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:	**2022/62/93315/E**
Site Address:	3, Parkwood Close, Shelley, Huddersfield, HD8 8JP
Description:	Erection of single storey rear extension and cladding and render to front elevation
Recommending Officer:	Craig Hewitt

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 06-Dec-2022

Officer Report

Site Description
The application site relates to the two-storey detached dwellinghouse at 3 Parkwood Close, Shelley. The dwelling has a single storey front outrigger that contains a porch and converted garage, though a garage door remains on the front elevation. Space for one vehicle exists at the front of the property. Ground levels fall to the west side and front (south) of the property. The primary amenity space is located to the rear of the dwelling. The immediate context of the site is residential, with a variety of house types, sizes and materials.

Description of Proposal
Planning permission is sought for the erection of a single-storey rear extension and K-render to the front elevation at first floor level. The single storey extension would project 2.4m from the rear elevation and meet flush with both side elevations of the dwelling. The single storey extension would have a flat roof 3m high. The extension would be constructed of matching brickwork to the dwelling. An enlarged kitchen/dining area would be created as a result of the proposal.

History of negotiations/amendments received
Through the course of the application, amendments were requested in relation to the extent of render to the front elevation of the dwelling. The originally proposed grey cladding was removed from the proposals and the extent of render reduced.

Relevant Planning History
At No.1 Parkwood Close:
2012/93948 - Erection of single storey rear extension, front extension and conversion of garage to wash room, WC, Sauna. Conditional full permission.

Representations
This application was publicised by five neighbour letters, for which the consultation period expired on 22nd November 2022. Following this publicity, no representations were received from neighbours.

Due to the minimal change sought by the requested amendments, these were not re-advertised.

Parish/Town Council comments
None.

Consultation Responses
None.

Policy
Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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.

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:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **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

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity (including any heritage considerations)

3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)
6) Representations
7) Conclusion

1 – Principle of development:

Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is the focus of policy LP1 of the KLP. This policy stipulates 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. Policy LP24 of the KLP is the overarching policy in relation to the design, requiring proposals to respect the appearance and character of existing development in the surrounding area as well as to protect the amenity of the future and neighbouring occupiers, to promote highway safety, and to promote sustainability.

The application is for an extension to a residential property within a settlement boundary, where the principle of development such as this is acceptable, subject to the satisfactory assessment of material considerations. These considerations, along with others, are addressed in the following sections in this report.

2 –Impact on visual amenity:

Policy LP24 of the Kirklees Local Plan, consistent with chapter 12 of the NPPF, states, inter alia, that the form, scale, layout and details of all development respects and enhances the character of the townscape.

The House Extensions and Alterations SPD states that single-storey rear extensions should, as a guideline, be in-keeping with the scale and style of the original house, not exceed 4m in height, not project more than 4m from the rear elevation for a detached dwelling, and should retain a gap of at least 1m to the property boundary.

In this case, the proposed single storey extension would project 2.4m from the original rear elevation of the dwelling and meet flush with both side elevations. The north-eastern corner of the extension would be splayed at a 45-degree angle. The proposed extension would retain 8.5m to the rear boundary and is considered to retain an adequate sense of spaciousness within the plot. The proposed extension is proportionate to the original dwelling and would preserve a reasonable amount of private amenity space - no more than 50% of garden space would be lost.

The single storey extension would have a flat roof 3m high. Although the flat roof is not in-keeping with the architectural style of the host dwelling, the extension would be of a modest enough scale to prevent unacceptable visual

harm to the surrounding area and would not be visible within the street-scene. The proposed window openings and roof lights are of acceptable size, style and positioning, and the extension would be constructed of brickwork to match the appearance of the existing materials of the dwelling.

It is proposed to K-render the front elevation of the dwelling at first floor leve. No.1 Parkwood Close is finished in off-white render at ground floor and timber cladding at first floor, to create a horizontal emphasis to the front elevation. There are two further properties on Park Avenue that are finished in render. Given that there are existing properties in the immediate context that have render finishes, and that properties on the north side of Parkwood Close are constructed of a different type and colour of brick to properties on the south side of Parkwood Close, the proposed render finish is not considered to cause a level of visual harm upon the street-scene that would be sufficient to justify refusal of the proposal.

The development, therefore, would be acceptable in terms of visual amenity and would accord with Policies LP24 of the KLP and Chapter 12 of the NPPF.

3 – Impact on residential amenity:

Policy LP24 of the KLP requires of developments, inter alia, a good standard of amenity for future occupants and neighbouring occupiers, as well as a minimising of the impact on residential amenity of future and neighbouring occupiers.

Key Design Principles 3 (privacy), 5 (overshadowing/loss of light), and 6 (preventing overbearing impact) of the Kirklees House Extensions and Alterations SPD expand upon Policy LP24 and are discussed below.

Although the proposed extension would be sited up to the common boundary with No.1 Parkwood Close, No.1 Parkwood Close has extended to the rear at ground floor already and the proposed extension would not project beyond the rear elevation of that. The proposed single storey rear extension would retain a 45-degree line of sight from the centre of the nearest habitable room rear elevation windows at both No.1 and No.5 Parkwood Close and would comply with the SPD – the extension is not considered to cause an unacceptable overbearing or overshadowing impact on either property.

The proposed glazed access doors in the splayed norther-west facing elevation of the extension would face the common boundary with No.5 Parkwood Close. Given that the host property sits at a lower ground level than No.5 Parkwood Close and that there is an existing rear boundary hedge, the proposal is not considered to lead to an unacceptable loss of privacy. There are no further amenity concerns for the proposal on any other neighbouring property.

As such, the proposal would comply with Key Design Principles 3, 5 and 6 of the House Extensions and Alterations SPD and policy LP24 of the KLP in terms of residential amenity.

4 – Impact on Highway Safety:

The proposal would not result in the creation of additional bedrooms, nor loss of parking space. Accordingly, a householder extension of this type is considered acceptable in terms of planning regulation.

The development concerned is acceptable in terms of parking and consistent with Policy LP22 of the KLP.

5 – Other matters:

Carbon Budget
The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures are 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 and which will require compliance with national standards.

6 – Representations:

No representations received during the course of this application.

7 – Conclusion:

This application for a single storey rear extension and front elevation render at No.3 Parkwood Close, Shelley has been assessed against relevant policies in the development plan, as listed in the policy section of the report, the NPPF and other material considerations.

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: 2022/93315
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 Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The external wall 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 and the key design principles of the House Extensions and Alterations SPD.

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 13.00 hours, 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 may 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**
Existing Plans & Elevations	A(00)-01		07.10.2022
Proposed Plans & Elevations	A(10)-01	A	06.12.2022

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 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. Through the course of the application, amendments were requested in relation to the extent of render to the front elevation of the dwelling. The originally proposed grey cladding was removed from the proposals and the extent of render reduced.

Report Dated: 01.12.2022