

**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:	2023/62/93406/W
Site Address:	3, Lightridge Close, Fixby, Huddersfield, HD2 2HW
Description:	Raising of ridge height of existing roof, erection of two first floor and single storey extensions and formation of first floor terrace to south elevation, erection of extension to north elevation including infilling of existing open sided porch and erection of canopy across the north elevation, insertion of roof lights and 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: 04-Mar-2024

Officer Report.

Reference: 2023/93406

Location: 3, Lightridge Close, Fixby, Huddersfield, HD2 2HW

Proposal: Raising of ridge height of existing roof, erection of two first floor and single storey extensions and formation of first floor terrace to south elevation, erection of extension to north elevation including infilling of existing open sided porch-and erection of canopy across the north elevation, insertion of roof lights and associated alterations

Site Description.

3 Lightridge Close is a detached bungalow located in Fixby, Huddersfield. The external walls of the property are faced in stone and the roof is infilled with tiles. Within the wider curtilage, the property benefits from a substantial extent of garden amenity space to the rear. On site parking amenity space is available to the driveway at the front of the site, with the property also benefitting from an attached double garage.

Within the streetscene, the other properties appear detached, however, the design of properties along Lightridge Close varies significantly, with a mix of styles and designs established.

Description of Proposal.

Planning permission is sought for raising of the ridge height of the existing roof, the erection of two first floor and single storey extensions and formation of first floor terrace to south elevation, erection of extension to north elevation and erection of canopy across the north elevation and insertion of roof lights with other associated alterations.

The ridge height of the host dwelling would be increased from 5.7 metres to 6.8 metres with associated alteration to the roof pitches and creation of overhang section between the side of the garage and side of the proposed northern extension.

To the rear elevation, first floor extensions would be erected above the existing single storey gable projections. These would have a projection of 4.4 metres and a width of 4 metres. The first-floor extensions would be set down 0.5 metres from the ridge height of the host roof.

The terrace to the south elevation would be formed between the two first floor projecting gable extensions, set within the host roof.

The single storey extension would project from the rear elevation of the attached garage by 4.5 metres, with a width of 6.9 metres. The ridge height of this extension would be 3.65 metres.

The extension to the north elevation would be an entrance hall. It would project 0.9 metres forward of the principal elevation of the host dwelling, with a width of 3.5 metres and a maximum height of 3.5 metres.

History of Negotiations/Amendments Received.

The case officer entered into negotiation with the planning agent / applicant and as a result, the following amendments were made to the scheme:

- Reduced rear gables below the ridge level.
- Reduced single storey entrance porch.

These amendments are shown on the latest plan submitted (Dwg No. (20)001 Rev B), which has been used to determine this application.

The planning agent also provided justification via email for the contemporary design of the entrance porch, this was as follows:

- Reduced single storey entrance porch with glazed infill set back creating a covered porch area. We believe the glazed gable at single storey is appropriate considering the full height glazing on the ground floor front elevations of other properties on Lightridge Close, along with the fact that the single storey projection is set back from the road and screened with planting.

As a result of the above, the case officer altered the description of proposal to appropriately reflect the amended scheme which forms the basis of determination. This involved the removal of reference to a first-floor extension to the north elevation, to read as '...erection of extension to north elevation...'.

The scale of the amendments is not considered to be of such significance to require further publicity to be undertaken and the scheme as advertised was considered to adequately alert the public to the nature of the development.

Relevant Planning History.

- 2007/90330 – Erection of single storey extensions. *Granted.*

Representations.

The application was advertised via neighbour notification letters.

Final publicity date expired: 5th January 2024.

In response to publicity, no representations were received.

Consultation Responses.

No consultations were deemed necessary.

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).

The site falls in 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.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- 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 & 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) Representations
- 7) 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.

Raising of ridge height of existing roof:

Specific height for bungalows in the SPD outlines that: *“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 and is usually unacceptable where the roof pitches and heights in the street scene are consistent.”

In this instance, both properties neighbouring the site to either side are two stories in height, No.'s 2 and 4 Lightridge Close, as are the properties which neighbour these, No.'s 1 and 5 Lightridge Close. As such, the increase in ridge height is considered to be acceptable in the context of the surrounding street scene.

Whilst no details have been provided of materials to infill to roof following it's raised in height, a condition would be imposed upon any grant of approval, to ensure that the roof tiles match those used in the construction of the host dwelling.

Erection of two first floor and single storey extensions and formation of first floor terrace to south elevation:

The erection of two first floor rear extensions is considered to be acceptable in principle, for the reasons set out within the previous section regarding the raising of the ridge height of the existing roof. The street scene is dominated by two storey properties and therefore, the introduction of first floor extensions is considered in keeping with the style of development in the area. In addition, with regard to design, the first floor extensions would share the same width as the single storey projections above which they are to be erected and their height would be set below the ridge height of the host roof by 0.5 metres, promoting subservience.

Section 5.1 of the House Extensions and Alterations SPD focuses on rear extensions, with paragraph 5.6 of the SPD setting out that single storey rear 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 terraces houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposed single storey rear extension is considered to be a subservient addition. Although the projection of the extension beyond the rear elevation of the garage would exceed the recommendations of the SPD by 0.5 metres, this is considered acceptable on the individual merits of the application site. The projection of the single storey rear extension would align with the rear elevation of the host dwelling, with previous projections established beyond this. The width of the extension would be the same as the width of the existing

garage and the ridge height would be 3.65 metres, set down 0.35 metres below the ridge height of the garage.

The proposed terrace is considered to be an acceptable addition to the dwelling, located subserviently within the rear roof plane of the dwellinghouse, bound either side by the two proposed first floor extensions, which are to project from the host roof plane by 4.4 metres. Visually this element of the proposal, use by occupiers for sitting out and other activities is not considered to be significant.

Erection of extension to north elevation including infilling of existing open sided porch and erection of canopy across the north elevation:

Section 5.2 of the House Extensions and Alterations SPD is specifically focused on front extensions, with paragraph 5.14 setting out that they 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.

The size/scale of the proposed entrance porch is considered to be subservient to the original building and would retain a set back of approximately 8.7 metres, screened to some degree by the presence of planting along the front boundary of the site.

Whilst the glazed frontage of the entrance porch extension is contemporary in its design and appearance, it is not considered to harm the character of the original house or the area, with contemporary interventions present to several properties on Lightridge Close.

Insertion of roof lights:

Roof lights are considered to be an acceptable addition to 3 Lightridge Close, established within the roof planes of several properties on Lightridge Close.

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 3 Lightridge Close.

It is considered that the properties most likely to be affected by the proposed development are those which directly neighbour the site, these are assessed in turn below:

No. 2 Lightridge Close:

This property neighbours the application site to the west.

The host dwelling with a raised eaves height and the proposed extensions would retain a minimum separation distance from the shared boundary with No. 2 of approximately 1.45 metres and from the siting of this neighbouring dwelling of approximately 4.8 metres. Therefore, it is not considered that the proposal would result in any undue impacts of overbearing or overshadowing for the occupiers of No. 2 Lightridge Close.

As existing, one small window is present in the western facing elevation of No. 3 Lightridge Close, which serves a bedroom. As part of this proposal, one window will be retained in the same position to the western facing elevation, to serve a utility. As such, it is not considered that the proposal would result in any undue impacts of overlooking, over and above the existing relationship between these two neighbouring properties. It should also be noted that tall dense hedging is in place along the shared boundary between No. 2 and 3 Lightridge Close.

It should be noted that the proposed terrace is to be situated within the rear roof plane of the dwellinghouse, bound either side by the two proposed first floor extensions. Given this siting, it is not considered that the proposed terrace would result in any undue impacts of overlooking towards No. 2 Lightridge Close.

No. 4 Lightridge Close:

This property neighbours the application site to the east.

The works would retain a minimum separation distance from the shared boundary with No. 4 of approximately 8 metres and from the siting of this neighbouring dwelling of approximately 20 metres. Therefore, it is not considered that the proposal would result in any undue impacts of overbearing or overshadowing for the occupiers of No. 4 Lightridge Close.

No glazing is proposed to face towards No. 4 Lightridge Close and the proposed terrace is to be situated within the rear roof plane of the dwellinghouse, bound either side by the two proposed first floor extensions. Therefore, it is not considered that the works would result in any undue impacts of overlooking towards No. 4 Lightridge Close.

Paragraph 5.28 of the House Extensions and Alterations SPD sets out that balconies and roof terraces on existing buildings should not negatively affect neighbouring properties or alter the local character of the area insofar as they should be positioned, and screened if required, so that they do not overlook neighbouring homes or gardens. In addition this paragraph states they should be sited away from locations that are sensitive to additional noise levels or disruption.

Given the design of the proposal the terrace would be screened to both sides and the outlook to the rear is such that the proposed terrace is not considered to lead to a significant level of overlooking.

For these reasons, the proposed development at 3 Lightridge Close 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.

There is no change proposed to the number of bedrooms and therefore the parking requirements will remain as existing. In addition, the proposal will not alter the existing parking arrangements on site or access to and from the adjoining highway. Therefore, the proposal is considered to be acceptable from a highway safety perspective.

In turn, the proposed developments to 3 Lightridge Close 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.

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.

The proposal would see works to the roof of 3 Lightridge Close, which therefore poses the potential for roosting bats to be disturbed if present. However, given the age / design of the property, and nature of the proposal, it is not considered necessary for a full bat survey of the roof space to be undertaken in this case, given the low likelihood for roosting bats to be present.

This conclusion is drawn on the basis that, in the event of any grant of permission an informative note be added to the decision notice, stating that if bats are found development shall cease and the advice of a licensed bat worked sought. This is to accord with the aims of Chapter 15 of the NPPF.

6) Representations

None.

7) 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: 2023/93406

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, 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 single storey rear extension (to form multi-use room) hereby approved shall be faced in stone, to match the appearance of the stone exterior walls to the existing building. The roofing materials of this extension shall in all respects match those used in the construction of the host dwelling. These materials shall be thereafter retained.

Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

4. The external render to be applied to the side elevations of the host dwelling, the external walls of the first floor rear extensions and the external walls of the entrance porch front extension, shall be of a cream colour, which is in keeping the stone exterior walls of the existing building. The development shall not be brought into use until it has been completed with the external render and colour finish approved by this condition which shall thereafter be retained.

Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

5. The roofing materials of the hereby approved first floor rear extensions and single storey entrance porch front extension shall in all respects match those used in the construction of the host dwelling. These materials of construction shall be thereafter retained.

Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

6. The external roofing materials used in the works to raise the roof height shall in all respects match those used in the construction of the host dwelling. These materials of construction shall be thereafter retained.

Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

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.

Plan Type	Reference	Version	Date Received
Location Plan	(EX)002	-	20.11.23
Existing GA	(EX)001	-	20.11.23
Proposed GA	(20)001	B	21.02.24
Block Plan	(20)002	A	21.02.24

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. In response to the case officers' recommendations, an amended plan was submitted.

Report dated:

04.03.24