

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:	2023/62/92835/W
Site Address:	267, Cowcliffe Hill Road, Cowcliffe, Huddersfield, HD2 2NA
Description:	Erection of single storey side extension with front patio
Recommending Officer:	Joanna Rednall

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: 16-Nov-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/92835
Location	267, Cowcliffe Hill Road, Cowcliffe, HD2 2NA
Proposal	Erection of single storey side extension with front patio
Publicity end date	2 nd November 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	
Extension to Time (EoT)	Yes / No / 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	✓	

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 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 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	No	
Parish/Town Council comments sought	No	
Planning History	Yes	2016/90247 – Erection of dual pitched roof over existing flat roof

		double garage (conditional full permission)
Consultations required	No	

Assessment

The application seeks permission for the erection of a single storey side extension with front patio. The side extension extends 3.3 metres from the side of the property and 6.6 metres along the property. The lowered patio extends 2.1 metres from the front of the property and curves 5.5 metres to meet the driveway. The patio would be enclosed with a 0.8 metre high stone wall and 1 metre high glass balustrade.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 on page 28 (and listed below) and if they do not, they need to be justified. The property is also set within a corner plot and therefore paragraph 5.34 on page 30 is also of relevance:

TO COMPLETE :	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes – the property is set within a corner plot – separated from the westerly neighbour by existing hedge and fencing with neighbouring property set on higher ground level	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	The windows that have the potential to overlook the neighbouring dwelling within the south-west elevation are separated by existing wall with neighbouring property set on higher ground level	
Single storey side extensions should:		
Not extend more than two thirds of the width of the original house	The extension does not project more than two	

	thirds of the width of the original house	
Not exceed a height of 4 metres		The extension is ~ 4.8 metres in height, however this does not exceed the height of the host dwellinghouse and the impact on visual amenity is limited
Be set back at least 500mm from the original building line to allow for a visual break	The extension is set back from the front elevation by 1.5 metres	
Corner plots should have:		
Facing in both directions to create two frontages, each with windows overlooking the street	There are proposed openings in both the northeast elevation and south west elevation	
Being set back from the existing building line on both streets	The extension does not encroach beyond the building line of the properties	

Design and Visual Amenity:

Summary of local street scene/character: Detached two storey dwellings along Cowcliffe Hill Road adjacent to the application property. At the rear of the application property is Ganton Way where the dwelling is set on the same building line as neighbouring properties which consists of bungalows constructed from buff brick with gable roofs.

The application property benefits from a double detached garage and driveway to the side of the property. The dwelling hosts a large lawned garden to the front of the garden and a patio area along the rear/west boundary. Number 267 benefits

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	Extension is located on the side of the property however does not encroach over the established building lines	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Subservient structure due to being single storey in height and constructed from matching materials– new roof design would be constructed using matching materials	✓
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 in height appearing proportionate to the host property	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Walls constructed in stone to match the host dwelling – concrete tiles to match existing roof	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Gable roof to match the host dwelling	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Windows within south elevation are proportionate to existing dwelling	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension	✓

The design of the proposal is therefore considered to be acceptable and accord with policy LP24 of the adopted Kirklees Local Plan, principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and the policies within Chapter 12 of the NPPF.

Residential Amenity:

The main properties affected are:

- 1 Ganton Way – neighbouring property to the east – set on the same building line however is separated from the application property by ground levels. The proposed openings are separated by a double garage of number 1 with blank elevation towards the application property.
- 265 Cowcliffe Hill Road – neighbouring property to the south – set on similar ground level and on same building line - separated by the driveways of the application property and Number 265 and there is a ~2m hedge separating the properties.

	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	Rear neighbours separated by ground elevations and extension openings separated from facing dwellings	✓
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 separated to No. 265 by existing driveway and garage and separated by No.1 by ground elevations, no other properties materially affected	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Adequate garden areas retained to front and side	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, principles 3, 4, 5,

and 6 of the Council's adopted House Extensions and Alterations SPD and the policies within Chapter 12 of the NPPF.

Highways and Parking: 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 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	Garage and driveway to be retained	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown however sufficient space available within the site	✓

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	No trees affected	✓

	Chapter 12 of the NPPF		
Impact on ecology	- KDP 12 of the SPD - Policy LP30 - Chapter 15 of the NPPF	None – bat alert layer however roof of host property not affected	✓
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:

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 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			22 nd September 2023
existing elevations		02	22 nd September 2023
existing floor plan		01	22 nd September 2023
proposed elevations		04	22 nd September 2023

Plan Type	Reference	Version	Date Received
Proposed floor plans		03	22 nd September 2023
Location Plan			22 nd September 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: 16/11/2023