

**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:	2022/62/93419/W
Site Address:	4, Greystone, Crosland Moor, Huddersfield, HD4 5NF
Description:	Erection of single storey rear extension
Recommending Officer:	Laura Eddey

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: 11-Jan-2023

OFFICER REPORT 2022/93419

4 Greystone, Crosland Moor, Huddersfield, HD4 5NF

SITE

The application site is a two-storey detached artificial stone dwelling house located in a modern estate in Crosland Moor, west Huddersfield. The estate is made up of detached two-storey residential coursed stone properties in a variety of designs, some with single-storey rear extensions. The contour of the land rises to the west with the closest neighbour at 6 Greystone set above the applicant property.

The applicant property has not been previously modified but permitted development rights for extensions have been removed under the original planning permission for the development. The property is set back from the street with a small, well maintained front garden and an enclosed rear garden space. The site is undesignated on the Kirklees Local Plan.

The site is situated in an area known for bats, swift nesting and twice buffer

PROPOSAL

The proposal is for a single-storey rear extension in coursed artificial stone with dark grey concrete tiles and grey uPVC windows and doors to match existing. The extension projects 4.0 m from the rear wall of the host property with a pitched roof and gable end on the rear elevation. The height of the development is ~3.6 m to the roof ridge and 2.5 m to the eaves. It is 4.4 m wide. In the east (side) elevation is a set of bi-folding doors and in the rear elevation are two long rectangular windows. These are to be grey uPVC to match the fenestration of the host building.

PLANNING HISTORY

2000/90617 – Erection of 35 No. detached dwellings and associated garages - Approved

PUBLICITY & REPRESENTATIONS

The application was publicised by means of neighbour notification letters in accordance with Table 1 of the Council's Development Management Charter. The period of publicity expired on 21st December 2022.

No representations received.

CONSULTATIONS

No consultations were sought.

POLICIES

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).

Local Plan:

LP 01: Achieving sustainable development
LP 02: Place shaping

LP21: Highway Safety
LP22: Parking
LP 24: Design
LP30: Biodiversity

Supplementary Planning Documents:

KC House Extensions and Alterations Supplemental Planning Document (SPD) adopted June 2021.

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: Requiring good design

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Highways and Parking
- 5) Other matters – e.g. trees/ecology (e.g. bats)
- 6) Representations
- 7) Conclusion

1 – Principle of development: The site is undesignated in the Local Plan. Of particular relevance is Policy LP24(c) which requires that extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials, and details and minimise impact on residential amenity of future and neighbouring occupiers. Any implications for highway safety will also be considered as required by Policies LP21-22. The Householder Extensions and Alterations SPD is a material consideration and any departure from the proposals contained within it must be clearly justified. The proposed rear single storey extension could be considered acceptable in principle, subject to considering Chapter 2 of the NPPF, Local Plan Policy LP1 and the extensions and alterations SPD on achieving sustainable design and minimising the impact on future and neighbouring occupiers.

The SPD sets out specific guidance on single storey rear extensions to

detached dwellings as follows:

These 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 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The development proposed aligns with this guidance on single storey extensions.

2 – Impact on visual amenity: The NPPF offers guidance on design in Chapter 12 (Achieving well-designed places). Kirklees Local Plan LP1, LP2 and LP24 also seek to achieve well designed, good quality and sustainable design to correspond with the scale of development in the local area in order to retain a sense of local identity. The SPD for extensions and alterations include Key Design Principles 1 and 2, which set out general guidelines for assessing impact on character and visual amenity for extensions and alterations to residential properties:

KDP 1 – Local character and the street scene – Extensions and alterations should be in keeping with the appearance, scale, design and local character of the area and the street scene.

KDP 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.

The proposal is a single-storey rear extension in matching stone and tile. The rear projection is 4.0 m and is ~3.6 m to the roof ridge and 2.5 m to the eaves. The development is approximately 1.0 m from the party boundary. The design of the extension is in keeping with the appearance of the host dwelling and harmonises well with the pattern of surrounding development. It would clearly be subservient to the host property and the palette of materials would match the host dwelling. It would retain sufficient amenity space so as not to be perceived as an overdevelopment of the site and provide amenity for future occupiers (KDP 7 of the SPD)

The proposed development is in accordance with LP24 of the Kirklees Local Plan KDP 1 and 2 and guidance for single storey rear extensions set out in the SPD.

3 – Impact on residential amenity: Paragraph 130 of the NPPF states that planning decisions should maintain a high standard of amenity for existing and future occupants and neighbours. Sections B and C of LP24 states that buildings should retain appropriate distances to minimise impact on future occupiers and neighbours and minimise the impact on residential amenity. The relevant design principles from the SPD are Key Design Principles (KDP)

3- 7: privacy (3), habitable rooms and side windows (4), overshadowing/loss of light (5) preventing overbearing impact (6), outdoor space (7) and section 5 *Rear extensions* of the SPD.

The host property is set below the neighbouring properties to the west (6 Greystones) and rear (north) (8 Greystones) due to the contour of the land. The boundary with the western neighbour is elevated with a partial brick wall and timber fence for a combined height of approx. 3.0 m. This boundary adequately screens most of the proposed rear extension from view with just the roof ridge visible. The solid boundary would prevent any material loss of light or overbearing impact occurring to the occupiers of no. 6 Greystones.

To the east, there is a stone and timber boundary that is 2.0 m + high, which screens the rear garden and proposed extension. The view from the eastern neighbour at 1A Crosland Hill Road will also be predominantly the roof ridge of the proposed development due to this solid boundary treatment. In addition, there is a significant separation distance of around 9.5m between the side wall of the conservatory and the rear elevation of this neighbouring property. This would prevent the element of the extension visible from this property from being overbearing or causing a loss of light.

The rear neighbour (8 Greystone) is elevated and set perpendicular to the applicant property with a 2.0 m timber fence boundary and there is no overlook/overshadowing or overbearing potential.

The design of the proposed extension has a blank western (side) elevation that will protect the closest neighbour should the wall and timber boundary be removed in the future, protecting the privacy of both properties. The eastern (side) and rear elevation are set far enough away from the nearest property that there is no likely impact from overlooking in the future.

The rear amenity space is small, yet the proposed development is modest in size and retains more than 50% of the rear garden, which is concluded as adequate for future occupiers in accordance with KDP 7.

The proposal is in accordance with LP24 of the Kirklees Local Plan, KDP 4-7 and specific guidance on single storey rear extensions set out in the SPD.

4 – Highways and Parking

The extension would not impact on parking facilities at the site or material increase the needs for parking to accommodate occupiers of the dwelling. As such the development is in accordance with Policies LP21 and LP22 of the Local Plan and KDP15 of the SPD.

Ample facilities would remain on site for the storage of wastes in accordance with KDP 16 of the SPD.

5– Other matters:

Biodiversity:

The site is located within the bat alert layer, swift nesting and twite buffer. In these circumstances, and since the proposal is for a single-storey extension in an established residential estate, it is considered that it would not be reasonable or proportionate to seek to achieve biodiversity net gain in accordance with Policy LP30 of the Local Plan or KDP 12 of the SPD.

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. KDP 8-11 of the SPD set out a series of issues that might be applicable to certain applications.

In this instance the applicant has not submitted any supplementary statement or other information to explain how the proposed development would help to address or combat climate change effects. As the proposal is for a single-storey extension within an urban area it is considered that that it would contribute to making more efficient use of land in a relatively sustainable location. It is considered that in the circumstances the applicant does not need to demonstrate further measures to combat climate change and the proposal is deemed to be in accordance with the aims set out above and set out in NPPF Chapter 14.

6 – Representations:

No representations were received.

7 – Conclusion: The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken 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.

Application Number: 2022/93419

Officer Recommendation: Conditional Full Permission.

Conditions

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 LP21, 22 and 24 of the Kirklees Local Plan, Key

Design Principles of the Council's adopted House Extensions and Alterations Supplementary Planning Document and Policies within 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 and 2 of the House Extensions and Alterations Supplementary Planning Document and Policies in Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Proposed rear extension, elevations and location plan	DWG DA01		20/10/2022
Proposed site layout	DWG DA02		24/10/2022

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 10.1.23