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:	**2023/62/92226/W**
Site Address:	1, Raygate, Mount, Huddersfield, HD3 3TF
Description:	Erection of single storey side and rear extensions and alterations
Recommending Officer:	Tom Hunt

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: 12-Oct-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/92226
Location	1, Raygate, Mount, Huddersfield, HD3 3TF
Proposal	Erection of single storey side and rear extensions and alterations
Publicity end date	05/09/2023 Amended plans were not readvertised as it had a change of material with no additional impact on residential amenity and did not change the description of development.
Number of representations received	0
Kirklees Local Plan Allocation/Designation	Unallocated land. No Coal Notes. Adjacent to Kirklees Wildlife Habitat Network but not within a bat alert area. PROW runs outside the red line boundary (HUD/421/20). Flood Zone 1. Green Belt.
Extension to Time (EoT)	Yes **EoT Date:** 18/10/2023
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	✓	

If 'No' to all above, proceed with a fast track report

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) September 2023
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 13 – Protecting Green Belt land
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment

- Planning Practice Guidance – Green Belt

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 53** – Contaminated and unstable land
- **LP 57** – The extension, alteration or replacement of existing buildings

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 10: Renewable energy

- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	**SUMMARY**
Negotiations/Amendments during course of application	Yes	Minor amendments were made to the material proposed to elevations to ensure that the proposal would adequately harmonise with the host and its terraced row of properties for visual amenity.
Parish/Town Council comments sought	N/A	
Planning History	No	
Consultations required	Yes	Highway Structures – Support with conditions applied

<u>Assessment</u>

Description of development (including additional volume):

The single-storey rear extension would replace and extend the original projection increasing it in scale to be:

2.4m height; 2.6m width; 8.9m length with roof height 0.7m = ~64m3

There would be a smaller single-storey rear extension adjacent:

2.4m height; 1.5m width; 0.8m length with roof height 0.7m = ~3m3

Adjacent to the rear extension serving as a wrap around extension, the single-storey side extension would be:

~2.3m height; 2.1m width; 4.8m length with roof height 0.8m = ~27m3

Impact to additional volume of host:

The total volume added from the attached extensions (minus the volume of the original single-storey rear projection: ~41m3) is approximately 53m3.

The proposed block plan shows the removal of the shed outbuilding to facilitate the design of the wrap around extension. This would reduce the overall impact of the attached side/rear extensions to have a marginal increase overall to the host.

Green Belt

Relevant potential exception set out under paragraph 149 of the NPPF:	**✓ / X / N/A**
c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building	✓

Questions	**Yes – explain**	**No**
Had the property been extended post 1948?	Yes – earliest historic survey records in 1922 indicate the footprint of a large, shared projection to the host (with neighbour) and a detached outbuilding. The historic survey record in 1955 indicate the footprint of a reduced rear projection and the detached outbuilding. The current layout indicates that part of the rear projection was reduced in footprint compared to the previous projection and with a relocated, detached shed/outbuilding of similar footprint. On balance of probability, Officers consider the 1955 survey record to be a reasonable indication of the original building as set out in Annex 2 of the NPPF due to that survey period being closer in time to 1 July 1948. Survey records do not show the porch which appears to be a minor modern extension (which may be PD) when comparing the patination of stone materials to host.	
Taking into account any previous		No – see description of development

extensions, would this proposal result in a clearly disproportionate overall addition to the original building?		
Assess impact on Green Belt further?		N/A
Very Special Circumstances?		N/A

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (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	
Be set behind the original building, and not projecting beyond the sides	Yes – excluding the single-storey side extension	
Maintain external access to the rear garden		No – further considered in conclusion
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes	
not exceed 4 metres in height	Yes	
not project out more than 3 metres from	Yes	

the rear wall of the original house for terraced houses		
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	Yes	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – this would remove an existing section of the rear extension adjacent to no. 3's two-storey rear extension. There would be a minimum increase in separation distance ~0.8m to no. 3 for the minor rear extension. The remaining single-storey rear extension would have a separation distance of 1.7m to no. 3 ensuring minimal visual impact. Acceptable.

The Kirklees SPD sets out that single storey side extensions should comply with certain dimensions set out at paragraph 5.17 on page 28 (and listed below) with paragraph 5.15, 5.16 and 5.18 to be considered and if they do not, they need to be justified:

Single-storey side extensions should:	**Yes - COMPLY**	**No - JUSTIFY**
not extend more than two thirds of the width of the original house	Yes	
not exceed a height of 4 metres;	Yes	
be set back at least 500mm from the original building line to allow for a visual break	Yes	

Conclusion

While the proposal cumulatively would block existing access to rear, this is recommended to be acceptable due to sensitive design of the proposal and the site limitations. It would have very low visual impact on the host being

adjacent to woodland and of no impact terraced row of properties within a secluded location.

Design and Visual Amenity:

The application property is located at the end of a row of four properties, immediately adjacent to open greenfield land/woodland and which is on substantially lower ground level to the adjacent highway with a retaining wall affording the site with a high level of visual screening. It is a two-storey, residential property within a discrete location. Properties are of predominantly natural stone construction with slate 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	The proposal would not appear in views of the streetscene unless looking over the retaining wall. It would have matching high quality materials and a subservient design to host. Acceptable.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	As above. There would be a visual improvement with a more sensitive and harmonised design over the existing arrangement.	✓
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	Single-storey extensions to a two storey host. Acceptable.	✓
Facing materials and detailing	• KDP 9 of the SPD	Natural stone to all elevations to match host. Acceptable.	✓

	• 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	Glazed roof to side roof/dark grey standing seam roof to rear. The metal roofing style would appear as a similar material to the slate roofing style of the terraced row and the glazed side roof would strike a balance between the existing overlooking relationship from the highway and to have satisfactory daylighting to the extension. Whilst roofing design is marginally complicated and materials would not normally be supported in a prominent location, visually this would not be seen unless within the site or overlooking from the highway. Acceptable	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The modern glazing style would be of low visual impact considering its secluded location. Acceptable.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	The development would remove external access to the rear however the host and site has restricted/stepped access which already impairs its ability to improve accessibility. Acceptable.	✓

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:

- *No. 3 Raygate: the side extension would be screened from the neighbour by the bulk and massing of the host. The rear extension would have a greater separation distance over the existing arrangement and would not project further, overall reducing bulk and massing to the shared boundary. The extension would not have any windows overlooking.*

	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	None	✓
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	None.	
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Modestly improved with a reduction in single-storey scale in design adjacent to neighbour. Acceptable	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Adequate space remaining.	✓

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	No intensification of use through addition of bedrooms and no encroachment in parking spaces to additionally impact on highways or parking. Acceptable.	✓
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	As existing.	✓

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 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 • Chapter 12 of the NPPF		N/A
Impact on ecology	• KDP 12 of the SPD	Small scale domestic development on existing	✓

	• Policy LP30 • Chapter 15 of the NPPF	hardstanding to the host dwelling. As such, no special measures required in terms biodiversity gains. Given the proximity of the Kirklees Wildlife Habitat Network, Officers have attached an informative regarding bats should any be discovered.	
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. It is noted that the replacement of poor quality extensions would moderately improve the thermal efficiency of the building envelope as it would be compliant with modern Building Regulations. 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 • Chapter 14 of the NPPF	The site is not located within an identified Flood Risk Zone 2 or 3 area. Development is within existing hardstanding and of no additional impact to drainage.	✓
Land Stability	• LP53 of the KLP • Chapter 15 of the NPPF	The site is bounded by a burr retaining wall at Raygate with potential implications for structural stability to highways. The development would extend closer to the supporting retaining buttress wall but otherwise would not be	✓

		closer to Raygate. KC Highway Structures were formally consulted and appeared supportive of the proposal subject to conditions being applied to ensure that development could not commence before additional details are supplied to ensure the continued safety of the retaining wall's function for the adjacent terraced row, public and highway safety. This was reviewed by the agent who agreed to pre-commencement conditions on the applicant's behalf after discussion.	

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

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: 2023/92226

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, LP53 & LP57 of the Kirklees Local Plan, Key Design Principles 1-17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 13, 14 and 15 of the National Planning Policy Framework

3. The external wall 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, Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. Before the development commences, a scheme detailing the location and fully
dimensioned cross-sectional information along with the proposed design and construction details for the new building's extensions adjacent to the existing highway retaining walls supporting Ray Gate shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved scheme shall be undertaken in accordance with the details so approved.
Reason: In the interests of public and highway safety and in accordance with Policies LP21 and LP53 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

5. Before the development commences, a full structural dilapidation survey of the existing highway retaining wall supporting Ray Gate which adjoins the application site shall be undertaken by a competent person and a copy of the report submitted to the Local Planning Authority for record purposes.
Reason: This is a pre-commencement condition in the interests of securing a safe development by incorporating measures to ensure that instability does not have the potential to cause harm to people or the environment, in the interests of highway safety and to accord with Policies LP21 and LP53 of the Kirklees Local Plan.

6. Following the substantial completion of the development hereby approved, and before the extension is first brought into use, a post-construction structural dilapidation survey of the retaining wall supporting Ray Gate which adjoins the application site shall be undertaken by a competent person and submitted to the Local Planning Authority for its approval in writing. The survey shall identify defects arising in the highway retaining wall due to works associated with the approved development, the methods by which these defects shall be made good by the applicant and the timescale for the programme of works. Thereafter any identified defects shall be made good in accordance with the details so approved and within the timescale agreed for this programme of works.
Reason: In the interests of securing a safe development by incorporating measures to ensure that instability does not have the potential to cause harm to people or the environment, in the interests of highway safety and to accord with Policies LP21 and LP53 of the Kirklees Local Plan.

NOTE: Should any bats are found during the development, then work must cease immediately, and the advice of a licensed bat worker sought.
Plans and specifications schedule:-

Plan Type	**Reference**	**Version**	**Date Received**
Location and Existing Floor Plan.	Drawing No. 2351 - 0101 - P01.	P01	28/07/2023
Existing Elevation Plans.	Drawing no. 2351-0102-P01.	P01	28/07/2023
Proposed Block and Floor Plans.	Drawing no. 2351 - 0303 - P03.	P03.	28/07/2023
Proposed Elevation Plans.	Drawing no. 2351-0304-P03.	P03	11/10/2023
Climate Change Statement	-	-	28/07/2023

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. Minor amendments were made to the material proposed to elevations to ensure that the proposal would adequately harmonise with the host and its terraced row of properties for visual amenity. The agent reviewed the pre-commencement conditions and agreed to those conditions in writing.

Report Dated: 12/10/2023