

**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:	2024/62/93600/E
Site Address:	103, Bedale Drive, Skelmanthorpe, Huddersfield, HD8 9EU
Description:	Erection of single storey side and rear extension, alterations to attached garage and erection of raised decking
Recommending Officer:	Elenya Jackson

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.

Emma Thompson

AUTHORISED OFFICER

Date: 17-Feb-2025

OFFICER REPORT

Site Description

103, Bedale Drive, Skelmanthorpe, Huddersfield, HD8 9EU is a single storey detached bungalow which currently benefits from a driveway, private garage and amenity space to the side and rear of the dwelling.

The immediate vicinity of the dwelling is residential in nature, with dwelling of mixed scale and design. Properties along Bedale Drive are both two storey and bungalows and are predominantly red brick which creates cohesion within the street scene.

The property is located on a corner plot within the street scene between Bedale Drive and Bedale Avenue; building lines within the street scene are consistent with properties being set back from the street scene by front gardens.

The site is located in a low risk coal area.

Description of Proposal

Erection of single storey side and rear extension, alterations to attached garage and erection of raised decking

Single Storey Side Extension

The proposed extension would be located on the western elevation of the dwelling.

This would extend 3.3m beyond the side elevation of the host dwelling (the previously withdrawn scheme had a width of 4.6m), be set back from the principal elevation by 43cm, be set down from the ridgeline by 10cm and a depth of 13.3m (the withdrawn scheme had a depth of 15.4m).

Garage Alterations

The proposal would amend the roof of the existing garage from a flat roof to a pitched roof and increase its depth from 6.3m to 6.4m.

Relevant Planning History

2024/62/92672/E: Erection of single storey front, side and rear extension, alterations to garage and formation of decking. Withdrawn

2024/93601: Demolition of existing garage, erection of single storey side and rear extension and raised decking. Not yet determined.

2024/93600: Erection of single storey side and rear extension, alterations to attached garage and erection of raised decking. Current application.

2024/93602: Demolition of existing garage, erection of single storey side and rear extension and raised decking. Not yet determined.

Representations

The application was initially advertised by neighbour notification letters, which expired on 14/02/2025

One comment received in support of application.

Consultation Responses

Denby Dale Parish Council: No objections.

Negotiations

N/A

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map.

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP22**- Parking
- **LP53**- Contaminated and unstable land

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene.

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 (revised February 2025), and 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.

- Chapter 12 – Achieving well-designed and beautiful places

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Negotiations
- 7) Conditions
- 8) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

It is considered that the House Extension and Alterations SPD is relevant in this instance as the proposal would be an extension within a residential curtilage.

Key Design Principle 1 of the House Extension & Alterations SPD states that 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.

Furthermore, Key Design Principle 2 of the House Extension & Alterations SPD goes on to state that 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 details.

As previously highlighted, the dwelling occupies a corner plot fronting Bedale Drive with side elevation located along Bedale Avenue.

Section 5.3 of the Kirklees House Extensions and Alterations SPD refers to corner plots and states that, extension should relate to both street frontages and be set back from the existing building line.

This application has been received following the withdrawal of a single storey side extension.

The dwelling currently sits at the top of Bedale Avenue and in a corner location with Bedale Drive. The proposal would have a ridge line slightly lower than existing dwelling and the proposal has been amended to be set back from the principal elevation of the dwelling. Therefore, the proposal would accord with the build line of Bedale Drive.

Previous applications at the site have been withdrawn following concerns raised by officers due to the width of the extension resulting in the building being significantly set forward of the build line along Bedale Avenue. It is noted that built form follows a similar building line along Bedale Avenue and the erection of any extension towards the highway would compromise that. As

set out in the Kirklees House Extensions and Alterations SPD where a group of buildings have a clearly defined building line this should be retained. To this end, the proposal has been reduced in width by 1.3m and despite being set a minimum of 2.8m into the plot, the proposal would still extend approximately 1.1m beyond the existing build line of Bedale Avenue.

It is considered that, due to the currently uninterrupted build-line within Bedale Avenue, the existing dwelling being situated within a highly prominent position within the street scene when coupled with the limited screening of the site, the single storey side extension would be read within the public realm as an obvious and obtrusive addition within the street scene which would fail to integrate with the host dwelling and the open character of the area contrary to the House Extensions and Alterations SPD and Policy LP24 of the Local Plan. Although the proposal would be set marginally the back from the principal elevation of the dwelling, it is considered that the resultant extension would be a considerable length of development along the south-western boundary of the site which has no screening and extends beyond the building line of the site. It is considered that the scale of the side extension would fail to appear subservient to the host dwelling and appear as a later addition that does not assimilate well within the street scene.

It is considered that the location of the proposal when coupled with its length, elevated position in the street scene and lack of screening from the public realm would result in an extension which is overly prominent, out of keeping with the street scene and fail to integrate with the host dwelling. In turn, would detract from the character of the area.

Officers have no significant concerns regarding the appearance of the decking.

Having taken the above into account, the proposed development would cause significant harm to the visual amenity of the character of the area and wider street scene, thus failing to comply with Policy LP24 of the KLP and the aims of Chapter 12 of the NPPF.

3 – Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extension & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

101 Bedale Drive: adjoins the application site to the north-east.

Overlooking: The proposed extension would feature one side facing window. This would face a blank elevation at no.101 and therefore no significant issues would arise regarding overlooking.

Overshadowing/loss of light/overbearing: It is considered that the alterations to the garage roof and depth would increase the scale of the structure

adjacent to neighbouring dwelling; however, this would be largely in line with the main dwelling at no. 101 and would not raise any significant concerns regarding overshadowing/loss of light or overbearing.

12 Bedale Avenue: adjoins the application site to the south-east.

Overlooking: The proposal would not feature any additional rear facing windows.

Overshadowing/loss of light/overbearing: The rear of the proposal would be located 10m away from the side elevation of no.12 and 3.6m away from the private amenity space of no.12. It is acknowledged that this is a close relationship and the dwelling is on higher ground than no.12, but it is considered that due to the proposal being single storey no significant issues would arise regarding overshadowing/loss of light/overbearing.

It is considered that the proposal would have an acceptable relationship with the neighbouring properties and their residents thus according with LP 24 of the Kirklees Local Plan, Key Design Principles 3, 5 and 6 of the Kirklees House Extensions and Alterations SPD and guidance contained within Chapter 12 of National Planning Policy Framework

4 – Impact on highway safety:

The proposal would not interrupt parking allocation on site and there are no restrictions to parking within the street scene.

The proposal would therefore comply with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions and Alterations SPD.

5– Other matters:

Carbon Budget

The proposal is an extension to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

6 – Representations:

One comment has been received in support of the application which is noted. For the aforementioned reasons the proposed development cannot be supported.

7 – Negotiations:

No revised plans have been requested during the application process

8 – 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.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would not constitute sustainable development and is, therefore, recommended for refusal..

Recommendation

REFUSE

Decision Authorisation - Delegated Powers

Application Number: 2024/93600

Officer Recommendation: Refuse

Conditions and Reasons

Conditions and Reasons:

1. The proposed extension, by virtue of its scale, massing, design and prominent location, would result in the creation of an incongruous feature within the street scene which would fail to respect the defined building line, integrate with the host dwelling and detract from the open character of the area to the detriment of visual amenity. To permit this development would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extensions and Alterations SPD and advice within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan			20/12/2024
Site Plan	2		20/12/2024
Existing and proposed plans	1		20/12/2024
Climate change statement			20/12/2024

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 has, 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.

Due to the scale, design and mass of the proposal when coupled with its location in the street scene, significant alterations would be required to the

application and therefore officers did not request alterations during the course of the application.