

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:	2023/62/93675/W
Site Address:	4, Wholestone Gate, Scapegoat Hill, Huddersfield, HD7 4PP
Description:	Erection of single storey rear extension with terrace
Recommending Officer:	Molly Storer

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: 13-Feb-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93675
Location	4, Wholestone Gate, Scapegoat Hill, Huddersfield, HD7 4PP
Proposal	Erection of single storey rear extension with terrace
Publicity end date	25 th January 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	Yes – 19 th February 2024
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) December 2023
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed and beautiful 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

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
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Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	Yes	89/01270 – Erection of detached dwelling – Granted Conditionally
Consultations required	No	

Assessment

The single storey rear extension would be:

- 3m in length
- 4.5m in width
- 3.4m in height

The Kirklees SPD sets out that single storey rear extensions should comply with certain dimensions set out at paragraph 5.6 on page 24 (and listed below) and if they do not, they need to be justified:

Single-storey rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be in keeping with the scale and style of the original house	Yes – the proposed materials of stone for the exterior of the extension are to match those of the original house.	No – the flat roofed single-storey rear extension would be to the rear of the host property and be of low impact to the highway. The design avoids added bulk and massing from a pitch roof design.
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 – the single-storey rear extension would be limited to 2.2m height	No – with relevance to the proposed balcony roof terrace privacy screening, this has

		been set back from the side boundary with no. 51 by ~1.2m
not project out more than 3 metres from the rear wall of the original house for semi-detached houses	Yes – it would be limited to 3m in projection from the rear	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	N/A	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes – there would remain a gap of at least one meter to the property boundary.	

The terrace would be

- Secured with a 1m high glazed balustrade to the south and west boundaries
- 7.3m in length
- Have a ~1.8m privacy screen with obscure glazing to the eastern boundary
- Have a 3m projection from lounge
- Have a 1.5m projection from kitchen/dining room

The Kirklees SPD sets out that balconies and roof terraces should comply with guidance set out in paragraph 5.28 on page 31 (and listed below) and if they do not, they need to be justified:

Balconies should not:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Balconies and roof terraces on existing buildings should not negatively affect neighbouring properties or alter the local character of the area.	Yes – the design uses modern glazing to its balustrade enabling a visually permeable and low impact addition to the host's single-storey rear extension. The addition of a privacy screen has been positioned away from the shared boundary so as to avoid affecting neighbouring property. Balconies can be seen as a feature of the locality and therefore this would not	

	significantly affect the local character of the area.	
Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens.	To be considered under residential amenity	
Sited away from locations that are sensitive to additional noise levels or disruption.	To be considered under residential amenity	

Design and Visual Amenity:

The host property is a detached, two storey, split level house. Due to the topography of the site the front elevation is set on a significantly higher ground level than the rear elevation with steep steps down the side of the dwelling to reach the rear garden. It is located on high ground and at the rear it overlooks the Colne Valley and Bolster Moor. The dwelling is constructed from natural stone alongside other properties in the locality which have a similar material palette. Much of the surrounding development also host extensions and raised terraces/platforms.

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	Modest single storey rear extension of restricted House Extensions and Alterations SPD compliant projection and be in keeping with existing rear extensions in the area. The proposed roof terrace would appear adequately in character with other examples in the locality. Positioned to the rear,	✓

		the proposal would be screened by the host and not easily visible from the highway ensuring a low impact development.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The single-storey rear extension would be constructed from stone to match the host property, would not protrude excessively and have a simple, subservient form in keeping with the host. There would be a simple glazed balustrade to the roof terrace ensuring an open and permeable design with minimal impact on the original rear elevation. It would therefore still retain a substantial element of the original rear elevation allowing it to remain subservient to the host and positioned to be of little visual impact.	✓
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	As above.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing materials and simple detailing would harmonise with the original host.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c)	Flat roof with terrace above - ok	✓

	and (d) of the KLP Chapter 12 of the NPPF		
Window proportions	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	While the fenestration to the rear would be larger with the introduction of patio doors to the first floor this would be of low visual impact to the street scene and be deemed therefore acceptable. There will also be limited openings within the rear extension with a small 3 panel window proposed in the south rear elevation which is also considered acceptable.	✓
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Chapter 12 of the NPPF	Private domestic extension which would not change the existing access into / around the property.	✓

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:

- *2 Wholestone Gate to the west – a two storey detached property on a similar building line to the host property. The property also has planning permission for a single storey rear and side extension as well as hosting a Juliet balcony and raised balcony to the rear.*
- *6 Wholestone Gate to the east – a two storey detached property set on a significantly further back (north) towards the highway of Wholestone Gate.*
- *There are no other properties that would be affected by the development. Properties to the rear have a separation distance of over 30m and are at a significantly lower ground level to the host property meaning they will not be affected by overlooking or overshadowing.*

	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	In regard to No.2, this property will be screened by the host property's existing conservatory which is on a higher ground level than the proposed extension and also has a significant separation distance of ~16m from the development. Although there is no privacy screen along this elevation of the terrace, given the separation and intervening structures, no material loss of amenity would occur to no. 2. A privacy screen of adequate height and specification is proposed to no. 6. In addition, there are no openings within the side elevations of the rear extension increasing privacy to neighbours.	✓
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	Due to the limited scale of the extension, the separation distance and due to the existing development between the host property and No.2 this property will not be significantly impacted in terms of overshadowing. Due to the orientation of the properties the garden of No.6 may experience some limited shadowing in the late evening of the summer months however due a gap of ~5m between the proposed	✓

		development and the property at No.6 it is considered that this property will not be significantly impacted.	
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Rear garden would still have a proportionate and useable private rear amenity space given the limited projection of the proposed rear extension.	✓

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: 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	This would not alter the existing arrangement by increasing occupancy levels and subsequently demand for parking	✓
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	None shown on plans however, there is sufficient space within the red line boundary to allow for storage on site. Condition not considered necessary.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	n/a	n/a
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	N/A	✓
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. A Climate Change Statement (CCS) has been submitted. As such, no special measures required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards. Climate Change Statement submitted with the application	✓

Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The proposed extension is small in footprint and there is a significant area of soft landscape where surface water could drain into, so this would have a neutral impact on drainage. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓
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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

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: 2023/93675

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 and LP30 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, 12, 14 and 15 of the National Planning Policy Framework

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

4. The 1.8m high obscure glazed privacy screen as shown on the eastern boundary of the roof terrace hereby approved on elevation plan no. Drawing No. 288_(100) 02 shall be installed to the east elevation of the raised terrace area as shown on that plan, before the raised terrace area is first brought into use. The 1.8m high obscure glazed privacy screen shall thereafter be retained in accordance with the approved plans.

Reason: In the interests of residential amenity and to accord with Policy LP24b of the Kirklees Local Plan, Key Design Principle 3 of the House Extensions and Alterations Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed grouped plans and elevations	2880_(100)02	-	13/12/2023
Application form	-	-	20/12/2023
Existing grouped plans and elevations	2880_(100)-1	-	13/12/2023
Climate change statement	-	-	13/12/2023
Location Plan	2880_LOC	-	20/12/2023

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. No amended plans were sought.

Report Dated:

12/02/2024