

**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:	<b>2023/62/90681/W</b>
Site Address:	30, Crosland Hill Road, Crosland Moor, Huddersfield, HD4 5NU
Description:	Erection of single storey rear extension, rear dormer and raised decking
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: 19-Sep-2023**

## **OFFICER REPORT**

Application Reference: 2023/90681

Site: 30, Crosland Hill Road, Crosland Moor, Huddersfield, HD4 5NU

### **Site Description**

The site relates to 30 Crosland Hill, a detached bungalow located within the residential area of Crosland Moor, Huddersfield. The dwelling is constructed from brick to the sides and rear and stone frontage, with dwellings on the highway being constructed from similar materials. The site has front and rear private outdoor space, with off-street parking being located to the front of the dwelling.

### **Description of Development**

The applicant is seeking planning permission the erection of single storey rear extension, rear dormer and raised decking.

#### Single Storey Rear Extension Dimensions

Projection: 1.5 metres

Width: 9.3 metres

Height: 2.34 metres

The single storey extension would be constructed from brick which matches the existing dwelling. The extension would have two windows and a glazed doorway which would project onto the newly formed raised decking. The extension would serve as an enlarged kitchen area. The single storey extension would result in an increase in roof height of the bungalow by 0.4 metres.

The raised decking located in front of the extension would be constructed from materials used in the construction of the dwelling and current garden, with a raised height of 0.65 metres. The terrace would accommodate steps at either side of the raised area.

#### Dormer Dimensions

Projection: 4.1 metres

Width: 8.62 metres

Height: 2.3 metres

The dormer would be faced in cladding which would be a newly added material to the site. The roof is flat, although it states matching roof tiles would be used, the likelihood is that this would be a rubber membrane. The dormer would be used as two bedrooms, taking the total amount of bedrooms on site to 4. The dormer would have 3 windows facing out of the rear of the site.

### **History of negotiations/amendments sought**

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

### **Planning History**

There is no planning history for the site

### **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 11<sup>th</sup> May 2023 – no representations received.

### **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 rear 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. Sections 5.6 of the SPD relate specifically for single storey rear extensions, providing the following guidance:

5.6 Single storey extensions 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 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 proposed extension would be keeping in scale and style of the original house by using similar materials in the construction of the external walls. The extension would not exceed 4 metres in height and would not have a projection of over 3 metres. The single storey extension represents a small change to the rear of the dwelling and is considered to be a subservient addition. The raising of the of the roof to accommodate the extension and dormer is considered to be acceptable, due to the increase in height being fairly minimal (0.4 metres). The raised decking is considered to be subservient to the host dwelling and therefore acceptable.

Section 5.27 of the SPD relates specifically to dormers, and provides the following guidance:

5.27 Dormer windows should:

- relate to the appearance of the house and existing roof.
- be designed in style and materials similar to the appearance of the existing house and roof.
- not dominate the roof or project above the ridge of the house.
- be set below the ridgeline of the existing roof and within the roof plane; and
- be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.

The proposed dormer would use a material that would be new to the site but given the dormer is located to the rear and would not be visible from the highway, the material is not considered to be detrimental to the host or the local characteristics of the street. The dormer is set down from the increased roof ridge by 0.22 metres and would be set in from the side elevations, ensuring the dormer does not completely dominant the rear roof. The dormer is considered to be acceptable in terms of the guidance provided within the SPD.

It is therefore considered that the proposal would comply with Policies LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and Government guidance contained within Chapter 12 of the National Planning Policy Framework.

### **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.”*

#### *Impact on 32 Crosland Hill*

32 Crosland Hill is a detached dwelling located to the north of the application site. During the site visit, officers assessed the impact of the extension in relation to this neighbour, given a small boundary hedge and the overall separation distance of 9 metres from the proposed extension, it can be considered this neighbour would not be unduly impacted from the single storey extension or raised decking. Due to the position of the dormer, it is unlikely that privacy would be impacted upon this neighbour, as the dormer would have limited views of this neighbour's garden.

Due to the separation between the dwellings and the difference in levels, the scheme would not create overshadowing or overbearing impact to a material extent.

#### *Impact on 28 Crosland Hill*

28 Crosland Hill is a detached dwelling located to the south of the application site. Similar to 32 Crosland Hill, given the nature of the proposal, the dormer would not have significant views over this dwelling and the extension has no side windows which could impact privacy. The increase in roof height of 0.4 metres is unlikely to create a feeling of overbearing or overshadowing upon this

neighbour. It is noted that this property has habitable room windows in the side elevation looking toward the application site, and is also on lower land. However, the oblique relationship of the extension and the presence of an outbuilding would mitigate the impact of the development.

#### *Impact on 482 Blackmoorfoot Road*

482 Blackmoorfoot Road is a non-residential building located to the rear of the application site to the east. The proposed dormer would project onto this neighbouring structure. A site visit confirmed there is a small window within the side elevation of this building. Given the building is not of residential use and the majority of the elevation facing the site is fully brick, it can be considered that the proposal would not have negative residential amenity impact upon this neighbouring building.

Principle 7 seeks to maintain adequate outdoor space to ensure a dwelling has sufficient amenity space for the current and future occupiers. The single storey extension would have a small projection, ensuring that adequate outdoor space remains to be used by any occupier of the dwelling.

Although the scheme would create habitable accommodation close to a commercial site, there is a longstanding relationship between the residential and non-residential uses in the area. The proposal is considered not to impact on the operational flexibility of the commercial use, or to lead to poor living conditions for future occupiers of the dwelling.

It is therefore considered that in terms of residential amenity, the proposal would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5, 6 and 7 of the Council's adopted House Extensions and Alterations SPD and Government guidance contained within Chapter 12 of the National Planning Policy Framework.

#### **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 proposals would increase the number of bedrooms on site from 2 to 4. The council's adopted SPD stated that dwellings with 4+ bedrooms should be able to provide 3 off-street car parking spaces. The dwelling has a driveway located to the site of the dwelling which can accommodate 3 cars. In addition to this, there is a detached garage at the bottom of the driveway which has the potential to accommodate additional vehicles. It is therefore considered that there is adequate car parking space to accommodate the increase in bedrooms. There are no changes proposed to the existing access or parking arrangements, it is

considered that the proposal would have a neutral impact upon highways safety.

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. A climate change statement has been submitted with the application setting how the application would not be detrimental in relation to climate change.

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.

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.

Although the roof would be material impacted by the proposed development, a close inspection at the site visit did not suggest the existing roof provide a reasonable likelihood of roosting bats.

## **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: 2023/90681**

**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).

2. 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 of the single storey rear 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 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: -

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Plans, Elevations and Views as Existing and Proposed.	2306-01		08 March 2023
Climate Change Statement			21 March 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 It was not considered necessary to seek any amendments/further information during the course of this application.2015 and otherwise actively engaged with the applicant in dealing with the application.

**Report Dated:** 15/09/2023