

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:	2024/62/92174/W
Site Address:	88, Bradley Road, Bradley, Huddersfield, HD2 1QY
Description:	Raising of roof height to create first floor accommodation, erection of extensions and alterations
Recommending Officer:	Lucy Taylor

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: 16-Oct-2024

Officer Report.

Reference: 2024/92174

Location: 88, Bradley Road, Bradley, Huddersfield, HD2 1QY

Proposal: Raising of roof height to create first floor accommodation, erection of extensions and alterations

Site Description.

88 Bradley Road is a bungalow located in Bradley, Huddersfield. The property is faced in brick and render with a tiled gable roofing form above. To the rear, several additions appear to have made, including extensions and a conservatory. In addition, within the wider curtilage, a detached garage has been erected to the back of the rear garden amenity space. The property benefits from outdoor amenity space to the front and rear, with a significant extent of hard standing to the front, side, and rear to facilitate on-site parking.

Within the wider streetscene, No. 88 forms part of the row of bungalow style properties to the west along the highway of Bradley Road. These bungalows share a sense of similarity with regard to their style of construction and design, including been of a similar form and faced in matching exterior construction materials. To the east is a 2-storey property but, due to the gradient of land, this is on a lower ground level and has a comparable height to the existing bungalow at no. 88.

Description of Proposal.

Planning permission is sought for raising the roof height to create first floor accommodation and for the erection of extensions and alterations.

The ridge height of the host dwellings roof would be increased from 5.5 to 6.5 metres. The attached garage to the side elevation of the host dwelling will also be increased to this same height and converted to serve as habitable accommodation.

The eaves height of the dwelling will be retained as existing to the principal elevation, with the eave's height of the rear elevation to be increased from 3 metres to 4.5 metres to the eastern elevation and to a maximum of 4.2 metres to the western elevation.

Three dormers would be installed in the front elevation of the raised gable roof. These dormers will have a protection of 3.5 metres, a width of 2.3 metres and a height of 2.10 metres.

The existing single storey flat roofed extension and lean-to extension to the rear of the host dwelling would be replaced with a gable roofed extension with rooms in the roof space and a single storey flat roofed extension. The existing

single storey conservatory would be replaced with a single storey flat roofed extension.

The two-storey gable extension would have a projection of 5.15 metres, a width of 7 metres and have the same ridge height as the raised gable roof.

The flat roofed extension to project from the rear of the above extension is to have a projection of 3.3 metres, a width of 6.35 metres and a height of 3.25 metres.

The flat roofed extension to replace the existing conservatory will have a projection of 5.15 metres, a width of 4.5 metres and 3.3 metres.

A front porch extension is proposed to the front of the property. This would have a total projection of 1.2 metres from the front elevation of the host dwelling, with a width of 2.4 metres and a height of 3.75 metres, with a gable roof above. The porch features an open sided frontage.

Brick and render would be used to face the walls of the property in conjunction with raising the roof height and also to face the walls of the extensions. New gable roofing forms will be infilled with tiles to match the existing and flat roofs will be constructed from single ply membrane in grey.

History of Negotiations / Amendments Received.

The case officer entered into negotiation with the planning agent / applicant, providing notification that the Local Planning Authority would be unable to support the scheme, on the basis of the original plans submitted, for reasons of re-introducing reason 2 of the refusal of planning application 2023/92993 in relation to the impact on No. 90 Bradley Road.

In response to the case officers' comments, amended plans were submitted, to show the eaves height to the rear reduced by 0.6 metres.

In turn, the overall determination of this application is on the basis of the amended proposed drawing.

Given that the amended plans saw the eaves height to the western elevation reduced by 0.6 metres, with the rest of the proposal to remain the same with the same description of proposal retained, it was not deemed necessary in this instance to carry out re-advertisement.

Relevant Planning History.

- 2003/92523 - Erection of conservatory. *Granted Conditional Full Permission.*
- 2010/92589 – Erection of first floor rear extension and alterations to roof to form part 2 storey dwelling. *Refused.*
- 2010/93163 – Erection of attic bedrooms and alterations to roof. *Granted Conditional Full Permission.*

- 2022/92993 – Raising of roof height to create first floor accommodation, erection of extensions and alterations. *Refused.*
- 2023/90482 - Raising of roof height to create first floor accommodation, erection of extensions and alterations. *Granted Conditional Full Permission.*

Representations.

We are currently undertaking the legal 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.

No representations received.

Consultation Responses.

No consultations 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 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

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 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 – Conserving and Enhancing the Natural Environment

Assessment.

1) Principle of 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 visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

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 – *“Extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and streetscene.”*
- Key Design Principle 2 – *“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.”*

In terms of design, the proposal is to raise the roof height and construct rear extensions, as well as the erection of three dormers in the revised principal roof slope. In addition, a porch forms part of the proposal.

Raising Roof Height & Dormer Extensions:

Specific guidance for bungalows in the House Extensions and Alterations SPD outlines that: *“Increasing the height of the property by amending the roof pitch or eaves height will significantly affect the character and properties of the building and will impact on the surrounding street scene and is usually unacceptable where the roof pitches and heights in the street scene are consistent.”*

The proposed increase in height to 88 Bradley Road is considered to be acceptable in principle, as it would not disrupt the existing setting or character of the streetscene, with the presence of two-storey properties directly east of the site. Therefore, given the context of the site and two-storey design of neighbouring properties, it is concluded that increasing the height of 88 Bradley Road would appropriately comply with the requirements as set out in the House Extensions and Alterations SPD.

In addition, whilst it is noted that the ridge height of the dwelling is to be increased by 1 metre, the eaves height is to remain the same as existing to the principal elevation, which is the visible elevation from public vantage points. Whilst the eaves height to the rear elevation is to be increased by 1.5 metres, given that this is to be to the rear elevation of the dwelling only, it is not considered that it would present detriment to the visual amenity of the host dwelling, retaining the character of a 'true' bungalow to some degree, when viewed from the highway of Bradley Road.

It is noted that, as part of the proposals for previously approved application 2023/90482, planning permission was granted for raising the ridge height of No. 88 Bradley Road to 7.3 metres. This application seeks to raise the ridge height to 6.5 metres.

Section 5.4 of the House Extensions and Alterations SPD sets out guidance with regard to the erection of dormer windows, with paragraph 5.26 providing specific guidance for front dormers: *"To assess whether a dormer window is appropriate to the front elevation, consideration should be given to the surrounding buildings in the street. Traditional vertical dormer windows usually complement the character and roof pitch of the existing house and will normally be acceptable."*

The proposed dormers to be installed in the revised principal roof slope are considered to be acceptable visually with regard to their size / scale, design and siting. The dormers would not dominate the roof and would be set up from the eaves and down from the roof pitch, with an appropriate area of the host roof slope retained and visible. For these reasons, it is not considered that the dormers would appear top-heavy, cluttered, or asymmetrical. Officers also note the existing presence of front dormers to properties west of the application site, including to No.'s 106, 108 and 112 Bradley Road.

With regard to the appearance of the dormers, the submitted plans suggest that the front and side elevations of the dormers would be faced in white cladding. However, it is recommended that in the event of any grant of permission, a condition be imposed to ensure that the walls of the dormers are faced in materials which are of a colour finish to match the roof and that the dormer roof & gables are infilled with matching tiles to those of the existing roof. This is to ensure that the dormers appropriately relate to the appearance of the house and existing roof and to attain appropriate levels of visual amenity.

Rear Extensions:

Paragraphs 5.8 of the House Extensions and Alterations SPD sets out that two-storey rear extensions will be considered based on the extent of overshadowing, loss of privacy and outlook and that, generally, two-storey rear extensions should:

- be proportionate to the size of the original house and garden
- not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings)
- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

The proposed gable roofed rear extension to 88 Bradley Road would have a projection of 5.15 metres. Whilst this projection exceeds the limitations as set out within the House Extensions and Alterations SPD, based on the individual merits of the existing dwelling and application site, it is considered that this projection would be acceptable visually. This is specifically because the proposed two-storey rear extension will replace existing single storey extensions to the rear of 88 Bradley Road.

The proposed gable roofed rear extension is considered to be of an acceptable scale, relative to the host property and would maintain an adequate sense of space within the plot.

Whilst officers note that this extension is not set down, with the same ridge height as the host roof, in this instance, on balance, it is considered that this design is acceptable from a visual amenity perspective, based on the individual merits of the proposal and application site for the following reason.

As part of previous application 2023/90482, negotiations took place to seek amended plans demonstrating the set down of the two-storey rear extension. However, the scheme under application 2023/90482 also saw the retention of the lean-to roofed extension, with this current application replacing the lean-to extension with a single storey flat roofed extension. On balance, it is considered that the flat roofed extension presents a lesser impact to the rear of the dwelling with regard to bulk / massing, alleviating some of the concerns raised during the determination of application 2023/90482, which resulted in negotiations for the set down of the gable extension. Therefore, officer's do not consider it reasonable in this instance to request the gable roofed extension be set down.

Furthermore, the exterior walls and roof of the two-storey rear enlargement would be faced in materials to match the appearance of the host property.

The Council's House Extensions and Alterations SPD states that single storey rear extensions 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 terrace houses or by 4 metres for detached properties
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposed flat roofed single storey rear extensions are considered to be of a subservient design, that will enhance the appearance of the host property, appearing more in keeping with the architectural form of the dwellinghouse in comparison to the existing rear extensions which they will replace. In addition, the erection of flat roof forms, by form, naturally reduces the potential for undue bulking and massing from the overall appearance of the extensions. The extensions will be faced in brick and render, in-keeping with the materials which will face the rest of the property.

In turn, it can be concluded that the single storey extensions will not be obtrusive additions to the host dwelling and will sympathetically complement the existing architectural style of the dwellinghouse.

Officers also note that the existing extensions to the rear of 88 Bradley Road appear complicated and unsympathetic, therefore, the erection of the proposed rear extensions is considered to improve the overall design quality of the property.

Front Extension:

Section 5.2 of the House Extensions and Alterations SPD focuses on front extensions, setting out that they are usually unacceptable due to the impact on the character of the area and visual amenity and will not normally be permitted unless:

- the house is well set back from the pavement or is well screened
- the extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area
- the materials and design match the existing features of the original house
- the extension would not unreasonably affect the neighbouring properties.

The design of the proposal is such that a single storey extension is proposed to the front of 88 Bradley Road. The size/scale of the proposal is such that, following the erection of the front extension, the original principal elevation would remain to be clearly read as such. The external walls of the front

extension would be faced in materials to match the host property, and the lean-to roof would be infilled with matching tiles. In addition, the front elevation of the proposed porch extension will be of an open design, with oak framing, which works to reduce any potential visual detriment from undue levels of bulking or massing. For these reasons, the proposed front extension would appear as subservient.

The host property is set back from the fronting highway of Bradley Road, meaning that the proposed front extension would also be set back. In addition, visibility of the proposed front extension would be partly screened from public vantage points as a result of the forms of boundary treatment in place along the frontage of the site.

For all of the reasons outlined above, it is considered that the proposal at 88 Bradley Road would not cause detrimental harm to the visual amenities of the host property or locality. The proposed development is therefore considered to comply with Chapter 12 of the National Planning Policy Framework, 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 88 Bradley 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 impact of the development on each of the neighbouring properties will be accessed in turn.

No. 86 Bradley Road:

This property is located to the east of the application site.

Whilst it is noted that the ridge and eaves height to the rear of the No. 88 would be increased as part of these proposals, it is not considered that the overall extent of built form within the plot of No. 88 would result in undue

levels of overbearing or overshadowing for the occupiers of No. 86. The increased height of the host dwelling would be separated from the shared boundary with No. 86 by a minimum distance of approximately 2.7 metres, with the proposed two-storey rear extension to retain a separation distance of approximately 8.5 metres from the shared boundary, and the closest single storey extension a minimum separation distance of approximately 5.7 metres from the shared boundary.

In addition, whilst officers note ground floor glazing proposed to the eastern side elevation of the proposed rear extensions, this glazing will replace the existing layout of glazing to the existing extensions to the rear of the property, including the glazed conservatory and window in the side elevation of the lean-to. Therefore, it is not considered that the proposals would result in any undue impacts of overlooking, over and above the existing relationship shared between No. 88 and No. 86 Bradley Road. Officers note that boundary treatment is in place along the shared boundary to further mitigate any potential impacts of overlooking.

In turn, it is concluded that the proposal to 88 Bradley Road would not result in undue levels of overbearing, overshadowing or overlooking for the occupiers of No. 86 Bradley Road.

No. 90 Bradley Road:

This property is located to the west of the application site.

It is noted that the raised eaves and ridge height of No. 88 and the two-storey gable rear extension, under application 2022/92993, were previously refused for reasons of impacts to the residential amenity of No. 90 Bradley Road. The two-storey gable rear extension under this previous application had an eaves height of 3.7 metres, a ridge height of 6.7 metres and a projection of 7.2 metres. The reasons for refusing this previous application, on the grounds of the residential amenity of No. 90, were as follows:

- The proposed extensions to 88 Bradley Road would result in an overbearing impact for the occupiers of this neighbouring property, with the dwelling only separated from No. 90 by approximately 4 metres and the entire dwelling of No. 88 to increase in height to a maximum roof pitch of 6.9 metres and presenting a significant increase in the extent of built form.
- The proposal will lead to an unacceptable extent of overshadowing, a sunlight calculator has been used to confirm this, whereby the works present increased levels of overshadowing from 8am until 2pm in the summer and between the hours of 08:30 and 13:30 in the winter. Given the extent of this overshadowing, especially in relation to the location of glazing on the eastern side elevation of No.90 at ground floor level, it is deemed that the works are unacceptable in this regard. It should be noted that the windows in the side elevation of No. 90 are concluded to serve habitable rooms internally, of a considerable size and not obscured glazed.

However, officers do note the grant of permission of application 2023/90482, which proposed a two-storey gable extension with an eave's height of 2.9 metres, a ridge height of 6.8 metres and a projection of 4.55 metres, with the host dwelling retaining an eaves height to the rear of 2.9 metres. This application was considered to have an acceptable impact on No. 90 Bradley Road for the following reasons:

"Whilst the reasons for the previous refusal of application 2022/92993 have been taken into consideration, this proposal would retain a separation distance of 4 metres from the windows on the eastern side elevation of No. 90 and the eaves height would not be built up as previously proposed, which would work to reduce overall levels of massing."

The amended plans submitted for this application show that the eaves height of the host dwelling would be raised to 4.2 metres to the rear, with the eaves height of the host dwelling proposed to be raised to approximately 3.8 metres to the rear under previously refused application 2022/92993. Therefore, the proposed extent of built form relating to the eaves height of the host dwelling is greater than that proposed under the previously refused application by approximately 0.4 metres.

Whilst officers acknowledge that the ridge height of the host dwelling under this application is to be 6.5 metres, with the previous approval at the site (2023/90482) proposing a ridge height to the host dwelling of 7.3 metres, the eaves height of the host dwelling under the approved application was to be retained at 2.9 metres to the rear, in comparison to an eaves height 4.2 metres to the rear as proposed under this application.

The above quotation taken from the officer's report for approved application 2023/90482 demonstrates that the alteration to the eaves poses greater impacts to residential amenity than the ridge height, and that, on balance, a higher ridge height can be deemed acceptable in relation to No. 90 Bradley Road, when the eaves is retained a lower height to the rear, 2.9 metres.

With regard to the two-storey gable extension, the eaves height of this addition under this application is to be a mix of 4 metres and 3.6 metres.

Whilst of a lesser projection to the two-storey gable extension proposed under refused application 2022/92993, the refused application showed the two-storey rear extension to have eaves heights of approximately 3.8 metres and 4.15 metres.

The two-storey gable extension under previously approved application 2023/90482 had an eaves height 2.9 metres and had a slightly lesser projection than that proposed under this application by approximately 0.6 metres. Whilst it is noted that the ridge height of the two-storey extension under this previously approved application was higher than that proposed under this application, as set out above, it is considered that the building up of the eaves poses greater impacts to residential amenity than a higher ridge height.

Whilst a bedroom window is proposed to the first floor of the western elevation No. 88, officers note that this would not change the existing relationship between No. 88 and No. 90 with regard to residential privacy, with a first-floor bedroom window installed to this elevation of the existing property. In addition, the floor plans show that the ground floor window to this elevation is to serve a bathroom and therefore, would likely be obscure glazed. A condition could

ensure that this ground floor window is obscure glazed were it the case permission was granted.

Therefore, it is considered that, on balance, this application would present unacceptable impacts to residential amenity, reintroducing reason 2 of previous refusal of application 2022/92993 with regard to impacts to No. 90 Bradley Road, especially with regard to the building up of the eave's height to the rear of the host dwelling and the eaves height proposed to the two-storey rear extension. Overall, therefore, the proposal is considered to have an unacceptable impact on residential amenity, leading to an unacceptable impact upon No. 90 Bradley Road.

Officers consider that the scheme as previously approved at the site, under application 2023/90482, is of a satisfactory design with regard to impacts to residential amenity for reasons of retaining the original eaves height of the host dwelling to the rear and carrying this eaves height through the rear two-storey extension.

No 148 Park Lea:

The shared boundary of this property is approximately 10 metres from the rear of the proposal, as such it is considered that the scale of the proposal and distance from this property would not lead to a significant impact with regard to overshadowing / overbearing.

The rear window serving a bedroom would face towards this property although it is considered at these properties are at a 90-degree angle in terms of the rear elevations and these elevations are not directly opposite one another the impact from overlooking is not considered to be significant in this case.

It is considered that the proposed works would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect. It should be noted that the first-floor window to the western side elevation is existing.

Having considered the above factors, with the inclusion of the aforementioned condition, the proposals are not considered to result in any detrimental impacts upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and Chapter 12 of the National Planning Policy Framework.

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.

The proposed developments are considered acceptable from a highway safety perspective because, although they present a significant increase in residential use of the property, an extensive driveway is retained to the front of the property that would allow for the parking of 3 vehicles. This would be sufficient to serve a 5-bedroomed property.

Additionally, the proposed works will not impact upon existing access to and from the project in conjunction with the adjoining highway.

For these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

Sufficient space to the side and rear of the property would be retained for the storage of wastes in compliance with KDP 16 of the 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.

The applicant has submitted a climate change statement as part of this application, which sets 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 mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

6) Conclusions

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.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development proposals do not accord with the development plan and the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF taken as a whole.

Recommendation: Refuse

Decision Authorisation – Delegated Powers

Application Number: 2024/92174

Officer Recommendation: Refuse

Reason for Refusal:

1. The proposed raised eaves and ridge height of the host dwelling, and the proposed two-storey gable rear extension, cumulatively, by virtue of their scale, design and siting would lead to a detrimental overshadowing and overbearing impact to the occupiers of No. 90 Bradley Road. Therefore, the proposal would fail to retain a high standard of amenity for existing occupiers of this neighbouring dwelling, contrary to Policy LP24 of the Kirklees Local Plan, Key Design Principles 4, 5 and 6 of the Kirklees House Extensions and Alterations Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Survey Drawing	09	-	01.08.24
Proposed Drawing	10	B	16.10.24
Climate Change Statement	-	-	01.08.24

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.

The case officer entered into negotiation with the planning agent / applicant, providing notification that the Local Planning Authority would be unable to support the scheme, on the basis of the original plans submitted, for reasons of re-introducing reason 2 of the refusal of planning application 2023/92993 in relation to the impact on No. 90 Bradley Road. In response to the case officers' comments, amended plans were submitted, to show the eaves height to the rear reduced by 0.6 metres.

Report dated: 16.10.24