

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:	2023/62/90267/W
Site Address:	3, Deer Croft Drive, Salendine Nook, Huddersfield, HD3 3SQ
Description:	Erection of single storey rear extension and application of external render
Recommending Officer:	Lucy Taylor

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.

John Holmes

AUTHORISED OFFICER

Date: 20-Mar-2023

Officer Report.

Reference: 2023/90267

Location: 3, Deer Croft Drive, Salendine Nook, Huddersfield, HD3 3SQ

Proposal: Erection of single storey rear extension and application of external render

Site Description.

3 Deer Croft is a semi-detached bungalow with living accommodation in the roof. The external walls of the bungalow are faced in brick and pebble dash, with a hipped roofing form infilled with concrete tiles. Within the wider curtilage of the site, the property benefits from garden amenity space to the front and rear elevations, with an area of hard surfacing for on-site parking also to the front elevation.

Within the wider streetscene, there is a strong sense of similarity established. This is because all of the properties located within the cul-de-sac of Deer Croft Drive share the same style of design and construction, bungalows with living accommodation in the roof.

Description of Proposal.

Planning permission is sought for the erection of a single storey rear extension and the application of external render.

The extension would project 3 metres from the rear elevation of the host dwelling, with a width of 6.5 metres and a maximum height of 3.10 metres.

The external walls of the extension would be faced in render and a flat roof would be erected above.

Glazing is proposed only to the rear elevation, in the form of a set of glazed bi-fold doors and a regular window. Both of these features would be framed in PVC.

Within the interior of the dwelling, the extension would function as a kitchen and dining room.

All areas of the existing host dwelling currently faced in pebble dash would be re-faced in render. This includes part of the front elevation and side elevation.

History of Negotiations.

No negotiations took place, and no amended plans were sought or submitted.

Relevant Planning History.

No relevant planning history.

Representations.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters which expired on 16th March 2023 – no representations were received.

Consultation Responses.

No consultations were deemed necessary.

Policy/Legislation.

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 located within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP51 – Protection and improvement of local air quality

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:

The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

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, together with Circulars, Parliamentary 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 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

Assessment.

The following matters will be considered as part of the assessment of the proposal. These considerations will be looked at in detail individually:

- 1) Principle of Development
- 2) Impact on Visual Amenity
- 3) Impact on Residential Amenity
- 4) Impact on Highway Safety
- 5) Other Matters
- 6) Representations
- 7) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*

Policy LP2 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 instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

1) Impact on Visual Amenity

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 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.”*

Paragraph 130 of the NPPF is of relevance, in particular the following parts:-

- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*
- *‘c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

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.

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, heritage assets and landscape...’*
- *‘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.

- Key Design Principle 1 – Local Character and Street Scene
- Key Design Principle 2 – Impact on the Original House

Section 5.5 and 5.6 of the aforementioned SPD sets out specific guidance for single storey rear extensions, stating that they 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 3 metres from the rear wall of the original house for semi-detached and terrace houses or by 4 metres for detached properties
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposed rear extension to 3 Deer Croft Drive is considered to appropriately comply with the key design criterion of the SPD as set out above. Although it has been acknowledged that the extension would not retain a 1 metre gap from the shared boundary with No. 5 Deer Croft Drive, a separation of 0.15 metres is considered acceptable in this instance, on the individual merits of the proposal and context of the site and neighbouring properties.

The proposed application of render to the host dwelling is deemed appropriate from a visual amenity perspective, especially given the proposed appearance of the rear extension, which will encourage overall harmonisation between the host dwelling and proposed development. In addition, it is not considered that the application of render would negatively impact upon visual amenity to the host dwelling or its setting within the streetscene, with several other properties within the cul-de-sac having visible rendered walls, including No.'s 4, 6, 8, 10, 11 and 15. No details regarding the proposed colour of render have been submitted, however, a condition will be imposed upon any grant of planning permission, to ensure harmonisation with the render applied at surrounding properties.

With regard to the proposed extension, given its single storey nature, and harmonisation with the host property, it would be subservient when viewed in conjunction with the host dwelling. In addition, the chosen flat roofing style would further mitigate any potential obtrusiveness or undue bulking and massing. Overall, meaning the proposed rear extension would not result in overdevelopment to the rear of the dwelling.

The forms of fenestration are also considered acceptable visually, in keeping with the architectural design of the host property, whilst enhancing the contemporary design of the property through the use of glazed bi-folding doors.

In turn, it can be concluded that the extension and application of render would not appear obtrusive and would sympathetically complement the existing architectural style of the dwellinghouse.

Within the wider streetscene, it has been noted that several other properties have undertaken similar works to that proposed at 3 Deer Croft Drive. This includes a single storey rear extension to the adjoining property of No. 5 Deer Croft, of a very similar size/scale to that proposed at No.3 with regard to projection and height and of a similar form and design, including a flat roof. It should also be noted that the extension is to be located to the rear of the dwelling and therefore, will not be overtly visible from the fronting highway.

For all of the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Chapter 12 of the National Planning Policy Framework, LP24 of the Kirklees Local Plan and Key Design Principles 1 & 2 of the House Extension and Alterations SPD.

2) 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.

Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

The proposal would see a reduction in the extent of rear garden amenity space at 3 Deer Croft Drive but, in accordance with Key Design Principle 7 of the House Extensions and Alterations SPD, it is considered that an adequate amount would be retained.

The proposed application of render to the external walls of the host property poses no detrimental impacts to residential amenity with regard to overbearing, overshadowing, or overlooking. This is because this part of the proposal presents no additional built form or glazing to the host property.

As assessment of the proposed extension upon residential amenity is set out below:

It is considered that the properties most likely to be affected by the proposed development are those which directly neighbour the site, these being No. 1 Deer Croft Drive and No. 5 Deer Croft Drive. It is considered that the proposed works would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

No. 1 Deer Croft Drive:

This property neighbours the application site to the east.

Given the single storey nature of the proposed extension to 3 Deer Croft Drive, as well as the retained separation from the shared boundary, it can be concluded that the extension presents no significant impacts of undue overbearing or overshadowing for the occupiers of No. 1 Deer Croft Drive.

In addition, no glazing is proposed in the side elevation of the extension which faces towards this neighbouring property, resulting in no detrimental impacts to residential privacy as a result of overlooking.

No. 5 Deer Croft Drive:

This property adjoins the application site to the west.

Given the single storey nature of the proposed extension to 3 Deer Croft Drive, and its proposed sitting adjacent to the solid eastern side elevation of the extension at 5 Deer Croft Drive, it is not considered that the proposed extension would result in any undue impacts of overbearing or overshadowing for the occupiers of No. 5 Deer Croft Drive.

In addition, no glazing is proposed in the side elevation of the extension which faces towards this neighbouring property, resulting in no detrimental impacts to residential privacy as a result of overlooking.

For these reasons, the proposed development at 3 Deer Croft Drive is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan and Key Design Principles 3, 4, 5, 6 and 7 of the Council's adopted House Extensions and Alterations SPD.

3) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan 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 adopted House Extensions & Alterations SPD which seek

to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposed developments would not directly increase the domestic function of No. 3 Deer Croft Drive and they would not alter the existing parking arrangements or access to and from the property in conjunction with the fronting highway. Therefore, the proposal is considered to be acceptable from a highway safety perspective.

In turn, the proposal would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extension SPD.

4) Other Matters

Climate Change:

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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.

Considering the small-scale 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. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Coal Legacy:

The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of

ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with paragraphs 174 and 183 of the National Planning Policy Framework.

5) Representations

No representations were received.

6) 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 development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation – Delegated Powers

Application Number: 2023/90267

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 so as to ensure the satisfactory appearance of the development on completion, and to accord Policies LP1, LP2, LP21, LP22, LP24 & LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 9, 12, 14 & 15 of the NPPF.

3. The render to be applied to the external walls of the host dwellinghouse shall be of a colour finish similar to that of No.'s 4, 6, 8, 10, 11 and / or 15 Deer Croft Drive and thereafter retained.

Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and policies within Chapter 12 of the NPPF.

Note: The application site is located in a low risk coal area.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	01A	-	1.2.23

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. No negotiations took place, and no amended plans were sought or submitted.

Report Dated:

15.3.23

