 Crimble Bank is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Policies within Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan and Key Design Principles 3, 4, 5, 6 and 7 of the Council's adopted House Extensions and Alterations SPD.

3) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Two on-site parking spaces will be provided in conjunction with the erection of the proposed extensions. KC Highways Development Management have provided confirmation that the parking provisions as shown on Dwg No. 2208-XPP-120 are considered to be acceptable.

Whilst the proposal would see 4 bedrooms created, it is considered that there is space for three vehicles to park in the rear area for parking.

In turn, the proposed extensions at 31 Crimble Bank would appropriately accord with policies within Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extensions and Alterations SPD.

4) Other Matters

Climate Change:

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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 predates 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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF, Policy LP51 of the Kirklees Local Plan and Policy 12 of the Holme Valley Neighbourhood Development Plan.

Bats:

Paragraphs 174, 180, 181 and 182 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site lies within the bat alert layer on the Council's GIS system. The proposal would see works to the roof which has the potential for roosting bats to be present. Given the age / design of the property it is not considered necessary for a full assessment of the roof space to be undertaken in this case given the low likelihood for roosting bats to be present.

Even so, as a cautionary measure, in the event of any grant of permission a note would be added to the decision notice, stating that if bats are found development shall cease and the advice of a licensed bat worker sought. This is in accord with the aims of Chapter 15 of the NPPF.

Strategic Green Infrastructure Network:

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhanced green infrastructure is provided / integrated into new developments. In addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies

within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

The proposal is not considered to have a significant impact upon the strategic infrastructure network and is concluded to be acceptable in this regard.

5) Representations

No representations were received.

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 development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation – Delegated Powers

Application Number: 2022/91793

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 Policies LP1, LP2, LP21, LP22, LP24 & LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 9, 12, 14 & 15 of the NPPF.

2. The external walls and roofing materials of the extensions hereby approved shall be in accordance with those specified upon submitted drawings 2208-PL-03 and 2208-PL-04 and be thereafter retained.
Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and policies within Chapter 12 of the NPPF.
3. The extensions hereby approved shall not be brought into use until the extended driveway as indicated on the hereby approved block plan (dwg no. 2208-XPP-120) has been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for parking.
Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Note: Due to its location, a bat roost 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 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.

Note: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Highways Asset Management Team at vehicle.crossing@kirklees.gov.uk with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Note: The application site is not located in a coal risk area.

Plan Type	Reference	Version	Date Received
Design Statement	-	-	24.5.22

Proposed Front and Rear Elevations	2208-PL-03	-	24.5.22
Proposed Side Elevations	2208-PL-04	-	24.5.22
Location Plan	2208-EX-01	-	24.5.22
Existing Floor Plans	2208-EX-02	-	24.5.22
Existing Front and Rear Elevations	2208-EX-03	-	24.5.22
Side Elevations	2208-EX-04	-	24.5.22
Site Plan	2208-XPP-120	-	18.7.22
Proposed Floor Plans	2208-PL-02	-	22.8.22

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. Amended plans were submitted in accordance with consultations from KC Highways Development Management and to demonstrate the correct forms of fenestration detailing.

Report Dated:

22.8.22