

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:	2022/62/93583/W
Site Address:	8, Dryclough Avenue, Crosland Moor, Huddersfield, HD4 5JU
Description:	Erection of single storey extensions and alterations to bungalow
Recommending Officer:	Luke Walstow

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: 04-Oct-2023

OFFICER REPORT

Application Reference: 2022/93583

Site: 8, Dryclough Avenue, Crosland Moor, Huddersfield, HD4 5JU

Site Description

8 Dryclough Avenue is a detached bungalow located within the residential area of Crosland Moor, Huddersfield. The street scene comprises of detached bungalows constructed from similar materials and of similar size and scale. The dwelling benefits from an integrated garage, off-street parking, and a large rear garden. The site is not located within a conservation area or within the green belt.

Description of Development

The applicant is seeking planning permission for the erection of single storey extensions and alterations to bungalow.

Side Extension

Width: 1.8 metres

Height: 2.5m to eaves, 4.3m maximum height.

Rear Extension

Length: 4.5 metres (maximum, other projection 2m)

Width: Maximum width of 12.8 metres.

Height: Maximum height of 4 metres.

The proposed extensions would be constructed from brick to match the existing dwelling. The roof would be constructed from concrete tiles which also would match the existing dwelling. New rooflights would be inserted into the roof of the extension. A porch located to the front of the dwelling would be removed.

History of negotiations/amendments sought

Plans were sought from the agent to reduce the scale of the development, as it was deemed overdevelopment of the site. Officers asked for the rear extension

to be brought back to 4 metres in projection and the side extension to measure 1.8 metres which would reduce the overall size of the extended dwelling. Plans submitted on 2 October 2023 are considered to be acceptable.

Planning History

Relevant planning history for site:

92/00359. Erection of single storey extensions and porch. Conditional Full Permission – 05/02/1992.

Publicity and Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via neighbour notification letters.

Final publicity date expired 24th February 2023 no representations received. The amended plans were not republicised as these reduced the scale of development.

Consultation Responses

No statutory consultations were requested for this application.

Planning Policy Background

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 in the adopted Kirklees Local Plan

Kirklees Local Plan

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 21** – Highway Safety
- **LP 22** – Parking Provision
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 51** – Protection and Improvement of Local Air Quality

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published September 2023, 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 4** – Decision-Making
- **Chapter 9** – Promoting Sustainable Transport
- **Chapter 12** – Achieving Well-Designed places
- **Chapter 14** – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- **Chapter 15** – Conserving and Enhancing the Natural Environment

Other Material Considerations

Kirklees Highway Design Guide (November 2019)
House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004
The Conservation of Habitats and Species Regulations 2017

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters (including climate change and biodiversity)
5. Representations
6. Conclusion

1 – Principle of Development

The site is without notation on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan (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 National Planning Policy Framework. Policy LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *“good design should be at the core of all proposals in the district”*.

In this case, the principle of the extensions could be acceptable, but this is subject to an assessment against the applicable material planning considerations, which shall be discussed below:

2 – Impact on character and appearance of the area

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 126 provides a principal consideration concerning design which states:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

Policy LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape...” and “c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

Section 5 of the House Extensions and Alterations SPD provides advice for specific extensions and alterations.

Rear Extension

Section 5.1 of the house extensions and alterations SPD relates specifically on rear extensions, with paragraph 5.6 stating guidance specially on single storey rear extensions:

- *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 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 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 rear of the original structure would be extended by a maximum of 4.5m, reducing to 2 metres to the principal rear element of the dwelling.

This 2m extension would accommodate a master bedroom with an en-suite and a second bedroom. The width and height of the extension would match the existing dwelling. The materials proposed are to match the existing dwelling, thus having good design and complying with section 5.1 of the house extensions and alterations SPD. Officers deem the small rear extension to the original structure acceptable.

A further single storey rear extension would extend out from the original building to accommodate a new living room, hallway, and study area. The rear extension would add a 4.5-metre projection to the original building. Although this projection is not SPD compliant, the large rear outdoor space allows the extension not to be cramped and the 0.5 extra over guidance would not result in overdevelopment of the site or material harm to visual amenity. The rear extension would be constructed from materials which match the original dwelling and would be good in design. There would be roof lights inserted in the roof over the living room to provide natural light. The rear wall will consist of glazed panels which look onto the large rear garden. The rear extensions can be accepted by officers as the rear extensions are of good design and would project onto a large rear garden ensuring the extensions do not dominate the entirety of the site.

Side Extension

Section 5.3 of the house extension and side alterations SPD provides guidance on side extensions. Section 5.17 of the house extension and side alterations SPD provides guidance specifically on single storey side extensions, stating:

- 5.17 Single storey side extensions should be offset and complement the original building. 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 width would be increased by 1.8 metres to accommodate a garage and study room whilst retaining an acceptable distance away from the boundary.

The proposed extension would be constructed from the same materials to maintain a unified appearance for the whole dwelling. The side extension would include a garage, large hallway, a living room and a utility room. Amended plans moved the side extension further off the neighbouring boundary to be more acceptable. Large roof lights are proposed within the side extension. Large windows are proposed to the rear elevation of the side extension, which would project out onto the rear garden. Officers can confirm the side extension is acceptable.

Having taken into account the above, it has been considered that the proposal would harmonise, to an acceptable degree, with the host property and would not cause detrimental harm to the visual amenities of the area, in accordance with Policy LP24 of KLP, the principles within the Council's House Extensions and Alterations SPD and Chapter 12 of the NPPF.

3 – Impact on residential amenity

Section B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours.”*
- Principle 4 – that: *“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.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.”*
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*
- Principle 7 – that: *“extensions and alterations should ensure an appropriately sized and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals.”*
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The following neighbours have been evaluated for potential impacts of residential amenity.

Impact on 10 Dryclough Avenue

10 Dryclough Avenue is a detached bungalow located to the South of the application site. At the closest point, the dwelling of 8 Dryclough Avenue would be 1.3 metres from this neighbouring boundary. Whilst there are new windows proposed, the existing elevation facing the neighbour has windows within the exterior wall, therefore the outlook on to the neighbouring land would not be significantly increased in this regard, principal windows face west away from this property. A site visit confirmed a boundary fence which separates the two dwellings and numerous bushes. These features act as a screen to mitigate the new proposals. Given that all proposed extensions are single storey in nature, there would be no significant increase of overbearing upon this neighbour. The angle in which the applicants dwelling is situated means the rear extension would project in a direction away from the neighbouring dwelling, thus limited any potential impacts, the orientation of the properties to one another would prevent overshadowing impact. It can be concluded that the proposals would not create negative residential amenity issues upon this neighbour.

Impact on 6 Dryclough Avenue

6 Dryclough Avenue is a detached bungalow located to the North of the application site. The proposed extensions are not to extend to the north resulting in no increased risk of overbearing or overlooking from the proposed development. The 2m extension to the rear would be well-separated from this neighbour with an intervening outbuilding obscuring its impact. Whilst there are new proposed windows on the side elevation facing this neighbour, already existing windows within this exterior wall, meaning there is no increased risk to privacy. In addition, the revised windows here serve non-habitable accommodation. It can be concluded that this neighbour would not be significantly impacted from the proposed development.

Impact on 1 Dryclough Avenue

1 Dryclough Avenue is a detached bungalow located to the east of the application site. Due to a large separation distance of 26 metres and a highway separating the dwellings, there would be no negative impacts on amenity for this neighbour.

Impact on 9, 11, 13 Stainecross Avenue

9, 11 and 13 Stainecross avenue are residential dwellings located to the rear (west) of the application site. These are 36m from the proposed rear extension and the closest rear elevation of these neighbours, given the distance the proposal is not considered to have a significant impact in this regard.

Principle 7 seeks to maintain adequate outdoor space to ensure a dwelling has sufficient amenity space for the current and future occupiers. The proposed

would not significantly impact the amount of outdoor amenity space present on site for current and future occupiers, thus being acceptable under principle 7.

It is therefore concluded that the proposal is acceptable with regard to impact upon the residential amenity of future / neighbouring occupiers and the development accords with the aforementioned policy in this regard.

4 – Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and Policies within Chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the Council's adopted House Extensions and Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposal would not increase the number of bedrooms on site which currently stands at two bedrooms. Parking is located off-street in front of the dwelling. An integrated garage is also located on site. Because of this, officers can assume the number of occupants living at the dwelling would not increase, meaning the current parking available on site is considered to be acceptable.

It is considered that waste storage and collection arrangements would remain as existing, and that the proposal would also be in accordance with Principle 16 of the House Extensions and Alterations SPD too.

It is therefore considered that in terms of access and highway safety / parking the proposal would comply with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 15 and 16 of the House Extensions and Alterations SPD and Chapter 9 of the National Planning Policy Framework.

5 – Other matters/Climate Change

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 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.

Principles 8-11 of the House Extensions and Alterations SPD also relate to combatting climate change and they state the following:

- Principle 8 (Energy Efficiency): Extensions and alterations should, where practicable, maximise energy efficiency.
- Principle 9 (Construction Materials): Extensions and alterations should seek to use innovative construction materials and techniques, including reclaimed and recycled materials where possible.
- Principle 10 (Renewable Energy): Extensions and alterations should consider the use of renewable energy.
- Principle 11 (Water Retention): Extensions and alterations should consider designing water retention into the proposals.
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Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency.

Biodiversity

Principle 12 of the House Extensions and Alterations SPD states that: “Extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.” Given the nature of the proposal, it is not considered reasonable to require biodiversity enhancements in this case.

6 – Representations:

None Received.

7 – Conclusion:

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 proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2022/93583

Officer Recommendation: Conditionally Approve

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 (as amended).

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications 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 LP1, LP2, LP21, LP22, LP24, LP30 and LP51 of the Kirklees Local Plan, Principles 1-17 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 9, 12, 14 and 15 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Plans, Elevations and Views as Existing and Proposed.	2223-01	A	02 October 2023

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Officers had concerns with the scale and projections of different elements of the proposal. Plans submitted by the agent satisfied concerns.

Report Dated: 03/10/2023