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:	**2022/62/93467/E**
Site Address:	25, Strike Lane, Skelmanthorpe, Huddersfield, HD8 9AY
Description:	Erection of single storey side extension
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: 15-Dec-2022

OFFICER REPORT

Site Description

25 Strike Lane is a two-storey, detached house in the village of Skelmanthorpe. Materials of the walls of the property are made with red brick, which are accompanied by sandstone window cills and lintels. The roof is tiled with blue slate tiles. The building also has stone features under the soffit.

The property has a sizeable front and rear garden, with a green space to the side of the property linking the two gardens. The front garden is enclosed by a low red brick wall. The property boundary with the neighbouring properties and field to the rear is enclosed by fencing. There is a spatial separation between the front and side outside area through a small gate and low fencing. Behind the property is designated green belt.

Strike lane is a road which is semi-rural in character. Houses on the street comprise of a range of property types, including detached, semi-detached and terrace properties. 25 Strike Lane is the second to last dwelling on the street, before the road opens out towards rural fields.

Skelmanthorpe is a rural village in the south-east Huddersfield area.

Description of Proposal

The applicant is seeking permission to erect a single storey side extension with a hipped roof, there is to be a singular door on the left orientation of the wall with two windows, placed centrally on the front facing wall, steps will lead from the ground level to the new door with handrails. On the rear of the extension, there is to be a central double patio door, and singular window on the right orientation of the door. A door on the east elevation is to be blocked up.

The side extension is to project 4.6 from the side of the existing house, with a width of 7.7m, which leaves a frontal space set back from existing property line of 0.5m. The height of the rear extension is to be 3.3m from the front facing wall, ground level, to the eaves of the extension, with a total height including the extension roof of 5.6m.

Materials for the porch are to be in line with current building materials of the dwelling. The walls are to be made of red brick, and roof tiled with blue slate. Cills and lintels are to be installed, with window frame and door materials to match the existing materials.

Relevant Planning History

There are no other planning applications for this dwelling.

History of negotiations

Amended plans were sought to address officer concerns regarding materials. The revised plans show materials to match.

Representations

The application was advertised by neighbour letters, which expired on 07/12/2022

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

Denby Dale Parish Council were contacted with regard to the application, no objections were 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.

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

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
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.

Impact on visual amenity:

The property is located on a country lane on the outskirts on the village of Skelmanthorpe, which has a distinctive rural element due to the open

landscape. There is an array of different builds on the street which including terraces, semi-detached and detached buildings. Ages of properties on the street vary, as modern builds with stone finishes face on the 1950s brick building of 25 Strike Lane. Properties on the street have been altered, including the neighbouring property which has had a similar extension to the side of the original property. However, the alteration does no detract from the country character of the road.

Key Design Principle 1 of the Extensions & Alterations 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.

Paragraph 5.17 of the Extensions & Alterations SPD further outlines the appropriate size and scale suitable for single storey side extensions, which are addressed below;

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 at least 500mm from the original building line to allow for a visual break.

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

Scale – the side extension is large in nature, especially given the relationship between the original building and the proposed side extension in which it will predominantly infill. The relationship between the host and proposed structure is considered to be acceptable in line with guidelines set out in the Extensions & Alterations SPD on side extensions. It is set back from the original building line providing a visual break additionally the structure does not exceed a height of 4 meters. The projection of the extension is slightly over two thirds of the width of the original house, however given the proposal in the contexts of the surrounding environment in the grounds of the house, the extra projection is deemed to be appropriate.

Materials – the proposed materials are sympathetic to the area, as the existing brick walls are to be matched, and matching roof tiles. Window frames, cills and lintels are to be matching with the existing structure. There is to be a pitched roof design which is to be constructed.

Design – the design of the extension is sympathetic to the original house, with a pitched roof design.

Furthermore, the neighbouring property has been extended with a single storey addition along the boundary and would, to a degree, mirror the

proposed development adding weight to the justification for the scale of development proposed.

Having taken the above into account, the proposed extension 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 extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the 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'*.

Paragraph 5.16 of the Extensions & Alteration SPD states, side extensions should maintain the quality of the environment for neighbours by:

- Ensuring reasonable levels of natural light to the habitable rooms in neighbouring properties; and
- Positioning windows to minimise or avoid any potential overlook into neighbouring gardens.

The weight given to privacy is therefore great, a development should not negatively impact upon neighbouring properties, however the features found within the design of the extension negate the impact to privacy. Windows with views onto neighbouring properties are only impact the north facing view. In terms of this, the extension is a ground floor extension which onlooks 12 Strike Lane. There is thought to be limited impact to privacy as due to distance to the neighbouring property. There are no side windows proposed on the extension.

Additionally, we have not received any objections 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 occupants of 27 Strike Lane, the scheme is of a scale and set off the boundary to mitigate any impact. There is a small

side window located in the neighbouring extension. This was approved under 2017/92509 and is shown to be a utility and therefore non habitable. The extension proposed is not considered to result in a loss of amenity to the adjoining occupants.

The development 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 and the proposals are considered to be acceptable.

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 Extensions & Alterations 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 side extension to be installed on the side of the property which is to be single storey. Whilst the property is not located in an area, which is known to include bat habitats, if there are signs of bats roosting within the roof the buildings, existing or proposed, 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 single storey side extension with a hipped roof with steps at 25 Strike Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the Extensions & 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 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.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

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.

Plan Type	Reference	Web ID	Date Received
Grouped Plans and Elevations	466-B01	957954	24/10/2022
Grouped Plans and Elevations	466-B02	957956	24/10/2022
Grouped Plans and Elevations	466-B04	957959	24/10/2022
Grouped Plans and Elevations	466-B03B	958493	05/11/2022

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. Revised plans were submitted, at the officer's request to address concerns regarding materials.