

**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:	2024/62/91425/W
Site Address:	2, Kaffir Road, Edgerton, Huddersfield, HD2 2AN
Description:	Erection of extensions and alterations (within a Conservation Area)
Recommending Officer:	Joanna Rednall

DECISION – REFUSED

I hereby authorise the refusal 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: 27-Jan-2025

The Site

2, Kaffir Road is a two-storey detached property located within the Edgerton Conservation Area. The dwelling is set within a large plot and benefits from amenity space to the front and rear of the dwelling. 2, Kaffir Road is built from natural stone with blue slate roof and stained wooden window frames. No.2,2A Halifax Road is a Listed Building which is located to the south-west of the site. To the rear boundary are trees which are protected by area Tree Preservation Orders.

The surrounding area is comprised of primarily of dwellings located within plots of various sizes. Halifax Road (A629) is to the south of the site.

The Proposal

The applicant is seeking planning permission for erection of extensions and alterations (within a Conservation Area).

The extensions will be constructed in natural stone and blue slate to match the existing building. Stone heads, cills and mullions will be provided to new openings to match the existing.

Single storey rear extension

The rear extension is proposed to the north-facing elevation and is single storey in height. The measurements of this extension are as follows:

- ~5m projection
- ~18m span across the rear
- ~2.7m height

The rear extension is designed with a flat roof that incorporates a balcony above. This follows the whole footprint of the single storey rear extension and is designed with a ~1.1-metre-high balustrade around the perimeter. The balustrade is glazed to the side (east and west facing) elevations and is partially glazed with sections of stone to the rear. Internally, this extension serves a living space, kitchen and dining space, utility, and a spice kitchen.

Glazing is proposed to the rear, this is in the form of 6 full height openings.

Front extensions

Two bay windows are proposed to the front of the building either side of the main entrance, which would be extended ~0.8 metres to form a two-storey glazed gabled entrance. A two-storey front extension is proposed between these two gables, projecting ~2.2 metres forward at a total height of ~6.8 metres. The ground and first floor feature three full-height glazed panels to the front and one full-length window to each side elevation. The two bay windows would project ~0.8 metres from the front elevation to lie flush with the new two-storey entrance.

The existing hipped roof above the garage is to be raised and would measure a total height of ~8 metres. The existing front dormer would be removed with a larger one proposed. This dormer would measure ~2.8 metres in width, 2.8 metres in total height and ~2.8 metres in projection.

Garden room and basement

A garden room and basement are proposed to the rear of the dwelling. The garden room would measure ~6.8 metres by 10 metres, ~2.8 metre eave height and ~4.6 metre total height. This outbuilding is constructed using matching materials to the host and provides access down into the basement. The basement room would be irregularly shaped with a maximum length of ~21 metres and total width of ~14 metres, two skylights are proposed above the pool room and gym which would be in the rear garden of the application property.

A new pedestrian gate is proposed to the front boundary between the existing electric vehicle gates.

History of Negotiations

Following discussions with KC Conservation & Design, officer's sought amended plans to reduce the extent of glazing on the first-floor front elevation. Several discussions took place with the applicant's agent, resulting in the submission of multiple revised plans. Final amended plans were submitted on 11th December and the application has been assessed based on these.

Planning History

The following relates to the application site:

Relevant planning history for this site is summarised as follows:-

86/04892 Erection of dwelling (Within Conservation Area)

Granted conditionally

87/01454 Listed Building Consent for demolition of boundary wall (Within Conservation Area)

Consent Granted

90/02960 ERECTION OF DETACHED DWELLING WITH INTEGRAL DOUBLE GARAGE

Conditional full permission

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via neighbour notification letters, a site notice, and a press notice.

Neighbour Letter expiry date: 18th September 2024

Site notice expiry date: 27th September 2024

Press expiry date: 11th October 2024

The amended plans were not re-publicised as these did not fundamentally change the development applied for. One (1) letter (which includes hand-written letters, e-mails and on-line representations) of representation has been received. These are summarised as follows:-

Letters of Support

- Fully in support of this application

Consultations

KC Conservation & Design: Has advised that the extent of glazing to the first-floor front elevation would not appear in keeping with the setting of the CA.

KC Trees: No objections subject to conditions.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

Allocation & Policies

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 is within the Edgerton Conservation Area and is also within an area with a known presence of Bats. The site is in an area identified as being a low risk of ground movement as a result of former mining activity.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

LP1 Achieving Sustainable Development
LP2 Place Shaping
LP21 Highway Safety
LP22 Parking Provision
LP24 Design
LP30 Biodiversity
LP33 Trees
LP35 Historic Environment

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

Chapter 2 – Achieving sustainable development
Chapter 9 – Promoting sustainable transport
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

- Chapter 15 – Conserving and enhancing the natural environment
Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'

Assessment

The following matters are considered in the assessment below –

1. Principle of development
2. Impact upon visual amenity and Historic Environment
3. Impact upon residential amenity
4. Impact upon highway safety
5. Other matters
6. Representations
7. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal 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 case, it can be stated that the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity, the impact on the Conservation Area, as well as other matters which are discussed as follows.

2 – Impact upon visual amenity and Historic Environment

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Impact on Edgerton Conservation Area

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the development on their significance (NPPF Paragraph 212).

At paragraphs 212 – 215 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that

outweigh that harm or, in the case of less than substantial harm this should be weight against the public benefits of the development including, where appropriate, securing its optimum viable use.

In this context, preservation means not harming the interest of the building itself, or the wider conservation area within which it is set. KC Conservation and Design have been informally consulted during the course of this application and, while they are comfortable with the majority of the works, including the rear and basement extension, rear terrace, front dormer and bay window extensions, concerns have been raised surrounding the degree of glazing proposed to the first-floor front elevation. This is because the extent of glazing proposed to the extension would not appear to be visually subservient and would alter the character of the property and its traditional form. The application property occupies a prominent position within the locality, and the front elevation of the first floor would be elevated above boundary treatment when viewed from public vantage points down Kaffir Road. As such, the insertion of the extent of glazing proposed would appear particularly obtrusive and imposing within the street scene.

The applicant's agent has highlighted that the current dwelling includes two glazed balcony doors at first-floor level, which the applicant's agent notes offers a comparable level of glazing to what is being proposed. However, officer's have assessed that the existing balcony doors are set well back from the front elevation of the host property, and the glazing proposed under this application projects forward of these existing balcony doors and also protrudes forward from the first-floor front elevation. As a result, this would heighten the visibility and prominence of the glazed feature on the original dwelling and would form an incongruous feature within the setting of the Conservation Area. Therefore, it is considered the extent of first-floor glazing would alter the host's traditional form and would not appear visually subservient to the original house and is not considered to sensitively contribute to the character and appearance of the Conservation Area. This would be contrary to Policy LP35 which seeks to ensure that proposals within Conservation Areas conserve those elements which contribute to significance.

Within the NPPF, paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The submitted Heritage Statement does not provide any public benefits of the proposal and therefore to permit this development, with no clear justification would be contrary to national and local policy and would have a negative visual impact, contrary to the aims of Policy LP35 of the Local Plan.

Single storey rear extension

Paragraph 5.6 of the House Extensions and Alterations SPD sets out that single storey extensions to rear 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 single storey extension is proposed to the rear of the property. It extends the full width of the rear elevation and projects ~5 metres from the host property. Although the extension is larger than the guidelines recommended above, Section 5.9 of the SPD sets out larger extensions may be acceptable in certain circumstances if this can be justified. In this case, the application property itself is a large, detached dwelling which is set within a large plot with generous amenity spaces to the front and rear of the property. It is not considered that an extension of this scale would appear unduly oppressive or incongruous to the rear of the property, and visually, it is considered there would be no design benefit in reducing the projection to 4 metres to comply with the above.

The rear extension is designed with a flat roof. Although a flat roof design does not always represent good design, in this case, the flat roof would limit any additional bulking or massing to the rear of the property, adding to the extension's subservient appearance.

The proposed materials would match the host property, and these would be conditioned to match the host property should the application be approved. It is therefore considered that due to its size, siting and design, the rear extension would have an acceptable impact upon visual amenity and would not cause harm to the significance of Edgerton Conservation Area.

Terrace

Section 5.28 of the Council's SPD sets out that balconies and roof terraces should be:

- *Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens.*
- *Sited away from locations that are sensitive to additional noise levels or disruption*

A terrace is proposed above the rear extension, this follows the proposed footprint and is designed with a stone and glazed balustrade. The design would incorporate materials used on the host property and due to the siting to the rear, would not appear incongruous in the context of the host property. The application property is well screened with boundary treatment in the form of stone walls, fencing and trees mitigating any undue overlooking caused as a result of the terrace. For these reasons, the raised terrace is considered to have an acceptable impact upon visual amenity.

Front extensions

Paragraph 5.13 of the House Extensions and Alterations SPD relates to front extensions and details that as front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed, large extensions (single and two-storey) and conservatories on the front of an existing house will not normally be acceptable and are considered likely to appear particularly intrusive.

The scale of the front extensions would appear proportionate to the host dwelling when viewed from the street and would appear subservient in size. The projection of the two-storey front extension is minimal, and the eaves and ridge are set down from the adjoining gables to ensure the front extension appears smaller in scale to the original house. The proposed single storey front/bay window extensions would lie flush with the two-storey front extension and would not appear intrusive additions within the street scene.

Turning to design, it has been assessed the fenestration details to the two-storey extension would not have an acceptable impact upon the host's traditional form and is not considered to sensitively contribute to the character and appearance of the Conservation Area and would therefore have an acceptable impact upon visual amenity. The proposed fenestration details to the ground floor would appear less prominent in the street due to their smaller scale and existing boundary treatments, would not cause harm to the setting of the Conservation Area. Due to these reasons, the proposed development would be contrary to Key Design Principles 1 and 2 of the SPD, Policies LP24 (a and c) and LP35 of the Kirklees Local Plan, and Chapters 12 and 16 of the NPPF.

Front dormer and raising of roof ridge

Section 5.27 of the Council's SPD relates to dormer extensions:

5.27 Dormer windows should:

- *relate to the appearance of the house and existing roof;*
- *be designed in style and materials similar to the appearance of the existing house and roof;*
- *not dominate the roof or project above the ridge of the house;*
- *be set below the ridgeline of the existing roof and within the roof plane; and*
- *be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.*

The existing front dormer would be removed and the hipped garage roof would be raised to accommodate a larger dormer. The raising of the hipped roof is considered to have an acceptable impact as it would be set down from the host with a roof design to match the main house. This roof extension would not appear disproportionate and would leave the host roof dominant in all aspects. The proposed materials can be conditioned to match to ensure the development has an acceptable impact upon the street scene and setting of the Conservation Area.

The proposed dormer is designed with a gable roof, this design is considered to have an acceptable visual impact as it would match the three large gables proposed to the front elevation. The front dormer is set below the ridgeline and below the eaves, contrary to the SPD. The proposed elevations show the dormer openings would align with the existing openings on the first floor, therefore in this case it is considered there would be no design benefit in setting the dormer up within the roof slope. The windows are small in size and are of similar proportions to the existing first floor openings. Due to these reasons, the dormer and raising of roof ridge is considered to have an acceptable visual impact.

Garden room and basement

Section 5.6 of the House Extensions and Alterations relates to outbuildings:

5.6 'Outbuildings should normally:

- *be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;*

- *be set back behind the building line of the original building so that they do not impact on the street scene; and*
- *preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost.'*

The proposed outbuilding/ garden room is proposed to the rear of 2, Kaffir Road. This building would have a large footprint but would not appear disproportionate given the scale of the original house and associated curtilage, with over half of the rear amenity space retained as a result. It is proposed well back from the original building line and would be screened by the host property to mitigate any impact on the street scene and setting of the Conservation Area. Due to this, the outbuilding would not appear prominent or incongruous within the street scene. The proposed materials would match those used on the original house; these can be secured by condition should the application be approved.

The outbuilding would provide access down to the basement. The basement would not be visible from public vantage points, with only 2 rooflights proposed above, these rooflights would be visible within the rear garden of the application property. These are considered to be of acceptable size, style and positioning. The submitted plans show the grass/landscaping would be retained above the basement extension. Due to these reasons, the proposed garden room and basement extensions are considered to have an acceptable impact upon visual amenity.

Whilst a listed building is located approx 20m from a listed building to the south, it is considered the development proposal would not affect the setting of the listed building.

It is therefore concluded that the development, by virtue of the extent of glazing and fenestration details of the extension to front, would not be subservient to the host building and would introduce an overly modern feature which would diminish the character of the dwelling given the prominence of this element of the proposal in relation to being visible from public vantage points. This would be to the detriment of the host dwelling, wider street scene and the character and appearance of the Edgerton Conservation Area contrary to Key Design Principles 1 and 2 of the SPD, Policies LP24 and LP35 of the Kirklees Local Plan, and Chapters 12 and 16 of the NPPF.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. 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.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”*.
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”*.
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

The properties potentially affected by the proposed development are those which directly neighbour the site, these being:

4, Kaffir Road

This property neighbours the application site to the north-east.

In terms of overlooking, the plans show no openings proposed to the side elevations that could face this neighbour. The proposed terrace would be set in from the shared boundary by ~1.5 metres with boundary treatment in the form of stone walls and trees mitigating some impacts of development. Due to the siting and relationship between these properties, the terrace would face the side elevation of No.4, Kaffir Road, and would not detrimentally overlook the main amenity space of this neighbour. When viewing floor plans of No.4 which are available on the Council's website, it appears No.4 has two obscurely glazed windows which would face the raised terrace. As these are obscurely glazed, it is not considered the raised terrace would cause a detrimental overlooking / loss of privacy impact or conflict with any habitable windows at No.4.

Due to the single storey nature of the rear extension and outbuilding, the proposal is not considered to cause undue overshadowing / overbearing impacts to occupiers of No.4. The raising of the ridge would not cause undue harm due to existing boundary treatments, and No.4 is also a two-storey property, therefore the modest increase in height would not result in undue overbearing impacts. The proposed development is therefore considered to have an acceptable impact on this neighbour's amenity.

Glenwood Cottage

This property neighbours the application site to the west.

It has been assessed the front extensions would have the most impact on this neighbouring dwelling. This is due to the increase in glazing proposed to the front elevation. Due to the orientation of these properties, the separation distance (~10 metres), and existing boundary treatment in place, it is considered the development would not result in undue impacts of overbearing, overshadowing or overlooking. The rear terrace would be screened by the main body of the application property, therefore no undue impacts of overlooking / loss of privacy are considered to occur. The proposed development is therefore considered to have an acceptable impact on this neighbour's amenity.

2, Halifax Rpad

This property neighbours the application site to the south-west.

Due to the separation distance between the two dwellings (~20 metres), it has been assessed that no detrimental impacts of overbearing, overshadowing or overlooking would occur as a result of the development. There is also boundary treatment in the form of stone walling and trees to further mitigate any impacts of development. The proposed development is therefore considered to have an acceptable impact on this neighbour's amenity.

The closest neighbouring dwelling to the rear is 1, Sunnyside, situated at 40+ metres from the application property. This is considered acceptable to mitigate any undue harm caused by the development.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF 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 development would intensify the domestic use of the property, taking the total number of bedrooms on site from 5 to 6. The property benefits from an integral garage and a large driveway to the front which would be retained as a result of the development. The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are 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. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative would be included however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Trees

With regard to trees Policy LP33 of the Kirklees Local Plan is of relevance and states the following:-

‘The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should normally retain any valuable or important trees where they make a contribution to public amenity’

Chapter 15 of the NPPF seeks to conserve / protect the environment and for developments to have a net gain in terms of biodiversity.

An Arboricultural Impact Assessment has been submitted to support the application and sets out no significant trees will be removed as part of the development. One tree is proposed to be removed, however the report concluded that this is a low value tree. KC Trees have been consulted during the course of this application and provide the following comments:

“There is only one tree down for removal to facilitate the development which is not protected by a TPO but is protected under the conservation area. This removal would be deemed acceptable due to the tree being of low value. The submitted plans are outside of root protection areas and therefore there would be no direct impact. There may be indirect impact due to increased pressure to prune or remove T2 due to shading, but this can be controlled through application in the future. The preliminary Tree Protection plan in the arboricultural impact assessment looks achievable however a full arboricultural method statement would be required to ensure issues such as storage of material and machinery exclusion zones are addressed.”

The Council’s Arboricultural Team have stated they have no objection subject to a arboricultural method statement being submitted to the LPA and agreed in writing. In light of the submitted detail and response of the Arboricultural Team, it is considered that in terms of trees, the proposed development would comply with Policy LP33 of the Kirklees Local Plan and Chapter 15 of the NPPF subject to inclusion of the recommended condition.

Climate Change

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 pre-dates 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

- Fully in support of this application

Officer response: Noted.

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. For the reasons set out above it is considered that the development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation

Refuse

Decision Authorisation - Delegated Powers

Application Number: 2024/91425

Officer Recommendation: Refuse

Reason:

1. The two-storey front extension, by virtue of its design and prominent location, has a harmful impact upon the historic character of the host property and Edgerton Conservation Area. The two-storey front extension constitutes a visually harmful addition which does not respect or enhance the character of the townscape or designated heritage assets. There are no public benefits identified or considered to exist more generally which justify the identified harm to the setting and

character of the host property and the harm to the Conservation Area. The development is therefore contrary to Policies LP24 (a and c) and LP35 of the Kirklees Local Plan, Principles 1 & 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document, policies within Chapters 12 and 16 of the National Planning Policy Framework and Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	21/05/2024
Site Plan & 3D Site Plan as Existing	2862_ACU(SK)A102	P1	21/05/2024
Plans and Elevations as Existing	2862_ACU(SK)A101	P1	21/05/2024
Site Plan and 3D Site Plan As Proposed	(100)04	G	11/12/2024
Proposed Block Plan	(100)07	D	23/10/2024
Elevations as Proposed	(100)06	G	11/12/2024
Floor Plans as Proposed	(100)03	E	23/10/2024
Planning Heritage Statement dated May 2024	-	-	21/05/2024
Arboricultural Impact Assessment	240505 AIA	-	09/08/2024
Application form	-	-	21/05/2024
Climate change statement	-	-	21/05/2024

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. Following discussions with KC Conservation & Design, officer's sought amended plans to reduce the extent of glazing on the first-floor front elevation. Several discussions took place with the applicant's agent, resulting in the submission of multiple revised plans. Final amended plans were submitted on 11th December and the application has been assessed on the basis of those amended plans.

Report Dated:

24/01/2025

Low coal