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:	**2022/62/93049/E**
Site Address:	16 The Crofts Emley Huddersfield HD8 9RU
Description:	Erection of single storey front and rear extension with internal and external alterations following demolition of existing conservatory and porch
Recommending Officer:	Nicole Helliwell

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: 02-Dec-2022

Officer Report

Reference No. 2022/62/93049/E
Site Address: 16, The Crofts, Emley, Huddersfield, HD8 9RU
Proposal: Erection of single storey front and rear extension with internal and external alterations following demolition of existing conservatory and porch

Site Description

The application relates to 16 The Crofts, a semi-detached bungalow situated in a residential area in Emley. The dwelling is faced in buff brickwork and incorporates a dual pitch roof finished in concrete tiles. The property currently benefits from a driveway to the front, an integral garage and gardens to the front and rear. The neighbouring properties are of residential use and comprise bungalows of similar materials and styles.

Description of Proposal

The application seeks planning permission for the construction of a single storey front extension, a single storey rear extension and internal and external alterations to the original dwellinghouse. The existing conservatory and porch would be demolished to allow for the proposed works.

The proposed single storey front extension would project approximately 1.15m from the front elevation of the original build. The enlargement would have a maximum height of approx. 3.35m and a height to eaves of approx. 2.55m. Furthermore, the proposed single storey rear extension would extend approximately 3.6m from the rear elevation of the existing dwellinghouse. It would feature a maximum height of approx. 3m and a height to eaves of approx. 3m.

Relevant Planning History

97/92171: Erection of single storey extension. Planning application details | Kirklees Council

Representations

The application was advertised by neighbour notification letters, which expired on 2nd November 2022. As a result of the above publicity, two representations have been received. A summary of the neighbour's comments can be found under the 'Representations' section of the Officer's report.

Denby Dale Parish Council
No objections. However, there were concerns that the plans do not show the correct border on the western side of the property and compatibility with the adjoining bungalow - the removal of the porch makes an internal wall into an external wall for the neighbours

Consultation Responses

KC Environmental Health
Environmental Health have reviewed the information submitted by the applicant and recommend a planning condition relating to construction site working times.

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 Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies
- **LP 1** - Achieving sustainable development
- **LP 2** - Place shaping
- **LP 21** - Highways and access
- **LP 22** - Parking
- **LP 24** - Design

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 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 2** - Achieving Sustainable Development
- **Chapter 12** - Achieving well-designed places

Assessment

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 the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1. Visual amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) states that 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. Furthermore, Key Design Principle 2 of the SPD goes onto state that 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 details.

Single Storey Front Extension
The proposed single storey extension would project approximately 1.15m from the front elevation of the original dwellinghouse. The enlargement would incorporate a mono-pitched roof and would be faced in buff brick with concrete roof tiles to match the appearance of the host property. Although the extension would occupy the full width of the dwellinghouse, it would be modestly proportioned and would appear subservient to the original build. Furthermore, the plans confirm that the enlargement would be set back approximately 4.8m from the pavement such that it would not appear unduly

prominent from public vantage points. On this basis, it is considered that the proposed development would respect the character and appearance of the host property and surrounding street scene.

Single Storey Rear Extension
The proposed single storey rear extension would project approximately 3.6m from the existing rear elevation and would be finished in a material palette to match the original dwellinghouse. The submitted plans confirm that the enlargement would feature a chamfered edge in line with the rear boundary and would incorporate a flat roof form. Although these features would generally constitute poor design, it is considered that on balance the proposal would be acceptable given that the extension would have limited visibility from public vantage points. Furthermore, it is noted that the extension would retain a gap of approx. 4.85m to the common boundary shared with no.18 The Croft. Although it is noted that a gap of 1m would not be retained to all property boundaries, it is considered that a sense of space would be maintained within the plot. Therefore, the proposed development would not have a significant impact on the visual amenity of the host property and wider street scene and would be acceptable.

Internal and External Alterations
The internal layout of the dwellinghouse would be reconfigured as part of the application. This includes converting the existing integral garage to living accommodation. Furthermore, the submitted plans confirm that the existing rear windows would be removed and replaced with new fenestration. Given that the proposed alterations would be in keeping with the style of the original build, they are considered acceptable in terms of on visual amenity.

Summary
Having taken the above into account, the proposed development 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 proposal would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2. Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity

of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact on 19 Upper Lane
19 Upper Lane is a two storey detached property located to the rear of the application site. The neighbouring property sits at an elevated position relative to the host property and occupies a position approximately 12.3m from the proposed single storey rear extension. Given that the enlargement would not contain fenestration to the rear and would be sited on lower ground, it is considered that there would be no undue harm to the neighbouring occupants with regard to overlooking, overshadowing and overbearing impact.

Impact on 17 The Crofts
17 The Crofts is a semi-detached bungalow located north of the application site. It is noted that the property would occupy a position approximately 20.7m from the proposed single storey front extension. Although this would fall marginally short of the 21m separation distance outlined within the SPD, it is considered that the neighbouring occupants would not experience any further harm to their residential amenity given that the host property already contains windows facing this direction and a sufficient separation distance would be retained.

Impact on 18 The Crofts
18 The Crofts is a residential property sited east of the application site. The proposed single storey rear extension would be positioned approximately 4.8m from the common boundary shared with no.18 and would not surpass the 45-degree angle in relation to the neighbour's ground floor window. Furthermore, it is noted that the extension would contain fenestration on the side elevation which would look towards the neighbour's rear garden. However, it is noted that the extension would be positioned away from the boundary and would be partially screened by the existing boundary treatment and the neighbour's shed. For these reasons, it is considered that any impact would be minimal and would not be so significant to warrant a refusal.

The proposed single storey front extension would be positioned approximately 0.44m from the common boundary shared with 18 The Crofts. The plans also confirm that the extension would not surpass the front elevation of the neighbour's porch. On this basis, it is considered that the proposal would have an acceptable impact on the no.18's residential amenity.

Occupier Amenity

It is noted that the addition of a single storey rear extension would reduce the occupant's outdoor amenity space. However, the rear garden that remains would be of a functional layout. On this basis, it is considered that the proposed works would ensure an acceptable standard of amenity for existing and future occupants.

Summary

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 Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

3. Highway Safety

Although the proposal would not intensify the domestic use at the dwelling, it would affect the existing parking arrangements on site. However, the amended plans confirm that the driveway would be widened to provide two off road parking spaces which would represent a sufficient provision for a two bedroomed dwellinghouse. Furthermore, it is noted that the waste storage arrangement would remain the same as existing. For these reasons, the development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

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.

Construction Hours

KC Environmental Health recommended a condition relating to construction hours; however due to the scale of the development, it is considered that this would be acceptable as a note on the decision notice in the event that planning permission is approved.

There are no other matters relevant to the determination of this application.

5. Representations

Two representations were received following the statutory publicity. Concerns were raised regarding the western boundary of the property and it possibly encroaching the public green space owned by Kirklees Council. The submitted comments suggest that the applicant has removed the hedging and replaced it with a flagged path in the gap which runs from their property onto the public space. The comments also suggest that a further strip of hedging has been removed in preparation for the proposed extension. Furthermore, concerns were raised by Denby Dale Parish Council regarding compatibility with the adjoining bungalow, given that the removal of the existing porch would expose the neighbour's internal wall. However, it is noted that the issues outlined above would be civil matters between the neighbours and would not constitute material planning considerations.

6. Negotiations

Amendments were sought during the course of the application. A request was made to widen the driveway to accommodate two vehicles in accordance with the House Extensions and Alterations SPD. Revised drawings were received and were considered acceptable.

7. Conclusion

This application for the erection of a single storey front and rear extension with internal and external alterations to 16 The Croft has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations 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 development 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. 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: 2022/93049
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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations 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 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapter 12 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 13.00hours, 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**	**Date Received**
Location Plan	2334-D-20-001	15/09/2022
Existing Site and Ground Floor Plans	2334-D-20-002	15/09/2022
Proposed Site and Ground Floor Plans	2334-D-20-003-A	01/12/2022
Existing Elevations	2334-D-20-004	15/09/2022
Proposed Elevations	2334-D-20-005	15/09/2022

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 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 Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received were considered acceptable.

Report Dated: 02/12/2022