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:	**2024/62/91729/W**
Site Address:	152, Northgate, Almondbury, Huddersfield, HD5 8US
Description:	Erection of single storey rear extension and terraced steps (within a Conservation Area)
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 25-Sep-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91729
Location	152, Northgate, Almondbury, Huddersfield, HD5 8US
Proposal	Erection of single storey rear extension and terraced steps (within a Conservation Area)
Publicity end date	31st August 2024
Number of representations received	The proposal was advertised as affecting the setting of Almondbury Conservation Area via site notice and newspaper advertisement and also advertised via neighbour notification letters. One representation was received. This will be discussed in the representations section in the following report. An assessment of the impact of the development upon the setting of the Conservation Area is also undertaken in the following report.
Kirklees Local Plan Allocation/Designation	The site is unallocated on the Kirklees Local Plan however is located within the Almondbury Conservation Area.
Extension to Time (EoT)	Yes – 25th September 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	✓	

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

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
- **LP 30** – Biodiversity
- **LP 35** – Historic Environment
- **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 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**
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	Yes	K.C. Conservation and Design - No objections as the extension will be located to the rear of the property and will be constructed from matching materials so will not have a significant impact on the Conservation Area or the Listed Building to the South.

<u>Assessment</u>

Description of development:

The application seeks permission for the erection of replacement single storey rear extension.

The extension would have a projection of 3m, a width of 3.7m and a height to the eaves of 2.3m and an overall height of 3.3m with a lean-to roof design.

The main construction materials would be natural stone and slate tiles to match the design of the host property. Additional living space would be created on the ground floor.

This will be constructed at the ground floor level into the existing rear yard and partly into the slightly higher garden and forming a small terrace with a set of steps leading up to the present garden.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	**Yes - COMPLY**	**No - JUSTIFY**
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – the garden area to the rear and the amenity space to the front would be retained.	
Be set behind the original building, and not projecting beyond the sides	Yes – the extension would be set behind the original building and not project beyond the side elevations.	
Maintain external access to the rear garden		No – there is no existing access to the rear garden due to the house being a mid-terrace property.
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes – due to being single storey in height and having a width which is less than that of the original house it is considered to be keeping with the scale of the original dwelling. The usage of matching materials means the extension is considered to be in keeping with the style of the original house.	

not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – does not cover more than half of the total area around the original house.	
not exceed 4 metres in height	Yes – the extension would be 3.3m in height.	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties	Yes – the house is a mid- terrace house and the extension will project exactly 3m.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	N/A – does not exceed 3m in length.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes – a gap of 1.7m would be retained with No.156 to the south.	No – the extension would be built up to the boundary with No.150 to the north. However, this is considered acceptable due to the limited projection and the low eaves height along the boundary.

Design and Visual Amenity:

The application site relates to 152 Northgate, a two storey, mid terrace property located in the area of Almondbury. It is constructed in natural stone and slate tile. It has a small front amenity space bounded by natural stone low walls and raised ground level amenity space to the rear. The adjacent property (156 Northgate) is also owned by the applicant.

The property is located in Almondbury Conservation Area and with Grade I Listed Building – All Hallows Church (Historic England ref: 1225096) located 9m away to the south/east.

The area is part residential, part commercial with the built development having a strong grouped character with similar architectural styles and stone being the main construction material.

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	Due to the location of the house set back from the main road behind the front amenity space and due to the limited scale and positioning to the rear, the extension will not be visible from public viewpoints nor disrupt the street scene.	✓
Impact on the Conservation Area	• Policy LP35 • Chapter 16 of the NPPF	Due to All Hallows Church- a grade I Listed Building being located at a separation distance of 14.5m from the application site (9m from the curtilage), with intervening development in the form of 156 Northgate and due to the scale and nature of the development which is small in scale and matches the appearance of the he existing building, it is considered that there will be no significant impact to the character of the Conservation Area or its setting. It is also noted that 156 Northgate recently had a similar rear extension approved and therefore this proposal will not appear out of place with regards to the Conservation Area	✓

		or the setting of the Listed Building.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Due to the extension being single storey in height and not affecting first floor windows, in addition to being built from matching materials it is considered they will not have a negative impact on the original house.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The predominant material would be stone with a slate tiled roof. Considered acceptable due to matching the original property.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Bi-folding doors located in the rear elevation which are not considered to cause significant harm.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alterations to general access arrangements.	✓

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:

- 150 Northgate – property located to the north of the application site – impact to this property will be assessed below.
- 156 Northgate – property located to the south of the application site – This property has a single storey rear extension approved under application 2024/91463. Once constructed this will run along the joint boundary by 2m. Therefore, the proposed extension will only extend

1m beyond this and will also maintain a separation distance of 1.6m to the boundary meaning there will be no significant overbearing/overshadowing impact. It is also considered that as there is no windows proposed in the north west elevation facing onto this property, privacy will not be impacted.

	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	There are no windows proposed in the southeast elevation which looks onto No.150 therefore privacy will not be significantly impacted. Although there will be new steps to reach the higher garden level this is an improvement to the existing situation at the property as this raised level is already in use but with older steps. This will not decrease levels of privacy.	✓
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	Although the extension may cause some level of shadowing in the early hours of summer months this would not be considered significant enough to warrant a reason for refusal. It is also noted that the proposed extension will have a low eaves height and a sympathetic lean-to roof to limit any overbearing impact.	✓
Remaining garden space of application property	• KDP 7 of the SPD	Acceptable level of remaining garden space located to the rear of the site.	✓

	• Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF		

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	N/A	N/A
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposal would not affect existing parking arrangements, therefore it is considered the proposal is acceptable in terms of parking onsite.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	It is noted that this development appears to extinguish the right of access across the rear terrace to what appears to be the original bin storage. Therefore, the completion of the extension has potential to see bins only able to be stored to the front. However, after undertaking a site visit it appeared as though this outbuilding was not in	✓

		use for the purpose of bin storage and instead bins were being stored at the front of the properties within the front amenity space. This means that provision for waste storage would not be impacted as existing arrangements would be unchanged.	

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	While the site is within a bat alert layer, the small scale alteration to the host is not considered to have significant impacts to roosting potential. It is recommended that in this case an appropriate approach of the LPA is the inclusion of an informative note upon and grant of permission which alerts the applicant	✓

		of their private responsibilities if any signs of bats or potential to disturb those protected species are found.	
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. A Climate Change Statement has been submitted with this application.	✓
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 considered to be 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**
• Extension is nearly two storeys in height • Overshadowing to neighbouring property • It will block the outlook • Out of character with the area	With regards to height the extension will have a relatively small overall height of 3.3 metres and will not affect first floor windows. This is a significantly lower overall height than the single storey rear extension proposed at No.156 which will have a height of 4.7m and therefore will not be out of character with the area as the rear of the terraces has already been disrupted. It is also noted that the limited projection of 3m will not significantly impact the outlook of No.150 and would not be reason for refusal.	✓

Conclusion:

Regard has been given to the duties of the LPA in relation to 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. In this case the proposal is considered to preserve the character given its scale, and distance from the Conservation Area.

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: 2024/91729
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 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

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1, 2 and 9 the

Council's adopted House Extensions and Alterations Supplementary Planning Document 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.

Plans and specifications schedule:-

Plan Type	**Reference**	**Version**	**Date Received**
Application form	-	-	08/07/2024
Grouped plans and elevations	2420-01	-	08/07/2024
Design and access statement	-	-	08/07/2024
Climate Change Statement		-	08/07/2024

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. Amended plans/negotiations were not considered necessary with this application.

Report Dated: 25th September 2024