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:	**2023/62/91316/E**
Site Address:	10, Park Close, Shelley, Huddersfield, HD8 8JF
Description:	Demolition of existing garage and erection of single storey side and rear extensions and external alterations
Recommending Officer:	Nicole Helliwell

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 14-Aug-2023

Officer Report

Reference No. 2023/62/91316/E

Site Address: 10, Park Close, Shelley, Huddersfield, HD8 8JF

Proposal: Demolition of existing garage and erection of single storey side and rear extensions and external alterations.

Site Description

The application relates to 10 Park Close, a detached bungalow situated in Shelley, Huddersfield. The dwelling is faced in render and stone and incorporates a dual pitched roof finished in concrete tiles. The property currently benefits from off road parking to the front, an integral garage and gardens to the front and rear. The neighbouring properties are of residential use and comprise bungalows of similar materials and architectural styles.

Description of Proposal

The application seeks planning permission for the erection of single storey side and rear extension and external alterations to the original dwellinghouse. The existing garage will be demolished to allow for the proposed works. Permission is not required for the internal alterations to the property and therefore, the only matters for consideration are the proposed extensions and external alterations.

The proposed works are as follows:

- Single storey side and rear extension (projection approx. 2.58m from side elevation, projection approx. 4m from rear elevation, maximum height of approx. 4.7m and height to eaves that ranges from approx. 2.5m to 3.1m)
- Widen the existing driveway to the front of the application site
- Brick up the existing canopy to the front of the property
- Apply white render to all elevations of the property

Relevant Planning History

Not Applicable.

Representations

The application was publicised by neighbour notification letters, which expired on 12th August 2023. As a result of the above publicity, three representations have been received. A summary of the neighbour's comments can be found under the 'Representations' section of the Officer's report.

Kirkburton Parish Council – No comment

Consultation Responses

Not Applicable.

Policy
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 on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies
- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity and Geodiversity

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

In this case, the following SPDs are applicable:
- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
- House Extensions and Alterations SPD (adopted 29th June 2021)

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, 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 12** - Achieving Well-Designed Places
- **Chapter 15** - Conserving and Enhancing the Natural Environment

Assessment

1. **Principle of development**

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the 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 NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1. **Visual amenity**

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the SPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

Single Storey Side and Rear Extension

The extension proposed would be of a contemporary design and would project approx. 2.58m from the existing side elevation and approx. 4m from the rear elevation of the original dwellinghouse. The enlargement would incorporate a dual pitched roof finished in concrete tiles and would be faced in render to match the appearance of the host property. Although the rear extension would also have a large width, it would appear subservient in relation to the original build and would maintain a sense of space within the plot. Furthermore, the side element of the extension would be modestly proportioned, set down from the existing ridge line and set back approx. 0.3m from the principal elevation. The enlargement would also retain a distance of approximately 5.1m to the pavement which would reduce its prominence from public vantage points. Although it is noted that cumulatively the proposed development would alter the scale and form of the original build, it would not represent an incongruous or unduly prominent feature. Therefore, it is considered that the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

Application of Render

The proposal also seeks to apply white render to all elevations of the property. Although it is noted that elements of render are prevalent within the immediate street scene, a condition will be added to the decision notice to ensure that some of the existing stonework on the front elevation of the dwelling is retained to prevent the overwhelming use of render.

Extension of existing driveway

The proposal also seeks to extend the existing parking area north of the application site. Although this would reduce the amount of outdoor amenity space to the front, the proposal would not appear out of character with the surrounding area and would not have a material impact on visual amenity.

External Alterations

The proposed external alterations would see the existing entrance bricked up and faced in render. Given that the fenestration would be appropriately designed and would be in keeping with the style of the original build, it is considered that the proposed alterations would respect the visual amenity of the host dwelling and the surrounding area.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2. **Residential Amenity**

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact on 1 Park Drive

1 Park Drive is a detached bungalow located to the rear of the application site and is sited on lower ground relative to the host property. It is noted that

the proposed single storey rear extension would occupy a position approximately 30.8m from the neighbour's rear elevation. Given the difference in levels and that the separation distance retained would be sufficient, it is considered that the proposal would have an acceptable impact on the neighbour's residential amenity.

Impact on 3 Park Drive

3 Park Drive is a residential property located south of the application site. The proposed single storey extension would be positioned approximately 22.3m from the neighbour's rear elevation. Furthermore, given the offset relationship between the properties, it is considered that the extension would cause not any further harm to the neighbouring occupants over the current situation.

Impact on 8 Park Close

8 Park Close is a detached bungalow located west of the application site. It is noted that the side element of the proposed single storey extension would not result in any detrimental harm to the neighbouring occupants given that it would not surpass the front elevation of the original build.

Furthermore, the submitted plans indicate that the proposed rear element would be positioned approximately 1m from the common boundary shared with 8 Park Close. Whilst it is noted that the enlargement would surpass the 45-degree angle in relation to the neighbour's ground floor fenestration, it is taken into account that the existing dwellinghouse is already set behind the neighbouring property due to the staggered building positions and would fail to accord with the 45 degree rule. On this basis, it is considered that the proposed development would not result in any further harm to the neighbour's residential amenity over the existing.

Impact on 9 Park Close

The proposed single storey extension would occupy a position approximately 37m from the front elevation of 9 Park Close. Given that the separation distances retained would be substantial, it is considered that the proposal would have an acceptable impact on the neighbour's residential amenity.

Impact on 12 Park Close

The proposed single storey side and rear extension would be positioned approximately 11.8m from the front elevation of 12 Park Close. However, it is considered that the proposal would have no detrimental impact on the neighbour's residential amenity given that the enlargement would replace the existing single storey garage and would be sufficiently screened by the existing boundary treatment.

Occupier Amenity

The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. On this basis, the proposed works would ensure an acceptable standard of amenity for existing and future occupants.

Summary

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

3. Highway Safety

The proposal would not intensify the domestic use at the property but would affect the existing parking arrangements on site. However, the plans confirm that at least two off street parking spaces would be retained on site which is considered to represent a sufficient provision for a three bedroomed dwellinghouse. Therefore, the proposed development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

Other Matters

Carbon Budget

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Biodiversity

Whilst the site is located in an area identified as being within a ‘bat alert’ layer on the Council’s GIS mapping system, in this instance, the nature of the works is considered unlikely to have a detrimental impact on the bat population. However, a footnote will be added to the decision notice to provide the applicant with advice should bats or bat roosts be found during construction. This would accord with the aims of Policy LP30 of the Kirklees Local Plan, the Council’s Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

There are no other matters relevant to the determination of this application.

4. Representations

Three representations were received following the statutory publicity. The material considerations raised are summarised as follows:

- Due to the bungalow being elevated above existing bungalows below, it is a major concern that the proposed, imposing extension will seriously impede privacy.
- Loss of privacy and increased overlooking
- Light will be affected by the proposal
- The extension is almost as large as the original bungalow and deters from the original character of the site.
- The windows being proposed, that overlook properties below, are much larger and intrusive.
- The frontage will be large and not in keeping with the surrounding area.

These matters have been addressed within the relevant sections of this report.

Concerns were regarding noise as a result of the lounge and kitchen being moved to the rear of the property. However, it is considered that any noise would be of a domestic scale and would not result in any detrimental harm to the neighbouring occupants.

Concerns were expressed regarding drainage. However, the agent has confirmed that where possible the intention will be to use soakaways for the surface water in accordance with best practice and the climate change statement. Furthermore, should the ground conditions be unsuitable then this will be discharged into the adopted system. It is also noted that the proposed extension will not create any additional bedrooms and the occupancy of the house will remain the same and therefore the dwelling will not create any additional foul water volume than already exists.

Comments also expressed that there are inconsistencies with the boundary line shown on the submitted plans. However, a revised location plan was submitted to address this discrepancy along the north eastern boundary and was considered acceptable.

Concerns were raised regarding the wording on the application form. The comment indicates that the applicant incorrectly ticked the ‘no’ box implying that there are no trees or hedges that fall within distance of the property. However, this matter would not constitute a material planning consideration.

5. Negotiations

Amendments were sought during the course of the application. A request was made to reduce the projection of the proposed single storey rear

extension to 4m in accordance with the House Extensions and Alterations SPD. Revised plans were received, which were considered acceptable from a visual and residential amenity perspective.

6. Conclusion

This application for the erection of a single storey side and rear extension and external alterations at 10 Park Close has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered to be acceptable.

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: 2023/91316
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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP1, LP2, LP21, LP22, LP24 and LP30 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. Notwithstanding the submitted details, the external walls of the original dwelling and extension hereby approved shall be faced in white render with the exception of the front elevation which will be partially faced in natural stone and retained thereafter.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

4. The roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building and retained thereafter.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and

Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	2375-D-20-001	A	12/06/2023
Existing and Proposed Site Plans	2375-D-20-002	A	29/06/2023
Existing Ground Floor Plan	2375-D-20-003	-	05/05/2023
Proposed Ground Floor Plan	2375-D-20-004	B	29/06/2023
Existing and Proposed Elevations	2375-D-20-005	A	29/06/2023
Climate Change Statement	-	-	05/05/2023

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 Planning 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. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received were considered acceptable.

Report Dated: 14/08/2023