

**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:	2024/62/93105/W
Site Address:	684, Bradford Road, Fixby, Huddersfield, HD2 2JY
Description:	Erection of two storey rear extension and first floor front extension with alterations to roof
Recommending Officer:	Molly Storer

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 20-Dec-2024

The Site

684 Bradford Road is a two-storey semi-detached property located in Fixby, Huddersfield. The property is constructed from stone and has a mix of roofing styles erected, with blue slate tiles. The property benefits from a driveway to the front elevation, which stretches down the side elevation of the dwelling to a detached garage.

The property is located in a residential area where there is a variety of property styles within the street scene. The properties located along Bradford Road share a similar style of design and construction however, they do have a varied use of external construction materials, therefore their external appearance differs.

The application site is Unallocated in the Kirklees Local Plan however, it should be acknowledged that classified Housing Allocated Land is located to the rear of the boundary of curtilage of the dwellinghouse.

The Proposal

The application is seeking planning permission for the erection of a two storey and single storey rear extension and first floor front extension with alterations to roof.

The rear element will extend 3m beyond the rear wall and will replace the existing (original) reward projection. This will be comprised of a single storey element and a two storey element. The two storey element will have a width of 6.22m, a height to the eaves of 5.75m on one side and 5.25 on the other (this was a change to the original design to accommodate for the lowering of the ridge high whilst retaining the required space internally) and an overall height of 8.8m with a gable roof. The single storey element will have a width of 2.1m, height to the eaves of 2.9m and an overall height of 3.9m with a lean to roof.

The first floor front extension will be located above an existing frontward flat roof projection on the ground floor and will infill a space between the front bedroom and the hallway on the first floor. It will project 3.615m from the front elevation and have a width of 3.99m. This will create space for an additional bedroom.

Planning History

No relevant planning history at the site.

Looking at aerial imagery the flat roof single storey front extension appears to be constructed between 2006 and 2009 however there is no planning history for this development.

History of Negotiations

Amendments were sought as the original plans showed the gable roof height extending above the existing roof ridge. The agent amended plans to show the proposed ridge in line with the existing. In order to maintain the internal space required this meant lowering the eaves height by 0.5m on one side.

Concerns were also raised with regard to the impact on No.686. The agent provided an example of a potential PD fallback option for a 3m extension along the boundary.

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.

Final publicity date expired 6th December 2024.

No representations were made as a result of the publicity.

Consultations

No statutory consultations were requested for this application.

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).

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
- LP51 Air Quality

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 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:

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- 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 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.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Other matters – e.g. trees/ecology (e.g. bats)
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, the principle of extending the existing dwelling is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

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.

Paragraphs 5.5, 5.6 & 5.8 of the House Extensions & Alterations SPD are of relevance with regards to the rear extensions as they require the development proposed to maintain the quality of the residential environment and relate well to the neighbouring buildings. It states rear extensions should generally not be visible from the street and should retain a reasonable living environment for the property being extended.

The single storey element would not maintain a gap of 1 metre to the property boundary and would project 3m. However, in this instance this specific proposal (for the rear extension) would not be classed as permitted development due to it also projecting from an original side wall. It was suggested that consideration should be given to setting in the extension from the boundary, however the agent responded and justified the scheme by putting forward an example of a PD fall back option in which an extension could be separated from this side wall marginally whilst being built up 3m along the boundary. This was considered to be acceptable justification as the proposed design was a better visual design than the example with a separation gap between the existing and proposed rearward projections. Therefore, on balance this was considered acceptable in this instance.

The two storey element has a projection of 3m and would form an acceptable development relative to the host property in terms of its scale. The property would retain the majority of the amenity space. The materials proposed includes the use of stone for the walling with blue slate roof tiles for the roof covering to match that of the rear of the property. The roof type and fenestration are considered to form an appropriate relationship with the host property. The rear extensions proposed are therefore considered to be acceptable in terms of visual amenity.

Section 5.14 of The House Extensions and Alterations SPD states that front extensions are usually unacceptable due to their impact on the character of the area and visual amenity. Front extensions will not normally be permitted unless:

- The dwelling is set back from the pavement or is well screened
- The extension is small, subservient and 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 dwellinghouse
- The extension would not unreasonably affect the neighbouring properties

With regards to the application, all of the above apply and it is considered that the front extension will replace the unsympathetic flat roof design, therefore the proposal can be deemed acceptable in this instance due to its position and scale in relation to the host property.

Having taken the above into account, the proposals would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

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.

Section 5.1 of the SPD states that rear extensions should maintain the quality of the residential environment and relate well to the neighbouring buildings.

The House Extensions and Alterations SPD also 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.”*

There are no neighbours to the front or rear which could be affected by the works proposed.

Impact on 682 Bradford Road property located to the south of the application site.

With regards to the proposed single storey rear extension, as this infills the space between the existing dining room and proposed two storey element, this element will be screened by the applicant property. The two storey rear element will be visible from No.682 however, there are no windows proposed in the west elevation and it will extend merely 1.255m more than the existing rearward projection. There will also be a separation distance of ~4.15m maintained, reducing any significant overbearing or overshadowing impact. With regards to the first floor front extension, this will have no additional windows in the side elevation and will have a separation distance of 3.5m to the property boundary with a height which is lower than the existing. Therefore, it is considered that the proposal will not significantly impact the amenity of these neighbours.

Impact on 686 Bradford Road – property located to the north of the application site.

With regards to the rear extensions there will be no additional windows in the north side elevation and therefore privacy would not be significantly impacted as a result of these proposed works. There would be additional bulk and massing closer to this property however, the two storey element would still be located at a separation distance of 2.1m away from the property boundary. Therefore, this element, due to the separation distance and the limited projection is considered not to have a significant overbearing/overshadowing impact. Furthermore, weight is given to the PD fall back option of a 3m single storey extension built up to the boundary.

With regards to the front element, this will be located on the opposite side of the property to No.686 and will be screened by the applicant property's

existing forward projection. Therefore, it is considered that there will be no significant overlooking/overshadowing as a result of this element.

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 domestic use of the application site would increase to a four bedroom house. However, there would be no alterations to highway access, and the level of parking on the front/side driveway and garage would be retained which is considered sufficient to serve an adequate amount of parking for a four bedroom dwelling. This is considered acceptable in terms of KDP 15.

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:

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. This includes KDP 8-11 of the SPD.

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application which provides proportionate details of the response to climate change in the development.

6 – Representations:

None received

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. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2024/93105

Officer Recommendation: Approval

Conditions

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 (as amended).

1. 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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	2129-24-001	-	31/10/2024
Proposed elevations, location and block plans	2129-24-003	B	11/12/2024
Proposed floor plans	2129-24-002	C	11/12/2024
Climate Change Statement	2129	-	31/10/2024
Application form	-	-	31/10/2024

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. Amendments were sought as original plans showed the gable roof height extending above the existing roof ridge. The agent amended plans to show the proposed ridge in line with the existing. In order to maintain the internal space required this meant lowering the heaves height by 0.5m on one side. These plans were considered acceptable.

Report Dated:

25/12/2024