

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:	2023/62/93738/W
Site Address:	8, Roslyn Avenue, Netherton, Huddersfield, HD4 7EW
Description:	Erection of single storey extension
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.

Teresa Harlow

AUTHORISED OFFICER

Date: 13-Feb-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93738
Location	8, Roslyn Avenue, Netherton, Huddersfield, HD4 7EW
Proposal	Erection of single storey extension
Publicity end date	12 February 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated land within Kirklees Local Plan (located within an area with a known presence of bats)
Extension to Time (EoT)	N/A
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	✓	

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
- **LP30** – Biodiversity & Geodiversity
- **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 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	N/A
Parish/Town Council comments sought (Kirkburton)	No	N/A

Planning History	Yes	2003/91569 – Erection of conservatory - <i>Granted Conditional Full Permission.</i>
Consultations required	None	N/A

Assessment

The application seeks permission for the erection of a single storey wrap around extension. The extension would project beyond the rear elevation of the host property by 3.85 metres and beyond the southern side elevation of the host property by 2 metres. The height of the extension would be 3 metres, with a flat roofing form. The external walls of the extension would be faced in natural stone.

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	The extension is single storey in height and is considered to be in keeping with the scale of the original house.	The external walls of the extension are shown on the submitted plans to be faced in natural stone. This material would correspond with the appearance of the host property of the wider streetscene, whereby brick is the prominent material. However, there are 'stone' boundary walls and given the modest appearance of the front extension (the only area the stone will be seen) this contrasting material is considered acceptable in this instance.

Not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	The extension, including previous extensions, would not cover more than half the total area around the original house.	
Not exceed 4 metres in height	The height of the extension would be 3 metres.	
Not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces or by 4 metres for detached properties		The extension would project beyond the rear elevation of the host dwelling by 3.85 metres and the house is semi-detached. In this instance, this projection is considered acceptable visually, only 0.85 metres beyond the guidance as set out within the House Extensions and Alterations SPD and projecting beyond the rear elevation of the host dwelling to the same extent as a previously erected 'dining room' extension and less than a previously erected conservatory.
Where they exceed 3 metres in length the eaves height should generally not exceed 2.5 metres		As set out above, the projection and height of the extension is considered acceptable in this instance, based on the individual merits of the application site.
Retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	The extension would retain a gap of at least 1 metre from all property boundaries.	

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

Single storey side extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Not extend more than two thirds of the width of the original house	The side projection of the extension would not extend more than two thirds of the width of the original house.	
Not exceed a height of 4 metres	The height of the extension would be 3 metres.	
Be set back at least 500mm from the original building line to allow for a visual break	The extension is set back from the original building line by more than 500mm.	

Design and Visual Amenity:

The host property of 8 Roslyn Avenue is located within a streetscene, where a strong sense of similarity is established. This similarity is a result of the shared two-storey semi-detached construction style of the properties and the use of brick to face the properties.

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	Size/scale is modest and single storey in height. Contrasting facing materials acceptable on balance.	✓
Impact on original house	• KDP2 of the SPD	Would appear subservient by virtue of	✓

	• Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	its projection and single storey height. The extension would be set back over 500mm from the original building line.	
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	Upon any grant of approval, a condition would be imposed to ensure that the extension is faced in matching materials.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Flat roof above extension. Several flat roof side extensions visible within the wider streetscene, including to the neighbouring properties and properties directly opposite.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Match existing architectural style of host property, with the inclusion of glazed bi-fold doors an acceptable contemporary addition.	✓
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:

- *No. 10 Roslyn Avenue – this property neighbours the application site to the south.*
- *No. 6 Roslyn Avenue – this property adjoins the application site to the north. The extension would be set behind existing built form at 8 Roslyn Avenue when viewed from the perspective of this neighbouring property.*
- *No. 150 Deyne Road – this property is located to the rear of the application site. The extension would retain a separation distance of over 20 metres from the shared boundary with this property.*

	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	The extension proposes only one window in the elevation facing towards No. 10 Roslyn Avenue. This window is annotated on the plans to be obscurely glazed. With regard to No. 6 Roslyn Avenue and No. 150 Deyne Road, acceptable for the reasons set out above.	✓
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	The extension would retain a separation distance of 1 metre from the shared boundary with No. 10 Roslyn Avenue and would be erected adjacent to a car port structure and detached garage structure within the curtilage of this neighbouring property. With regard to No. 6 Roslyn Avenue and No.	✓

		150 Deyne Road, acceptable for the reasons set out above.	
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	An appropriate extent of rear garden amenity space would be retained.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The extension does not pose a direct increase in the habitable use of the host property (i.e no additional bedrooms). Whilst the extension could result in the loss of some on-site parking amenity space, it is considered that a sufficient extent of driveway would be retained, with off-site parking available along the highway of Roslyn Avenue. Vehicle access to and from the property would also remain unchanged.	✓
Parking provision	• KDP 15 of the SPD	As above.	✓

	• Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF		
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:

	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	Bat Alert layer - The building is in good order, well-sealed and unlikely to have any significant bat roost potential. A cautionary note is recommended.	✓
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. 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 and a climate change statement has been submitted.	
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.

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: 2023/93738

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision

notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22, LP24, LP30 and LP51 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

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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Extension	01	-	05.01.24
Climate Change Statement	-	-	05.01.24

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 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: 13.02.24