

**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:	2023/62/90811/W
Site Address:	212, Bradley Road, Bradley, Huddersfield, HD2 1QD
Description:	Erection of two storey side extension and alterations
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.

Teresa Harlow

AUTHORISED OFFICER

Date: 16-May-2023

Officer Report.

Reference: 2023/90811

Location: 212, Bradley Road, Bradley, Huddersfield, HD2 1QD

Proposal: Erection of two storey side extension and alterations

Site Description.

212 Bradley Road is a two-storey semi-detached property located in Bradley, Huddersfield. The property is faced in natural stone, with a hipped roofing form above, infilled with blue slate tiles. Within the wider curtilage, the site benefits from hard surfaced parking amenity space to the front and side elevations and garden amenity space to the rear elevation. There is a detached garage and a rear conservatory on site.

The property is located along Bradley Road, where there is a mix of property types and styles, including bungalows, semi-detached and terrace properties.

Description of Proposal.

Planning permission is sought for the erection of a two-storey side extension and alterations.

The proposed two-storey side extension would have a projection of 3 metres from the western side elevation of the host property. The extension would have a length of 9 metres, set back from the principal elevation of the host dwelling by 0.5 metres and to project beyond the rear elevation by 1.1 metres. The maximum height of this extension would be 8.1 metres, set down from the host roof pitch by 0.2 metres.

To the rear of the host property, the extension would incorporate a small lean-to single storey element, which would project from the eastern side of the two-storey side extension. This would have a projection of 1.1 metres and a width of 2.3 metres. The maximum height of this would be 3.6 metres.

The extensions would be faced in natural stone and the roofs infilled with blue slate tiles.

To the principal elevation, a garage door is proposed to the ground floor to serve a store and a window to the first floor. To the rear elevation, glazed doors and a window are proposed to the ground floor, with a window also to the first floor. One velux window is also proposed within the side of the hipped roof. The plans indicate the existing garage would be removed.

History of Negotiations.

The case officer sought amended plans, to reduce the size/scale of the proposed extension, particularly with regard to the originally proposed rear elevation, which was considered to result in unacceptable levels of undue bulking and massing.

The applicant provided amended plans to address the design guidance of the case officer, reducing the overall size/scale of the two-storey side extension to the rear and incorporating a single storey element to overcome the concerns.

In turn, the overall determination of this application is on the basis of the amended plans as submitted 12th May 2023.

Relevant Planning History.

No relevant planning history at the application site or to neighbouring properties.

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 28th April 2023 – no representations were received.

Although amended plans were sought and submitted, it was not considered necessary to re-advertise the scheme via new neighbour notification letters. This is because the amendments reduce the overall size/scale of the proposed extensions to 212 Bradley Road and therefore, it is not considered that the revised scheme would give rise to any further impacts upon residential amenity.

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 falls within an area identified by the Coal Authority as being at high 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
- LP53 – contamination and unstable land

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 9 – Promoting sustainable transport
- 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 this proposal:

- 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.

Paragraphs 5.19 and 5.20 of the Council's adopted House Extensions and Alterations SPD refer specifically to two-storey side extensions, setting out that they should:

- not take up all or most of the space to the side of a house
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property
- be set back at least 500mm from the front wall of the house.

The proposed two-storey extension would extend 3 metres from the side elevation of the original dwellinghouse. The enlargement would be faced in natural stone and would incorporate a hipped roofing form finished in blue slate tiles, to match the appearance of the host property. The extension would feature a lower ridge line and would be set back 0.5 metres from the principal elevation at both ground and first floor level, such that it would have some form of subservience to the original build. Although the extension would not maintain 1 metre from the side boundary, it would have an acceptable scale relative to the original build, would maintain a sense of space within the plot and would not give rise to any terracing effect. This is assisted by the change in levels between the application site and the dwelling to the west and the hipped roof forms employed at both properties. It is considered that this is sufficient justification to allow the proposed scale of the extension in this isolated case.

The single storey lean-to element to the rear would also be acceptable visually, to replace an existing similar structure and of a subservient size/scale with a harmonising design.

The forms of fenestration proposed are considered acceptable visually, in keeping with the architectural design of the host property, whilst incorporating acceptable contemporary interventions including the proposed velux window.

In turn, it can be concluded that the extensions would not be obtrusive additions to the host dwelling and would sympathetically complement the existing architectural style of 212 Bradley Road.

For all of the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the host property or wider 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.

In accordance with key design principle 7 of the House Extensions and Alterations SPD, the proposed scheme would not detriment the extent of outdoor amenity space at 212 Bradley Road.

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. 210 and No. 214 Bradley Road.

No. 210 Bradley Road:

This property adjoins the application site to the east.

Given that the proposed two-storey side extension is to be erected to the western side of No. 212 Bradley Road and that the rear projections are to retain a separation distance of 3.6 metres from the shared boundary with No. 210, it is concluded that the works would not result in undue levels of overbearing or overshadowing for the occupiers of this neighbouring property. In addition, the scheme does not propose any increase in glazing to face

towards this neighbouring property, in turn, concluding that appropriate levels of residential privacy would be retained.

No. 214 Bradley Road:

This property is located to the west of the application site.

The proposed extensions would retain a separation distance of approximately 0.5 metres from the shared boundary with No. 214, however, a greater separation distance of approximately 4.3 metres would be retained between the extensions and the neighbouring dwellinghouse itself. In turn, this extent of separation, as well as the higher topographical setting of No. 214, enables the conclusion that the works would not result in any undue impacts of overbearing or overshadowing for the occupiers of this neighbouring property. In addition, no glazing is proposed to the side elevation of the extensions, with only a velux window proposed in the side elevation of the roof. In turn, it is concluded that appropriate levels of residential privacy would be retained.

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.

For these reasons, the proposed development at 212 Bradley Road 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 development would reduce the overall extent of on-site parking amenity at 212 Bradley Road, however, the number of bedrooms within the interior of the dwellinghouse would remain at three. Two on-site parking spaces will be retained to the front of 212 Bradley Road following the erection of the proposed extensions, appropriately according with the parking provisions as set out within Key Design Principle 15 of the House Extensions and Alterations SPD. It should also be noted that vehicle access to and from the property in conjunction with the fronting highway will remain unaltered. As such, the proposal is considered to be acceptable from a highway safety perspective.

Erecting the proposed extensions at 212 Bradley Road 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.

A climate change statement was submitted as part of this application, which set out that the scheme would incorporate the following measures:

- low energy light bulbs
- materials ordered as and when they are required to enable a reduction in waste
- locally sourced materials

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

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: 2023/90811

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.
1. 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 with 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 National Planning Policy Framework.

2. 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 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 Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	2021-23-001	-	16.3.23
Proposed Plans and Elevations	2021-23-002	B	12.5.23
Climate Change Statement	-	-	16.3.23

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.

The case officer sought amendments to improve the design of the proposal in accordance with relevant design guidance and policies. The applicant submitted amended plans to reflect officer recommendations.

Report Dated:

15.5.23
