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:	**2022/62/93501/E**
Site Address:	29, Lidgett Lane, Skelmanthorpe, Huddersfield, HD8 9AQ
Description:	Erection of single storey rear extension with raised access and garden store below, single storey side extension and rear dormer extension including external alterations following demolition of existing side 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: 21-Dec-2022

Officer Report

Reference No. 2022/62/93501/E
Site Address: 29, Lidgett Lane, Skelmanthorpe, Huddersfield, HD8 9AQ
Proposal: Erection of single storey rear extension with raised access and garden store below, single storey side extension and rear dormer extension including external alterations following demolition of existing side porch

Site Description
The application relates to 29 Lidgett Lane, a two-storey semi-detached property located in a residential area in Skelmanthorpe. The dwelling incorporates a dual pitched roof finished in blue slates and is predominately faced in red brick, with stone and pebble dashed render to the front elevation. The property benefits from off road parking to the front and gardens to the front and rear. The neighbouring properties are of residential use and comprise a combination of bungalows and two storey dwellings of varying materials and architectural styles.

Description of Proposal
The application seeks planning permission for the construction of a single storey rear extension with raised access and a garden store below, a single storey side extension and a rear dormer extension including external alterations. The existing side porch would be demolished to allow for the proposed works.

The proposed single storey rear extension would extend approximately 2.3m from the rear elevation of the host property. It would have a maximum height of approx. 4.96m and a height to eaves which ranges from approx. 2.7m to 4m due to changes in ground level. The proposed rear dormer extension would have a width of approx. 3.4m, a depth of approx. 3.17m and a maximum height of approx. 2.12m. The proposed single storey side extension would project approx. 2.1m from the existing side elevation. It would feature a maximum height of approx. 3.6m and a height to eaves of approx. 2.38m.

Relevant Planning History
None

Representations

The application was publicised by neighbour notification letters, which expired on 16th December 2022. As a result of the above publicity, no representations have been received.

Denby Dale Parish Council – No objections

Consultation Responses
KC Environmental Health
Environmental Health have reviewed application 2022/93501 and make the following comments and recommendations.

Contaminated land
The site is not on land identified as potentially contaminated on our mapping systems. The proposed development will involve ground works therefore it will be necessary to recommend a condition relating to unexpected ground contamination.

Construction Noise
Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, for this reason a condition is necessary to limit the hours of operation for the site.

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

<u>Assessment</u>

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. **Impact on visual amenity**

   Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) 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 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.

   Rear Dormer Extension

   The proposed flat roofed dormer extension would be located within the rear roof plane. The dormer would be modestly proportioned and clad with hung tiles to match the materials of the original roof. Although the dormer window

would not align with the existing fenestration, it would be of an appropriate size and design. Furthermore, the dormer extension would also be set back from the eaves line, sited below the ridge line and would not be out of keeping with other dormers within the vicinity. It is therefore considered that the proposed development would respect the character and appearance of the host property and surrounding street scene.

Single Storey Side Extension
The proposed single storey extension would extend approximately 2.1m from the side elevation of the original build. The extension would be faced in red brick and would incorporate a mono-pitched roof finished in blue slates. The extension would not surpass 4m in height, would be modestly proportioned and would appear subservient to the host property. Furthermore, the plans confirm that the enlargement would be set back approximately 2.58m from the original building line such that it would not appear unduly prominent from public vantage points. Therefore, it is considered that the proposed development would respect the visual amenity of the host dwelling and neighbouring properties and would be acceptable in this regard.

Single Storey Rear Extension
The proposed single storey rear extension would project approximately 2.3m from the existing rear elevation and would be faced in red brick with a blue slate mono-pitched roof to match the appearance of the original dwellinghouse. It is noted that the extension would occupy the full width of the property and would exceed the height requirements outlined with the SPD. However, the extension would be a subservient addition and would be sited to the rear of the property with limited visibility from public vantage points. Although the extension would fail to retain 1m to all property boundaries, it would be proportionate and would maintain a sense of space within the plot. On this basis, the proposed development would not have any significant visual impact on the character and appearance of the host property and wider street scene.

The proposed single storey rear extension would also include the formation of raised access and a garden store below. The raised platform would extend approx. 1m from the rear elevation of the proposed extension and would measure 1.3m above ground level. Given that the proposal would be appropriately designed, it is considered to have an acceptable impact on the visual amenity of the host property and surrounding area.

External Alterations
The plans also confirm that the existing driveway would be extended to accommodate two vehicles. This would involve partially removing the

existing low level boundary wall to the front. Although the proposed development would not alter the appearance of the dwellinghouse, it would alter the appearance of the outdoor amenity space to the front. However, given that other properties within the vicinity have converted their front gardens to driveway, it is considered that the proposal would not appear out of character with the surrounding area and would not have a harmful impact on visual amenity.

Summary
For these reasons, 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 31 Lidgett Lane
31 Lidgett Lane is a residential property located south of the application site. The submitted plans confirm that the proposed single storey rear extension would not surpass the rear elevation of the neighbour's existing extension. Therefore, it is considered that there would be no undue harm to the neighbouring amenity with regards to overbearing, overshadowing or overlooking.

Impact on 34 Lidgett Lane
34 Lidgett Lane is a detached bungalow sited west of the application site and would occupy a position approximately 19.7m from the proposed single storey side extension. Given that the extension would not contain any fenestration and would maintain a sufficient separation distance, it is considered that the proposal would have an acceptable impact on the neighbour's residential amenity.

Impact on 2 Lidgett Close
2 Lidgett Close is a two storey detached property located to the rear of the application site. Although there may be additional overlooking of the neighbour's front outdoor amenity space as a result of the proposed works, it is considered that the impact would be minimal given that the garden is open aspect. On this basis, it is considered that the proposed development would not result in any significant harm to the neighbouring occupants and would be acceptable.

Impact on 27 Lidgett Lane
The proposed single storey side extension would be positioned approximately 0.84m from the common boundary shared with 27 Lidgett Lane. However, given that the neighbour's gable end does not contain any fenestration at ground floor level, it is considered that there would be no additional harm to the neighbouring occupants over the existing. Furthermore, the proposed single storey rear extension would occupy a position approx. 2.8m from the side boundary and would not surpass the 45-degree angle in relation to the neighbour's ground floor windows. On this basis, it is considered that the proposed development would have an acceptable impact on the neighbour's residential amenity.

Occupier Amenity
The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. On this basis, 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 submitted 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.

Contaminated Land

The site is not on land identified as potentially contaminated. However, given that the proposed development would involve ground works, it will be necessary to recommend a condition relating to shallow coal workings and unexpected ground contamination. Additionally, a note will be added to the decision notice advising the applicant on how to proceed should any unexpected contamination be discovered during the works. KC Environmental Health also recommended a condition relating to construction hours; however due to the scale of the development, it is considered this would be acceptable as a note for the applicant.

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

5. Representations

No representations were received following the statutory publicity.

6. **Negotiations**

Amendments were sought during the course of the application. A request was made to lower the ridge height of the rear dormer extension and alter its material palette to hung tiles to match the original roof form. Revised drawings were submitted and were considered acceptable.

7. **Conclusion**

This application for the erection of a single storey rear extension with raised access and garden store, single storey side extension and rear dormer extension including external alterations at 29 Lidgett Lane 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 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

Decision Authorisation - Delegated Powers
Application Number: 2022/93501
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.

4. In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Paragraph nos. 178 and 179 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: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice

- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group

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	Revision	Date Received
Location Plan	143-22-PL03	A	27/10/2022
Existing Floor Plan, Elevations & Site Plan	143-22-PL01	A	27/10/2022
Proposed Floor Plan, Elevations & Site Plan	143-22-PL02	B	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 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: 07/12/2022