

**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:	2022/62/93115/E
Site Address:	23-25, Saville Road, Skelmanthorpe, Huddersfield, HD8 9EG
Description:	Erection of front porch extension, installation of gable windows to ground and first floor and alterations
Recommending Officer:	Edward Cheseldine

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: 21-Nov-2022

OFFICER REPORT

Site Description

23-25 Saville Road is a large two storey, detached dwelling. Materials of the walls of the property are built with stone, which are accompanied by sandstone window cills and lintels. The roof is tiled with blue slate. The dwelling has a chimney breast which is in a central position on the roof.

The property has a modest front garden which is enclosed by a stone wall, of similar appearance to the building's stone walls. A gravel driveway to the side of the garden holds space for one car to the front of the property. The gravel extends to the side and rear of the property which holds spaces for another motorised vehicle. To the rear of the property is a substantial sized garden which extends into a field for horses. Within the property grounds there are several outbuildings.

To the rear of the property and grounds of the dwelling is a private enclosed field, owned by the applicant. The field is not part of the planning application. The property has views, from the rear, of green spaces and countryside that surround Skelmanthorpe. Beyond the field at the rear of the property, the land is designated as green belt.

To the north-east side of the property there is substantial expanse of green space within the property boundary.

The property is approximately 30 meters from the boundary of the conservation area for the village of Skelmanthorpe.

Description of Proposal

The applicant is seeking permission to erect a porch extension and install two windows on the side of the property, as well as adjust the frontage wall and steps to enclose the garden.

The porch would project 1.75m from the original front of the property and would extend from the front left side of the property across 4.15m. The porch would reach a height of 3.3m, from the ground level to the eaves of the porch. A rooflight and a window at the front of the porch are to be installed, both of which are to be in central positions.

Materials for the porch are to be in line with current building materials of the dwelling. The walls are to be made with natural stone and roof tiled with blue slate. Window frames are to be powder coated aluminium, with cills and lintels in line with the existing front windows.

There are two windows proposed for the north-west side of the dwelling. One window is proposed on the ground floor, to the front of the property. The

second window is proposed on the first floor orientated in line with the centre of the property. Materials for the frame of the windows are to be powder coated aluminium.

Relevant Planning History

There are no other planning applications for this dwelling.

History of negotiations

No amended plans have been considered.

Representations

The application was advertised by neighbour letters, which expired on 09/11/2022

As a result of the above publicity, no representations have been received.

Consultation Responses

No consultation has been required.

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. However, the property is sited approximately 30 meters from the Skelmanthorpe conservation area boundary.

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development

- **LP 2** – Place shaping
- **LP 24** - Design
- **LP 30** – Biodiversity
- **LP 35** - Historic Environment

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, and 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 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

- 1) Principle of development
- 2) Impact of visual amenity and historic environment
- 3) Impact of residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Conclusion

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 Extension SPD and 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.

In this instance, the property is distanced approximately 30 meters from the Skelmanthorpe Conservation Area boundary. The development has been deemed to propose no pose harm to the character or setting of the conservation area due to the nature of the proposals and the property's orientation. Taking this forward, the relationship between the proposed development is thought to be of no impact to the Skelmanthorpe Conservation Area.

Impact on visual amenity:

The property is located on a lane entering the village of Skelmanthorpe, which has a distinctive country feel, with properties located along the roadside.

Properties on the lane are of a variety of builds, sizes and ages. Despite the countryfied appeal to the lane, surrounding properties have been altered and extended. However, these alterations have been of a modest nature and do not detract from the country character of the road.

Key Design Principle 1 of the House Extension & Alteration supplementary planning document (HEASPD) does state 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 HEASPD 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.

The proposal under consideration consists of two distinct elements which shall be addressed below.

Scale – the porch is of a modest nature which is appropriate to the scale of the current dwelling. The other proposed alterations are minor with the introduction of windows in the gable; therefore, the application is seen to be of an appropriate scale.

Materials – the proposed materials are sympathetic to the area, matching the existing materials of the dwelling including stone walls and blue slate. The materials for the window frames are to be aluminium which is a positive choice given there are currently UPVC to the front of the house. A condition has been added to the decision notice to ensure the materials used match the host.

Having taken the above into account, the proposed extension would not cause any 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.

Impact on 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 outlining principles.

Key Design Principle 3 of the SPD states, *'extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours'*. Reasonable privacy for neighbours is backed up by Key

Design Principle 4, regarding the installation of side windows, which states, *'extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook'*.

The weight given to privacy, for the installation of the first-floor side window is therefore great, however the features found within the street negate the harm of the side window alteration. There is a sizeable spatial separation between the property in question of the alterations and the adjacent dwelling. The adjacent dwelling is a single storey build, which is positioned close to the property boundary, meaning habitable rooms should not be overlooked by the installation of a first-floor window. The property boundary is currently separated with tall fencing, shrubs and trees which obscure the view to the immediate neighbour's property. Furthermore, the windows are proposed to serve non habitable space.

Additionally, we have not received any representations to the proposed alterations, which have been posted to the adjacent property.

Impact on

The neighbour to the side:

With regards to the impact on the 21 Saville Road, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12, paragraph 130 of the NPPF. Due to the scale and location of the development the proposals are considered to be acceptable. For the reasons outlined above the introduction of side windows will not result in any overlooking or loss of privacy to neighbouring occupants.

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.

Impact on highway safety:

The proposals will result in some intensification of the domestic use. However, the parking area to the side of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. Bin storage for the dwelling is to the rear of the house and would not be moved as part of the proposals. 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.

Other matters:

Biodiversity

The development is for a porch to be installed on the front of the property which is to be single storey. Whilst the property is located in an area, which is known to include bat habitats, as the proposed works are single storey and include no work to the main roof, then it is considered unlikely to have an impact on the bat population.

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development, then work must cease immediately and the advice of a licensed bat worker sought.

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.

Representations:

None

Negotiations:

None

Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

Conclusion:

This application to erect a porch extension and install two windows on the side of the property, as well as adjust the frontage wall and steps to enclose the garden at 23-25 Saville Road has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extension 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

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, 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, and thereafter retained.

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.

Plan Type	Reference	Web ID	Date Received
Location Plan	22/809/01	953469	27/09/2022
Block Plan	22/809/02	953470	27/09/2022
Grouped Plans and Elevations	22/809/03	953466	27/09/2022
Grouped Plans and Elevations	22/809/04b	953467	27/09/2022
Block Plan	22/809/05	953468	27/09/2022

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 has, 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. No amendments were sought.

