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:	**2023/62/91029/W**
Site Address:	2, Far View Bank, Almondbury, Huddersfield, HD5 8EP
Description:	Erection of single storey rear extension, raised terrace and external alterations
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.

John Holmes

AUTHORISED OFFICER

Date: 15-Jun-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91029
Location	2, Far View Bank, Almondbury, Huddersfield, HD5 8EP
Proposal	Erection of single storey rear extension, raised terrace and external alterations
Publicity end date	2nd June 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated
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	✓	

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 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	No	
Planning History	No	

Consultations required	No	

Assessment

The application seeks permission for a single storey rear extension, raised terrace and external alterations.

The existing terrace would be removed and replaced with a single storey extension which would lie flush with the north (side) elevation of the property and would project 4 metres. The extension would span 7 metres across the rear elevation of the property being set in from the south side elevation by 3.1 metres. The eaves height would match the existing with the roofline by 0.3 metres.

The proposed terrace would be accessed from the extension and would project 3 metres being set in from the north side elevation of the extension by 1.2m and from the south side elevation of the extension by 1m. The height of the terrace would be 1.3m with the terrace bound by a 2 metres screen to the side elevation facing No. 4 and a 1m balustrade to the rear elevation.

The Kirklees SPD sets out that single storey extensions and terraces should comply with certain parameters set out at paragraphs 5.1, 5.6 and 5.28 on pages 23, 24 and 32 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	**Yes - COMPLY**	**No - JUSTIFY**
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – it would comply with this as the front and rear garden areas would be retained	
Be set behind the original building, and not projecting beyond the sides	Yes – would lie flush with the existing side elevation of the property	
Maintain external access to the rear garden	Yes – external access adjacent to the south side elevation would be retained	

Single storey rear extensions should:		
Be in keeping with the scale and style of the original house	Yes – would be subservient spanning part of the width 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		No – as the extension would incorporate an under-build due to changes in levels and also create additional accommodation within the roof space within existing property (en-suite). Given the change in land levels it is considered this is acceptable in the case.
Not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties	It would comply with this	
Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		The eaves height would exceed 2.5m when measured externally due to topography however when measured from floor level would not exceed 2.5 metres. Given the change in land levels it is considered this is acceptable in the case.
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedges	It would comply with this	
Balconies and roof terraces should be:		

Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens	Yes – screening is proposed and can be secured by condition	
Sited away from locations that are sensitive to additional noise levels or disruption	Yes – the site is separated from the neighbour by side amenity space and neighbouring garage	

Design and Visual Amenity:

Summary of local street scene/character:

Detached bungalow with dormer to front elevation. Set back and down from roadside separated by a front lawned garden. Driveway to the side leading to attached single garage. Raised decked area to the rear with a lawned garden set at a lower ground level. Property is constructed from red brick and render with a concrete tiled roof. Surrounding properties are predominantly detached properties with a variety of designs and overall heights.

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 of 4 metres for extension and 3 metres for terrace which replaces existing terracing. Works to the rear are screened from public vantage points.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Construction materials would match with the extension being subservient	✓
Height, scale and massing	• KDP 1 and 2 of the SPD	Single storey part-width of the rear elevations –	✓

	• Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	appears proportionate to host dwelling	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Construction materials to match with the openings being white aluminium bifolds and apex frame	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Pitched roof in keeping with existing roof	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Large openings within the rear elevation facing eastwardly towards rear garden	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alterations to access the main dwelling	

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:

The main properties affected are:

- 4 Far Bank View – located to the north – separated from application site by side elevation amenity space and adjacent garage – 45 degree line would be met from extension and terrace – screening proposed to side elevation of terrace

- 40 & 42 Bank End Lane – located to the south of the site separated by electricity substation and associated land as well as the garage for the host property – two storey properties set on higher ground level – extension set in from side elevation of garage and main body of dwelling

- 38 Bank End Lane – detached property to rear set on lower ground level with eaves set at approximate height of boundary screening – separation distance approximately 18 metres

	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	Extension - openings in roof slope and within rear elevation facing garden area – no openings within side elevations facing neighbouring dwellings Terrace – screening proposed on north elevation which can be conditioned to be obscurely glazed	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Extension – although sited to the south of the adjacent property No. 4 – good level of separation surrounding the properties and screening which reduces impact Terrace – limited height would not impact on light or outlook to neighbouring properties	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Extension – limited due to being a maximum 4 metre projecting extension and being off-set from the boundary Terrace – limited height and therefore limited impact on neighbouring dwelling	✓

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 retained	✓

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:

	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	No additional bedrooms – 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:

	Relevant key design principle (KDP) of	**Further comments**	**✓ / X / N/A**

	the SPD, Policy in the Kirklees Local Plan and the NPPF		
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	None	✓within
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Within bat alert layer however roof appears well sealed – a note can be added to the decision notice informing applicant of measures to undertake should bats be found during the development phase	✓
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. A Climate Change Statement has been submitted with this application.	✓
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 NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
N/A		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: 2023/91029

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 LP01, LP02, LP21, LP22, LP24, LP30 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, 9, 12, 14 and 15 of the National Planning Policy Framework

3. The external walls and roofing materials of the 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.

4. The hereby approved terrace shall not be used until the glass balustrades measuring 2 metres in height from the floor level of the terrace on the north facing side elevation facing 4 Far View Bank has been erected with a minimum Grade 4 privacy level. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) the obscure glazed balustrade shall be thereafter retained with the same obscure glazing privacy level.
Reason: In the interests of residential amenity, to avoid overlooking or loss of privacy for the residents of no. 4 Far View Bank and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 3 and 4 of the House Extensions and Alterations SPD 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	Buy A Plan		4th April 2023
Existing and proposed site plans	PL-05		26th April 2023
Existing elevations and floor plans	PL-01		6th April 2023
Proposed floor plans	PL-02 Rev: B		4th April 2023
Proposed floor plans with dimensions	PL-04		6th April 2023
Proposed elevations	PL-02		6th April 2023
Climate Change Statement			6th April 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: | 14th June 2023

Coal - low