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:	**2023/62/91596/W**
Site Address:	10, Banks Crescent, Golcar, Huddersfield, HD7 4RQ
Description:	Erection of first floor extension 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: 22-Aug-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91596
Location	10, Banks Crescent, Golcar, Huddersfield, HD7 4RQ
Proposal	Proposed first floor extension and external alterations
Publicity end date	2nd August 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated land within the Kirklees Local Plan
Extension to Time (EoT)	Yes **EoT Date: 25.08.2023**
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

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 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 9: Construction materials
- 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	No	
Consultations required	N/A	

Assessment

The application seeks permission for a first floor side extension and external alterations.

It is proposed that the eaves height of the property would be raised from 2.3 metres to 4.8 metres to add a first floor extension to the side of the property with the eaves height being set down from the existing ridge by 1.4 metres. It is proposed that a hipped roof would be created which would have a ridge to match the existing.

The proposed construction materials would be to match the existing.

The Kirklees SPD sets out that two storey and first floor side extensions should comply with certain parameters set out at paragraph 5.22 on page30 (and listed below) and if they do not, they need to be justified.

Side extensions should:	**Yes - COMPLY**	**No - JUSTIFY**
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes – there is no increase in footprint to the dwelling. The opening within the side elevation of the neighbouring property appears to be obscurely glazed	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	The additional window within the front and rear elevations would not reduce established separation distances. The proposed additional opening within the side elevation is proposed to be obscurely glazed – this can be controlled via a condition	
Two and first floor side extensions should:		
Ideally be visually smaller in relation to the original house	Yes – the increase in volume would be visually smaller than the existing dwelling	
Be set back at least 500mm from the front of the original house to provide a vertical break		No - the extension would not be set back from the front elevation of the property – it is

from the roof plane and for the lowering of the ridgeline from the original house		considered such an amendment would would result in a visually awkward structure. The roofline would not be set down from the existing ridge however a hipped roof would be formed which clearly demonstrates that the works are an addition to the property
Have a roof design that follows the form of the existing roof		No – the roof form would not follow the form of the existing however this is due to the design of the pair of semi-detached properties. Other similar forms of development within the street scene which have flat roofs – the addition of the hipped roof is more visually appealing than the existing flat roofs
Retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens	Yes – there is no increase in footprint to the building and therefore the driveway would be retained – terracing affect would not occur if neighbour did a similar development due to hipped roof and sense of space between the buildings	

Design and Visual Amenity:

Semi-detached property constructed from brickwork with a concrete tiled roof. There is a garden to the front, driveway to the side leading to a detached garage and to the rear is a paved garden. Also to the rear is a large conservatory.

The properties within Banks Crescent are similar in design being semi-detached properties within a central roof ridge. Some properties within the street scene have constructed first floor extensions similar to that proposed however most of these have flat roofs and some with hipped/partly hipped roofs.

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	Properties within street scene are uniform in design with the central pitched roof form – some have first floor extensions, similar to that proposed and some have first floor additions of a flat roof design. Therefore, in this case, the proposal is considered in keeping with other properties within the immediate area given the number of properties on this street which have undertaken 1st floor additions. Furthermore it is noted a flat roof dormer to the roof could likely be undertaken in any case utilising pd rights.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Limited impact as extension raises eaves to be set lower than the existing ridge to increase first floor accommodation.	✓
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	Increase in massing due to presence of extension however the massing is at first floor level with the eaves significantly lower than the existing ridge	✓
Facing materials and detailing	• KDP 9 of the SPD	Materials to match	✓

	• Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF		
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Hipped – considered acceptable in context of the street and additions undertaken to neighbouring properties / potential to undertake a dormer to the roof using pd rights.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	In keeping with existing openings	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alterations to general access arrangements	✓

The design of the proposal is therefore concluded as acceptable having regard to policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF. This conclusion is drawn on the basis of similar additions to neighbouring properties, and the fact a similar type of development (albeit of a flat roof design) could be undertaken utilising pd rights.

Residential Amenity:

The main properties affected are:

- 8 Banks Crescent – attached neighbouring property – limited impact on this property – no extensions beyond existing building line that would impact on this property
- 12 Banks Crescent – adjacent property – opening within side elevation adjacent to the door appears obscurely glazed – no increase in footprint – as no reduction in separation distance and limited increase in eaves height – the harm to this property in terms of increase in massing is not considered so harmful to justify refusal of the scheme
- 9 and 11 Banks Crescent – facing properties – no decrease in separation distance therefore limited impact

- 3 Arran Close – property to rear with side elevation facing application site – no decrease in separation distance therefore limited impact

	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	No reduction in separation distances between the extension and neighbouring properties – first floor window within side elevation facing No. 12 to 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	Limited impact due to no reduction in separation distances – window within side elevation of neighbouring property appears to be obscurely glazed	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Good separation between No's 10 and 12 with no habitable room windows facing application site from No 12	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	No loss of garden or amenity 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:?

	Relevant key design principle (KDP) of the SPD, Policy in the	**Further comments**	**✓ / X / N/A**

	Kirklees Local Plan and the NPPF		
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposal would not alter the existing access arrangements at the site, and parking provision would remain for at least 3 vehicles via the driveway to the side. The proposal is considered to have no significant impact upon highway safety or result in a significant increase in on street parking demand.	
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	As above	
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	These would remain as existing and is therefore considered acceptable in this case given waste storage can be undertaken to the rear of the dwelling.	

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	N/A	

	• Chapter 12 of the NPPF		
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	No significant impact given scale / nature of the proposal.	
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	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: 2023/91596

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 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 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 and retained thereafter.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1,2 and 9 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. The development shall not be occupied until the first floor window in the north-west (side) elevation of the extension hereby approved have been obscure glazed to a minimum Grade 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) The obscure glazing shall thereafter be retained for the lifetime of the development.
Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan and Key Design Principles 3 and 4 of the House Extensions and Alterations Supplementary Planning Document.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, block plan, existing and proposed elevations and floor plans and proposed sections	01 A		27th June 2023
Climate Change Statement	Appendix A		27th June 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: 21st August 2023