

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:	2024/62/92045/W
Site Address:	160, Wakefield Road, Lepton, Huddersfield, HD8 0LX
Description:	Erection of single storey extension and alterations to detached garage to form garden room/office
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: 02-Oct-2024

Officer Report.

Reference: 2024/92045

Location: 160, Wakefield Road, Lepton, Huddersfield, HD8 0LX

Proposal: Erection of single storey extension and alterations to detached garage to form garden room/office

Site Description.

160 Wakefield Road is a bungalow, located in Lepton, Huddersfield. The external walls of the property are faced in natural stone, with the roof infilled with concrete tiles. Within the wider curtilage of the site, the property benefits from outdoor amenity space and on-site parking amenity space, with a driveway and detached garage.

The application site is located within the Green Belt.

Description of Proposal.

Planning permission is sought for the erection of a single storey extension and alterations to the detached garage to form garden room/office.

The proposed single storey extension will have a length of 13 metres, a maximum width of 4.6 metres and a maximum height of 4.25 metres.

The external walls of the extension would be faced in matching natural stone, with a gable roof above, to be infilled with matching concrete tiles.

The dimensions of the detached garage will remain as existing, with fenestration detailing to be altered, to create garden room/office.

To the north west elevation of the existing detached garage, the garage door will be replaced with glazed bi-fold doors. The other elevations will host windows and an access door to the south west elevation.

History of Negotiations.

The case officer entered into negotiations with the planning agent, to recommend that the originally proposed first floor extension be replaced by a proposal for a single storey extension, to match the character and architectural style of the host dwelling.

In response to case officer recommendations, the planning agent submitted amended plans to show a single storey extension.

The description of proposal was amended accordingly.

Given that the amendments saw a proposal for a single storey extension, rather than a first-floor extension, it was not considered necessary to re-advertise the application. In addition, it is noted that the nearest neighbouring property is located approximately 50 metres from the site.

Relevant Planning History.

- 88/04068 - Renovation and extension to cottages to form one detached dwelling. *Granted Conditionally.*
- 88/06235 - Erection of detached double garage. *Granted Conditionally.*
- 89/00810 - En-suite extension. *Granted Conditionally.*

Representations.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters.

Final publicity date expired: 19th September 2024.

No representations were received.

No comments were received from Kirkburton Parish Council.

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 application site is located within the Green Belt.

The application site is within an area identified by the Coal Authority as being at high 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

- LP51 – Protection and Improvement of Local Air Quality
- LP57 – The Extension, Alteration or Replacement of Existing Buildings

Supplementary Planning Documents:

- Highways Design Guide SPD
- House Extensions and Alterations SPD

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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 and beautiful places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment.

1) Principle of Development and Green Belt

Sustainable 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 the Green Belt, visual and residential amenity and highway safety, and any other impacts that may arise. These will be discussed below.

Green Belt:

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the categories set out in Paragraphs 154 and 155.

Paragraph 154(c) of the NPPF outlines that the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building can be appropriate development in the Green Belt.

Further to this, Policy LP57 of the Kirklees Local Plan states that the extension or alteration of buildings in the Green Belt will normally be acceptable provided that:

“a. in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;

c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard surfacing, curtilages and enclosures and means of access; and d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.”

The original dwelling of No. 160 Wakefield Road is interpreted to be read as the dwelling granted planning permission under application 88/04068, which sought permission for the renovation and extension to cottages to form one detached dwelling.

Since this grant of permission, subsequent permissions have been granted at the site for extensions / additions, including the erection of a detached double garage (88/06235) and en-suite extension (89/00810).

As such, based on the above interpretations of the site, it is considered that the original dwelling of No. 160 Wakefield Road has a volume of approximately 751.85m³.

The previously approved en-suite extension has been calculated to have increased the volume of the original dwelling by approximately 21.24m³ and the previously approved detached garage has been calculated to have increased the volume of the original dwelling by approximately 128.64m³. In turn, these previous extensions / additions have presented a percentage increase of approximately 19.93%.

Officers have calculated that the proposed extension under this current application presents a further volume increase of approximately 170.4m³, a further percentage increase of approximately 22.66%.

In turn, it is calculated that the previous additions to the dwelling, and the extension proposed under this application, cumulatively present a percentage increase in built form of approximately 42.59%.

It is noted that the size / scale of the detached garage will remain as existing, with this application seeking permission for alterations to the fenestration detailing of the built form only, to convert it's use internally from a garage to garden room/office.

When taking into account the visual appearance of the proposed extension, it is considered that it would appear subordinate to the main dwelling, by virtue of its siting and overall depth and height.

Therefore, it is considered that the erection of the proposed extension would not result in disproportionate development and would constitute appropriate development in the Green Belt. The proposal is therefore considered acceptable in principle in accordance with Chapter 13 of the NPPF and Policy LP57(a) of the Kirklees Local Plan.

In line with Policy LP57(c), the proposal would not result in a greater impact on openness in the treatment of outdoor areas too.

It should be noted that this assessment is on the basis of the overall design of the proposal and having regard to the cumulative additions at site. It is considered the further development potential for the site is limited and further additions to the property (other than very minimal addition(s)) have a strong likelihood of leading to a level of built form at the site being to a degree that would be considered disproportionate.

2) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 131 provides a principal consideration concerning design which states: *"The creation of high-quality, beautiful and sustainable 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.

- Key Design Principle 1 – Local character and street scene. *Extensions and alterations to residential properties should be in keeping with the appearance scale design and local character of the area and the street scene.*
- Key Design Principle 2 – Impact on the original house. *Extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.*

Whilst the proposed extension would have a considerable projection from the host dwelling, based on the individual merits of the proposal and application site, it is considered that the design of the extension is acceptable in this instance. Given the scale and layout of the existing dwelling and the extent of outdoor amenity space around the dwelling, it is not considered that the extension would appear as a disproportionate addition, appearing in keeping with the existing gable projection to the same elevation, labelled as 'living' on the submitted floor plans. Furthermore, given the elevation to which the extension is to be erected, it would not be overtly visible or overly prominent within the wider streetscene, mitigated from view by the existing built form of the host dwelling. In addition, the height of the extension is considered to be read as appropriate in the context of the bungalow style of the host dwelling, with a slight set down from the host ridge height.

With regard to the alterations proposed to the detached garage, these are in relation to fenestration details, with windows and doors to be added to facilitate its change of use to a garden room / office. The alterations proposed are considered to be appropriate from a visual amenity perspective.

The extension is to be constructed from matching materials to the host dwelling. This will be secured by condition upon any grant of approval. In addition, the condition shall secure that any works to the exterior walls of the detached garage, be constructed from matching materials.

With the inclusion of the aforementioned condition, it is considered that the proposal would appropriately accord with Chapter 12 of the NPPF, 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.

It is considered that the proposed developments to 160 Wakefield Road would retain an adequate extent of private outdoor amenity space in accordance with Key Design Principle 7 of the House Extensions and Alterations SPD.

The nearest residential property to No. 160 Wakefield Road is approximately 50 metres from the site. As such, it is not considered that the proposed works to No. 160 Wakefield Road would result in any undue impacts of overbearing, overshadowing or overlooking for any neighbouring occupiers.

For these reasons, the proposed development at 160 Wakefield Road 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, Policy 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.

Whilst the proposal seeks to convert the existing garage and the extension proposes additional bedrooms, it is considered that sufficient on-site parking amenity space would be retained, with the entirety of the existing driveway to remain in use for on-site parking.

It is noted that the proposal would not alter existing vehicle access to or from the site in conjunction with the highway.

In turn, the proposal is considered to 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.

A Climate Change Statement was submitted as part of the application, 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, Policy LP51 of the Kirklees

Local Plan and Policy 12 of the Holme Valley Neighbourhood Development Plan.

6) 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: 2024/92045
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, LP51 & LP57 of the Kirklees Local Plan and policies within Chapters 2, 4, 12, 13, 14 & 15 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. Works to the exterior walls of the detached garage shall be carried out in materials which in all respects match those used in the construction of the existing building. The materials of construction approved by this condition shall thereafter be retained.
Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received
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Existing Elevations	002	-	22.07.24
Existing Plans	001	-	22.07.24
Existing Elevations	003	-	22.07.24
Location Plan	004	-	29.07.24
Proposed Garage Plan & Elevations	007	A	07.08.24
Proposed Plans	005	-	26.09.24
Proposed Elevations	006	-	26.09.24
Proposed Elevations 2	009	-	26.09.24
Site Plan	008	B	26.09.24
Climate Change Statement	-	-	22.07.24

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 case officer recommendations, the planning agent submitted amended plans to show a single storey extension.

Report Dated: 30.09.24