

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:	2023/62/93060/W
Site Address:	47, North Cross Road, Cowcliffe, Huddersfield, HD2 2NP
Description:	Partial lift of eaves and ridge to form first floor accommodation and side and rear extensions with associated alterations
Recommending Officer:	Lucy Taylor

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: 19-Mar-2024

Officer Report.

Reference: 2023/93060

Location: 47, North Cross Road, Cowcliffe, Huddersfield, HD2 2NP

Proposal: Partial lift of eaves and ridge to form first floor accommodation and side and rear extensions with associated alterations

Site Description.

47 North Cross Road is a detached bungalow, located in Cowcliffe, Huddersfield. The external walls of the property are faced in brick and the gable roof is infilled with tiles. To the eastern side elevation, the property benefits from a flat roofed attached garage. Within the wider curtilage, the property benefits from on-site parking amenity space to the front elevation and outdoor garden amenity space to the rear elevation.

The principal elevation of 47 North Cross Road faces towards the adopted highway of North Cross Road whilst the rear elevation of the property faces towards the unadopted highway of Coach Road.

Within the streetscene, there is a mix of property types and designs. The property directly neighbouring No. 47 to the east is of a bungalow construction style whilst the property neighbouring No. 47 to the west is two-storey.

Description of Proposal.

Planning permission is sought for the partial lift of the eaves and ridge to form first floor accommodation and for side and rear extensions, with associated alterations.

The eaves height of the dwelling will be raised from 2.5 metres to 2.8 metres and the ridge height of the dwelling will be raised from 5 metres to 6.5 metres.

The side extension will project from the eastern side elevation of the host dwelling (to replace the existing attached garage). It will have a projection/width of 3.7 metres, a length of 12.2 and a maximum height of 6.5 metres.

The rear extension would have a projection of 3.7 metres, a width of 12.4 metres and a height of 3.15 metres, with a flat roof.

A first-floor projecting gable extension would be erected to the rear elevation, with a projection of 6.4 metres, a width of 3.9 metres and a height of 3.5 metres, 6.75 metres from external ground level.

From this projecting gable extension, a terrace would be erected, utilising the flat roof of the single storey rear extension. This terrace would glass

balustrade and an obscurely glazed privacy screen to the western elevation (1.7 metres in height).

A flat roofed rear dormer is proposed. The dormer would have a depth of 2.9 metres, a width of 8 metres and a height of 2 metres.

A porch extension is proposed to the principal elevation, projecting 1.55 metres forward of the front elevation of the house, with a width of 2.8 metres and a height of 2.8 metres, with a flat roof.

The external walls of both the host dwelling and extensions are to be faced in traditional stone and render.

Fenestration detailing to the principal elevation will consist of regular windows, an access door and a garage door, the same as existing. Roof lighting will be incorporated, in the form of velux windows.

To the western side elevation, fenestration detailing will remain as existing, with one window to the ground floor. It should be noted that a velux window is proposed to the western side elevation of the rear projecting gable extension, to serve an ensuite bathroom internally.

To the eastern side elevation, three small windows are proposed and a glazed access door.

To the rear elevation, fenestration detailing will consist of windows and glazed doors.

History of Negotiations/Amendments Received.

The case officer entered into negotiation with the applicant / planning agent, raising the following concerns:

- The materials to the host property and to any extensions/alterations should be in keeping with the existing architectural design of the property, which is faced in brick.
- The part of the extension which proposes 'partial lift of eaves and ridge' should be amended, with the ridge height dropped.
- Remove roof lights to front elevation.
- Remove rear gable projection, keeping the property single storey with dormers.
- Rather than one flat roofed dormer to the rear, it is recommended that several small, pitched roof dormers be erected.

In response to the above, the applicant / planning agent submitted amended plans and justifications.

The justifications were as follows:

- Appreciate the existing bungalow is red brick, however, we are proposing to update the house and through the use of render and traditional stone, both of these are prominent within the immediate streetscene.
- The eaves lift is minimal and from the street scene the aesthetic remains of a bungalow appearance with the ridge lift benefitting the flow of the street scene.
- Other dwellings on North Cross Road have front dormers or skylights to the front elevations.
- Amended plans show that the rear projecting gable has been flipped, which means that this is set behind the principal elevation of No. 70 Coach Road therefore, not having an impact on them and reducing massing to the neighbouring property on North Cross Road (45), reducing any overbearing or overdominant concerns.
- There are examples across North Cross Road and Fixby Park Drive directly connected to North Cross that show dwellings with old but most importantly newly constructed flat roof dormers.

In this instance, the case officer considered the applicant's justifications to be valid and in turn, deemed the proposal acceptable (discussed in greater length in the 'Assessment' section of this report). Therefore, the overall determination of this application is based on the latest plans as submitted on 2nd February 2024, as well as the justifications as provided.

Given the extent of amendments, the application was re-advertised via second neighbour letters.

Furthermore, following receipt of the first consultation response from KC Ecology, the applicant / planning agent submitted a Bat Scoping Survey Report. A re-consultation was undertaken with KC Ecology following the submission of this survey.

Relevant Planning History.

No relevant planning history at the application site.

To neighbouring properties:

- 2020/90968 – 38 North Cross Road – Raising of roof height and erection of dormer extensions to front and rear. *Granted Conditional Full Permission.*
- 2013/90802 – 37 North Cross Road – Erection of extensions and alterations to bungalow to form house. *Granted Conditional Full Permission.*

- 2012/91087 – 70 Coach Road – Erection of first floor extension over garage. *Granted Conditional Full Permission.*

Publicity.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters. With second neighbour letters sent out following the submission of amendments.

Final publicity date expired: 15 February 2024.

No representations were received.

Consultations.

KC Ecology – Following the submission of a Bat Scoping Survey Report, KC Ecology had no objection to this application, subject to a condition regarding the one integrated bat box.

Policy/Legislation.

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).

Bridleway HUD/388/10 runs adjacent to the rear boundary of the application site.

The application site is located within an area with a known presence of bats and within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Whilst officers note that land to the rear and side of the site is allocated within the Green Belt in the Kirklees Local Plan, given that development will be retained within the parameters of the site itself and not encroach into the Green Belt, it is not considered that any further assessment of the impacts to this Allocation are considered necessary in the case of this planning application.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP23 – Core Walking and Cycling Network

- LP24 – Design
- LP30 – Biodiversity & Geodiversity
- LP51 – Protection and Improvement of Local Air Quality

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:

The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

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 December 2023, together with Circulars, Parliamentary 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 4 – Decision-making
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment.

The following matters are considered in the assessment below: -

- 1) Principle of Development
- 2) Impact on Visual Amenity
- 3) Impact on Residential Amenity
- 4) Impact on Highway Safety
- 5) Other Matters
- 6) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing*

required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district"*.

In this instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

2) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places), which states: *"The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

Paragraph 135 of the NPPF is of relevance, in particular the following parts:-

- *'b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'*
- *'c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

- *'a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...'*
- *'c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...'*

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

- Key Design Principle 1 – *“Extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and streetscene.”*
- Key Design Principle 2 – *“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 detail.”*

Partial Lift of Eaves and Ridge to Form First Floor Accommodation:

Section 5.7 of the House Extensions and Alterations SPD specifically refers to bungalows, with paragraph 5.31 setting out that: *‘Careful consideration should be given to two storey and first floor extensions to bungalows. These can cause a negative impact on the street scene and character of the area through changing the height, rhythm or form of a roof in relation to the rest of the street scene’.*

Paragraph 5.32 of the House Extensions and Alterations SPD goes on to state: *‘Increasing the height of the property by amending the roof pitch or eaves height will significantly affect the character and proportions of the building and will impact on the surrounding street scene (see Figure 31) and is usually unacceptable where the roof pitches and heights in the street scene are consistent.’*

The eaves height of the dwelling will be raised from 2.5 metres to 2.8 metres and the ridge height of the dwelling will be raised from 5 metres to 6.5 metres.

The proposed increase in height to 47 North Cross Road is considered acceptable in principle, as it would not disrupt the existing setting or character of the streetscene. The existing property of 47 North Cross Road is set back from the row of bungalow style properties, which neighbour the site to the east, and No. 47 is also set to a lower topographical ground level, meaning that the resultant roof pitch height will increase that of neighbouring No. 45 North Cross Road by only approximately 0.4 metres. In addition, two-storey properties neighbour No. 47 North Cross Road directly west, namely No. 70 Coach Road and No. 49 North Cross Road. Therefore, given the context of the site and two-storey design of neighbouring properties, it is concluded that increasing the height of 47 North Cross Road would appropriately comply with the requirements as set out in the House Extensions and Alterations SPD.

Side Extensions:

The side extension will project from the eastern side elevation of the host dwelling (to replace the existing attached garage). It will have a

projection/width of 3.7 metres, a length of 12.2 and a maximum height of 6.5 metres.

Section 5.3 of the House Extensions and Alterations SPD refers to side extensions, with paragraph 5.20 setting out that two-storey side extensions should:

- not take up all or most of the space to the side of a house;
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house.

The two-storey side extension proposed to 47 North Cross Road would retain a separation distance of approximately 0.8 metres from the side boundary and shared boundary with neighbouring property 45 North Cross Road. Based on the individual merits of the application site, from a visual amenity perspective, this separation distance is considered acceptable, primarily due to the set back position of No. 47 North Cross Road, which mitigates the potential of a terracing effect being created as a result of development. In addition, the two-storey side extension would retain a separation distance of approximately 3.2 metres from the closest side elevation of No. 45 North Cross Road.

Whilst the side extension would not be set back from the principal elevation of the host dwelling, based on the individual merits of the application site, this is considered acceptable in the instance of this planning application. This is because the forward projecting garage has previously been established at 47 North Cross Road, with the host property as existing benefiting from an attached single storey flat roofed garage, which projects forward of the principal elevation of the host dwelling.

Rear Extensions:

The rear extension would have a projection of 3.7 metres, a width of 12.4 metres and a height of 3.15 metres, with a flat roof.

Paragraph 5.6 of the House Extensions and Alterations SPD sets out that single storey extensions should:

- be in keeping with the scale and style of the original house;
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- not exceed 4 metres in height;
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terrace houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 metres; and
- retain a gap of 1 metre from a property boundary, such as a wall, fence or hedge.

It is considered that the single storey rear extension to 47 North Cross Road would appropriately comply with the design recommendations of the House Extensions and Alterations SPD, of a subservient single storey height, which would project out less than 4 metre and be set to a height below 4 metres. In addition, whilst the extension would retain a gap of only approximately 0.8 metres from the side boundaries, based on the individual merits of the application site, from a visual amenity perspective, this separation distance is considered acceptable, with a large separation distance from the sitting of neighbouring properties.

A first-floor projecting gable extension would be erected to the rear elevation, with a projection of 6.4 metres, a width of 3.9 metres and a height of 3.5 metres, 6.75 metres from external ground level.

The design of the first-floor projecting gable extension would be subservient. The projecting gable is to be set in from the side elevation of the dwelling and is to be set down from the roof pitch height of the host dwelling.

From this projecting gable extension, a terrace would be erected, utilising the flat roof of the single storey rear extension. This terrace would glass balustrade and an obscurely glazed privacy screen to the western elevation (1.7 metres in height). Given that the terrace would utilise the roof of the single storey extension, it is considered that it would be a subservient feature, with the use of glass balustrade considered to retain an appropriate sense of openness to the rear elevation.

A flat roofed rear dormer is proposed. The dormer would have a depth of 2.9 metres, a width of 8 metres and a height of 2 metres.

The rear dormer is considered to be compliant with the design recommendations as set out within section 5.4 of the House Extensions and Alterations SPD. It would not dominate the roof, would be set down from the roof pitch and set up from the eaves and be faced in materials that appearance the appearance of the roof of the dwellinghouse.

Porch Extension:

A porch extension is proposed to the principal elevation, projecting 1.55 metres forward of the front elevation of the house, with a width of 2.8 metres and a height of 2.8 metres, with a flat roof.

Section 5.2 of the House Extensions and Alterations SPD sets out that front extensions will not normally be permitted unless:

- The house is set well back from the pavement or is well screened; and
- The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and
- The materials and design match the existing features of the original house; and

- The extension would not unreasonably affect the neighbouring properties.

In this instance, the front porch extension would be set over 10 metres from the front boundary of curtilage and would be of a subservient size/scale, single storey in height with a flat roof above, which, by form, naturally works to reduce potential for undue levels of bulk / massing.

The external walls of the dwelling and the extensions would be faced in stone and render. The flat roofed rear dormer is shown on plan to be designed to match the appearance of the roof. These materials are considered to be acceptable in the context of the site and street scene.

Fenestration detailing is considered to be acceptable, with the incorporation of roof lighting and glazing bi-fold doors considered to be acceptable contemporary features, which have been established to other properties within the streetscene.

For all of the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Chapter 12 of the National Planning Policy Framework, LP24 of the Kirklees Local Plan and Key Design Principles 1 & 2 of the House Extension and Alterations SPD.

3) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *“...maintain appropriate distances between buildings”* and *“...minimise impact on residential amenity of future and neighbouring occupiers.”*

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principles 3, 4, 5 and 6 of the Council’s adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

In accordance with Key Design Principle 7 of the House Extensions and Alterations SPD, the proposal will retain an appropriate extent of outdoor amenity space at 47 North Cross Road.

It is considered that the properties most likely to be affected by the proposed development are those which directly neighbours the site, this is assessed below:

No. 45 North Cross Road:

This property neighbours the application site to the east.

Following developments at the site, the property would retain a separation distance of approximately 0.8 metres from the shared boundary with No. 45 North Cross Road and a greater separation distance of approximately 3.2 metres from the closest side elevation of No. 45 North Cross Road. These separation distances are considered sufficient to mitigate any significant levels of undue overbearing or overshadowing to the occupiers of this neighbouring property, including to its rear garden amenity space.

Whilst officers note the presence of windows in the side elevation of No. 45 North Cross Road, adjacent to No. 47, floorplans available for the site demonstrate that these windows are secondary windows to habitable rooms, and one served a bathroom. Therefore, it is not considered that the developments to No. 47 pose detriment with regard to this glazing on the side elevation of the neighbouring property.

The glazing proposed in the eastern facing side elevation of No. 47 is to serve bathrooms and a utility room. Therefore, it is concluded that these windows would not serve habitable rooms within the interior of the dwelling. However, for reasons of retaining appropriate levels of residential privacy, a condition would be imposed to ensure that the windows in the eastern facing side elevation be obscure glazed.

No. 70 Coach Road:

This property neighbours the application site to the west.

Following developments at the site, the property would retain a separation distance of approximately 0.8 metres from the shared boundary with No. 70 Coach Road and a minimum separation distance of 3.5 metres from the nearest side elevation of No. 70 Coach Road. These separation distances, in conjunction with the angled siting of No. 70 Coach Road, are considered sufficient to mitigate any significant levels of undue overbearing or overshadowing to the occupiers of this neighbouring property, including to its rear garden amenity space.

A living room window is proposed in the western facing side elevation of No. 47 North Cross Road. Given that this window would replicate the siting of the existing living room window at No. 47 North Cross Road, it is considered that the relationship between these two neighbouring properties would remain as existing with regard to residential privacy and overlooking. As such, the scheme is considered to be acceptable in this regard.

A 1.7-metre-high obscure glazed privacy screen is proposed to the western side of the proposed terrace. This is considered sufficient to mitigate any potential undue impacts to residential privacy as a result of the terrace. The privacy screen will be secured by condition upon any grant of approval.

No. 22 Highcliffe Avenue:

This property neighbours the application site to the south east.

The developments would retain a separation distance of approximately 14.5 metres from the rear elevation of No. 22 Highcliffe Avenue. This separation distance, in conjunction with the siting of No. 22 Highcliffe Avenue, to the south east, is considered sufficient to mitigate any significant levels of undue overbearing or overshadowing to the occupiers of this neighbouring property, including to its amenity space.

In addition, this separation distance is considered sufficient to mitigate any undue levels of overlooking from the glazing proposed to the rear elevation of No. 47. The proposed terrace would retain a separation distance of approximately 9 metres from the shared boundary with No. 22 and a 0.9-metre-high obscure glazed privacy screen is proposed on the eastern facing side of the terrace, considered sufficient to mitigate undue levels of overlooking to the amenity space of No. 22 Highcliffe Avenue. It is again important to note that No. 22 Highcliffe Avenue is set off to the south east of No. 47 North Cross Road and is not directly adjacent to its rear elevation.

It should be noted that, given the size/scale of the proposed terrace to 47 North Cross Road, a total footprint of approximately 25.6m³, the number of users at any one time would be limited and activities able to be conducted on the terrace would also be limited. Therefore, it is not considered that the terrace poses detriment with regard to any increase in noise levels.

For these reasons, with the inclusion of the aforementioned conditions, the proposed development at 47 North Cross Road is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan and Key Design Principles 3, 4, 5, 6 and 7 of the Council's adopted House Extensions and Alterations SPD.

4) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposed works would see the number of bedrooms at 47 North Cross Road increase from 2 to 5. Guidance sets out that 4+ bedroom dwellings should provide 3 off-street parking spaces. The front driveway at 47 North Cross Road would be retained, which is suspected to accommodate parking for two vehicles, and on-street parking is available to the front of the site on the highway of North Cross Road. Furthermore, at present, an area of hardstanding is present to the rear elevation of 47 North Cross Road, off the unadopted highway of Coach Road, which could be utilised for the parking of

vehicles. It is unclear whether this area of hardstanding would be retained, however, if it were, it would accommodate further on-site parking provisions at the property.

On balance, it is considered that the development would be acceptable with regard to parking provisions.

In addition, development would not alter existing vehicle access to or from the site in conjunction with the highway of North Cross Road or the unadopted highway of Coach Road.

Given the above, officers consider that the proposal is acceptable with regards to highway safety and that the proposed development to 47 North Cross Road would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extension SPD.

5) Other Matters

Climate Change:

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

As part of this application, a Climate Change Statement was submitted, which set out various mitigation measures. Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs any further mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Bridleway:

Bridleway HUD/388/10 runs adjacent to the rear boundary of the application site.

Given that the proposed works to 47 North Cross Road would not prejudice the function, continuity or implementation of bridleway HUD/388/10, the proposal is considered to appropriately comply with LP23 of Kirklees Local Plan. In turn, bridleway HUD/388/10 will be protected following the erection of works to 47 North Cross Road.

Bats:

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site lies within the bat alert layer on the Council's GIS system.

A bat survey was submitted as part of this application. The report details that the building is of negligible value for roosting bats and as such, the proposals will have no impacts on bats and their roost.

Even so, as a cautionary measure, in the event of any grant of permission a note would be added to the decision notice, stating that if bats are found development shall cease and the advice of a licensed bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

The report makes a recommendation with regards to incorporating a roosting feature into the fabric of the building and as such, this feature would be secured by condition upon any grant of approval.

6) 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: Approve

Decision Authorisation – Delegated Powers

Application Number: 2023/93060

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 so as to ensure the satisfactory appearance of the development on completion, and to accord Policies LP1, LP2, LP21, LP22, LP23, LP24, LP30 & LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 12, 14 & 15 of the National Planning Policy Framework.

3. The external walls of the property shall be faced in stone and render, with the render of a colour finish to match the appearance of the stone and the render applied to other properties within the street of North Cross Road. The roofing materials of the gable roofs shall in all respects match those used in the construction of the existing building. These external materials and colour finishes shall be thereafter retained.

Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the submitted plans, the flat roofed dormer to the rear hereby approved shall be of a colour finish to the front and cheeks to match the appearance of the gable roof. The colour finish approved by this condition shall be thereafter retained.

Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan, principles 1 and 2 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

5. The windows in the eastern facing (side) elevation of the dwelling hereby approved shall be obscure glazed to a minimum level 4. Obscure glazing to all windows on the eastern facing (side) elevation shall thereafter be retained for the lifetime of the development.

Reason: In the interests of the amenity of the occupiers of neighbouring properties to accord with policy LP24 of the Kirklees Local Plan Policies within Chapter 12 of the National Planning Policy Framework.

6. The rear terrace shall not be brought into use until a 1.7 metre obscurely glazed screen (to a minimum privacy level of Grade 4 or equivalent) has been placed on the western facing side elevation of the raised terrace and a 0.9 metre obscurely glazed screen (to a minimum privacy level of Grade 4 or equivalent) has been placed on the eastern facing side elevation. The obscure glazed screens (to a minimum privacy level of Grade 4 or equivalent) shall thereafter be retained.

Reason: To prevent overlooking to the neighbouring properties and to accord with Policy LP24 of the Kirklees Local Plan the Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

7. The flat roofs shaded green upon submitted drawing 20(001) Rev C hereby approved shall be used as roof areas only and shall not be used as a balcony or terrace area at any time throughout the lifetime of the development.

Reason: To ensure no detrimental level of overlooking of neighbouring occupiers occurs in the interests of the residential amenity of neighbouring occupiers to accord with policy LP24 of the Kirklees Local Plan, Principles 3 and 4 of the Council's adopted House Extensions and Alterations SPD and Policies within Chapter 12 of the National Planning Policy Framework.

8. One integrated bat box shall be incorporated into the fabric of the dwelling; the box shall be Ibstock Enclosed Bat Box 'C' or suitable alternative and shall be located away from sources of light, at least 5 metres above ground. Once installed, the bat box shall thereafter be retained.

Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan, Chapter 15 of the National Planning Policy Framework and Principle 12 of the Council's adopted House Extensions and Alterations Supplementary Planning Document.

Note: Due to its location, a bat roost 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 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.

Note: The application site is located in a low risk coal area.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Existing GA	(EX)001	/	17.10.23
Location Plan	(EX)002	/	17.10.23
Proposed GA	(20)001	C	02.02.24
Block Plan	(20)002	B	02.02.24
Bat Scoping Survey	-	-	26.02.24
Climate Change Statement	-	-	17.10.23

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.

Amendments were sought and submitted regarding the design of the proposed scheme and additional information was sought and submitted regarding bats.

Report Dated: 15.03.24