

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:	2023/62/90347/W
Site Address:	Hillcrest, 32, Crimble Bank, Slaithwaite, Huddersfield, HD7 5BS
Description:	Erection of single storey rear extension and new roof to first floor flat roof.
Recommending Officer:	Laura Yeadon

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: 22-Mar-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/90347
Location	Hillcrest, 32, Crimble Bank, Slaithwaite, Huddersfield, HD7 5BS
Proposal	Erection of single storey rear extension and new roof to first floor flat roof
Publicity end date	13 th March 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated although within Strategic Green Infrastructure Network
Extension to Time (EoT)	N/A EoT Date:
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) July 2021
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity
- **LP 31**- Strategic Green Infrastructure Network
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	N/A	

Planning History		• 2007/94608 – Erection of two storey extension and re-siting detached garage – approved - Planning application details Kirklees Council • 2021/94294 – Erection of single storey rear extension and new roof to first floor and re-location of garage – refused - Planning application details Kirklees Council
Consultations required	No	

Assessment

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – garden areas would remain to both the front and rear of the property	
Be set behind the original building, and not projecting beyond the sides	Yes – would lie flush with existing side elevation	
Maintain external access to the rear garden	Yes – external access from the side of the property to the rear would be maintained	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes – shallow pitched roof would match the existing flat roof of the rear extension and the	

	varied roof scape of the rear elevation	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	It would comply with this	
not exceed 4 metres in height	It would comply with this	
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	It would project more than 4 metres from the original rear elevation as there is an historic two-storey rear extension	The modest extension is 3m in projection in its own right. The existing two storey extension increases this projection to approx.6.7 metres. Given the size of the dwelling and its generous curtilage this would not appear visual intrusive.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	N/A as does not project more than 3 metres	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – would retain 0.8m gap – however given at the extension is flush with existing side elevation – visually acceptable
New replacement roof – permitted development as replacement of existing		

Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character: Two storey detached dwelling finished in natural stone to the principal elevation and render to the side and rear. Historical flat roof two storey extensions to the rear. Vehicular access can be taken from the driveway to the rear of the site, onto Olney Street. Boundary treatment consists of hedging.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	Limited projection at 3 metres. Single storey extension on adjacent property No. 33 and works to construct single and two storey extension on No. 31 underway on site	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Limited impact – Wall materials to match, natural stone (verbally confirmed). Re-roofing of existing flat roofs would have similar appearance to existing	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Single storey and part-width of the rear elevation. It would appear proportionate to the host dwelling.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Wall materials to match the existing natural stone (verbally confirmed with agent) with a glass roof. Proposed roof to flat roof extensions would be EPDM flat roof in black which would also be similar to that it would replace.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	Slight lean-to. In keeping with slight lean-to to central section of rear elevation	✓

	Chapter 12 of the NPPF		
Window proportions	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	Full length glazing to rear elevation. Partial glazing to side elevation facing garden area. Suitable for a lightweight contemporary extension.	✓
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Chapter 12 of the NPPF	Private domestic extension - no alterations to access	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity: Are the considerations in the following table acceptable?

The main properties affected are:

- 31 Crimble Bank located to the east – set on lower ground level - no openings within rear elevation section of building adjacent to application site – 45 degree rule would be met – no openings facing this property proposed
- 33 Crimble Bank located to the west – set on slightly higher ground level – hosts single storey rear elevation – low wall boundary screening

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	- KDP 3 & 4 of the SPD - Policy LP24 Design (d) (iv) - Chapter 12 of the NPPF	Openings would face into garden area to rear and west side. Side elevation openings face garden area and blank side elevation of extension to No. 33	✓
Impact on light and outlook of neighbours (to	- KDP 4, 5, 6 of the SPD - Policy LP24 Design (b)	Limited impact due to location of openings within rear elevation of No. 31. The scale of the	✓

sides, rear and front)	Chapter 12 of the NPPF	development and the orientation to adjacent properties would avoid material loss of light and overbearing impact.	
Remaining garden space of application property	- KDP 7 of the SPD - Policy LP24 Design (b) and (c) - Chapter 12 of the NPPF	Acceptable level of remaining garden space	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	- KDP 15 of the SPD - Policy LP22 Parking (f) of the KLP - Chapter 12 of the NPPF	N/A	✓
Parking provision	- KDP 15 of the SPD - Policy LP22 Parking (f) of the KLP - Chapter 12 of the NPPF	Property hosts driveway accessed off Olney Street – no additional bedrooms proposed – parking unaffected	✓
Provision for waste storage	- KDP 16 of the SPD - Policy LP24 Design (d) (iv) - Chapter 12 of the NPPF	None shown on plan however sufficient space available within red line boundary	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	None	N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Strategic Green Infrastructure Network – proposed works would be within confines of residential curtilage, it is not considered that the works would be detrimental to the aims of Policy LP31 of the Local Plan. Bat Alert layer – single storey extension wouldn't affect roof. Existing flat roofs to be replaced unsuitable for roosting bats. Footnote to be attached to decision notice	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPE.

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
None received		N/A

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: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2023/90347

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 accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31 and LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 15 and 16 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework

3. The external walls of the extension hereby approved shall be natural coursed stone to match that used in the construction of the existing building.

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.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	(00)02		1 st February 2023
Existing block plan, elevations and floor plans	(00)01		1 st February 2023
Proposed block plan, elevations and floor plans	(00)02		1 st February 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 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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 22nd March 2023

Coal – none

