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:	**2022/62/91932/W**
Site Address:	58, Coule Royd, Dalton, Huddersfield, HD5 9RN
Description:	Erection of single storey side extension
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: 19-Jul-2022

Officer Report

Site Description

58 Coule Royd, Dalton, Huddersfield, HD5 9RN

The application site relates to a two-storey brick-built semi-detached property located off Coule Royd in Dalton. The site has a detached single storey outbuilding to the north-west, shared with a neighbouring property and benefits from off-street parking to the front, with garden/amenity areas located to both the front and rear.

The site is not located within a Conservation Area or located in close proximity to any Listed Buildings.

Description of Proposal

The application seeks planning permission for the erection of single storey side extension.

The proposed side extension is to 'infill' the space between the host dwelling and the existing detached outbuilding to the north-west. The existing outbuilding will be converted alongside this extension to provide additional living space in the form of a utility and a bathroom. The extension would measure approximately 6.4m x 1.2m, with a height of 2.9m.

The proposed extension is to be constructed in materials to match the host dwelling. It would result in the loss of external access to the rear garden.

History of negotiations/amendments received

No amendments have been sought in this instance.

Relevant Planning History

There is no relevant planning history at the application site or at any adjacent sites.

Representations

Final publicity date expires:

Neighbour Letters – Expired 18th July 2022.

No representations have been received to date.

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

HSE – No comments received within statutory timescales.

Local Ward Members

N/A.

Parish/Town Council Comments

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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The application site is unallocated within the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP20 – Sustainable Travel**
- **LP21 – Highways and Access**
- **LP22 – Parking**
- **LP24 – Design**
- **LP51 – Protection and Improvement of Local Air Quality**
- **LP52 – Protection and Improvement of Environmental Quality**

Other Guidance Documents:

- House Extensions and Alterations SPD (2021)
- Highways Design Guide SPD (2019)

National Polices 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. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

1) Principle of development
2) Scale, design and visual impact of the proposed development
3) Impact of the proposed development upon the privacy and amenity of neighbouring properties
4) Impact on highway safety
5) Other matters
6) Conclusion

1 - Principle of Development:

1.1 – Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

As the site is without notation in the Kirklees Local Plan (KLP), it is considered that the principle of development in this instance would be acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

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 consideration 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".

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, whilst 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 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…".

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document seek to ensure development is subservient to the host property and in keeping with the character of the locality. Specifically stating the following: -

'Key design principle 1 (Local character and street scene) – Extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene'.

Key design principle 2 (Impact on the original house) – Extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail'.

Paragraph 5.17 of the above SPD highlights that single storey side extensions should be offset and complement the original building. As such, single storey

side extensions should not extend more than two thirds of the width of the original house; not exceed a height of 4 metres; and be set back by at least 500mm from the original building line to allow for a visual break.

The proposed single storey side extension would not extend more than two thirds of the width of the original house and would not exceed 4m in height. The extension would also be set back from the principal elevation of the host dwelling by around 800mm, therefore the proposals are considered to be in accordance with the Council's House Extensions and Alterations SPD.

Principle 7 of the Kirklees House Extensions and Alterations SPD highlights that new development should ensure that an appropriately sized and useable areas of private outdoor space is retained. In this instance both the front and rear garden/amenity spaces would be retained, with just the existing access route into the rear garden area to be lost and covered by the proposed extension. The proposals are therefore considered to be in accordance with Principle 7 on this occasion.

To conclude, the proposals are considered to be appropriate in size, scale and design in this location. The proposals therefore accord with LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and recommendations outlined within the Council's adopted House Extensions and Alterations SPD.

3 - Impact on Residential Amenity:

Sections B and C of LP24 state 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.

Principle 3 of the House Extensions and Alterations SPD highlights that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours.

Principle 4 relates to habitable rooms and side windows and seeks to ensure that design and layouts of habitable and non-habitable rooms reduce conflict between neighbouring properties relating to privacy, light and outlook.

Principles 5 and 6 relate to overshadowing/loss of light and overbearing impact. The above principles will all be discussed in more detail within the assessments below.

Impact on no 56 Coule Royd

This neighbouring property is located to the north of the application site and shares some of the existing outbuilding structure – they were constructed to serve both properties. As no windows are proposed within the northern elevation of the proposed extension, there are no concerns with regards to loss of privacy or overlooking. It will appear identical externally to the existing outbuilding. In addition, as the proposed extension will be located on the south of the existing outbuilding there are no concerns in regards to overshadowing or the proposals appearing overbearing in nature on this adjacent neighbouring property to the north.

There are no other properties that could be materially affected by the development proposed.

In conclusion, taking the above into account it is considered that the proposals would not result in significant and detrimental impacts on the privacy and amenity of any neighbouring properties, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Principles 3, 4, 5 and 6 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

4 - Impact on Highway Safety:

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. Furthermore, Principles 12 and 19 of the Housebuilders Design Guide seeks to ensure that acceptable levels of off-street parking and waste storage are provided. 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.

Principle 15 of the House Extensions and Alterations SPD states that extensions and alterations should maintain appropriate access and off-street 'in curtilage' parking. With Principle 16 going on to say that proposals should maintain appropriate storage arrangements for waste.

As no changes are proposed to the existing access and parking arrangements, and no additional bedrooms are to be provided by the proposals, it is concluded that the existing arrangements are acceptable and therefore there are no highway safety concerns in this instance.

Whilst bin storage and collection points have not been outlined on the submitted plans, given the amount of amenity space to the front of the dwelling, it is considered reasonable to assume that bins can be stored in an accessible and safe place to the front of the property should permission be granted. Whilst the extension would unfortunately loose the ability to keep bins at the rear of the property, this is not a reason to refuse the application in this case – given the assessment above.

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, Principles 15 and 16 of the House Extensions and Alterations SPD 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.

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.

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. The development would provide additional insulation to an existing structure that results in the re-use of a building. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan, Principles 8, 9, 10 and 11 of the House Extensions and Alterations SPD and Chapter 14 of the National Planning Policy Framework.

Health and Safety

The site is within the middle zone of an HSE Consultation Zone related to the storage of hazardous materials (Syngenta). Although no response has been received from the HSE, the proposed accommodation would partly re-use an existing structure and would not form habitable accommodation to the extent that the number of persons within the property is likely to increase. In these circumstances it is considered that there would be no reason to advise against

the granting of planning permission. In such circumstances the development would not be contrary to Policy LP52 of the Local Plan.

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: 2022/91932

Officer Recommendation: Approve with conditions.

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, LP20, LP21, LP22, LP24 , LP51 and LP52 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15 and 16 of the Council's adopted House Extensions and Alterations SPD and Chapters 2, 9, 12, and 14 of the National Planning Policy Framework.

3. The external walls of the extension hereby approved shall in all respect match those used in the construction of the host dwelling and outbuilding.

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 Principle 2 of the Council's adopted House Extensions and Alterations SPD.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Existing Plans and Elevations	2265-0101	P01	9th June 2022
Proposed Plans and Elevations	2265-0102	P02	9th June 2022

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 were sought in this instance as the proposals were deemed to be acceptable upon submission.

Report Dated:

19/07/2022