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:	**2024/62/93601/E**
Site Address:	103, Bedale Drive, Skelmanthorpe, Huddersfield, HD8 9EU
Description:	Demolition of existing garage, erection of single storey side and rear extension and raised decking
Recommending Officer:	Elenya Jackson

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.

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

Demolition of existing garage, erection of single storey side and rear extension and raised decking

Single Storey Side Extension

The site currently benefits from a garage on its north-eastern elevation which would be replaced by the proposed extension.

The extension would project 3.3m beyond the side elevation of the dwelling (this matches the scheme under application 2024/93602), have a depth of 14.7m and extend a maximum of 6.1m beyond the rear elevation of the dwelling (This is 2.1m further than other schemes currently under consideration). The proposal would be stepped at the rear which would have a projection of 4.1m.

The extension would have a width of 7.2m across the rear which is consistent with other schemes currently under consideration.

This would feature a pitched roof.

The proposed decking would extend 1.3m beyond the rear elevation of the original dwelling.

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. Current Application.

2024/93600: Erection of single storey side and rear extension, alterations to attached garage and erection of raised decking. Not yet determined

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 14/02/2024

One comment was received in support of the 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
- **LP33**- Trees
- **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 onto 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.

The extensions can be split into two elements, a side extension and a rear extension:

Side extension:

Section 5.3 of the Kirklees House Extension and Alteration guide refers to side extensions and corner plots and states that, extension should relate to both street frontages and be set back from the existing building line, not exceed a maximum height of 4m and not extend more than 2/3 of the width of the original house.

Officers consider that the extension would be set back from the principal elevation of the dwelling and set down from the ridgeline of the dwelling. Thus, the proposal would conform to the building line of the street scene. The proposal would extend to the side boundary; however, it is considered the

proposal would follow the width of the existing garage on site. Therefore, the side element of the extension is considered acceptable in this instance.

Rear Extension:

Section 5.1 of the house extension and alteration SPD refers to rear extensions and states that 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 terraces houses or by 4 metres for detached properties.
- Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters.
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The rear element of the proposal would extend a maximum of 6.1m beyond the rear elevation of the host dwelling which would not comply with the SPD and the proposal does not benefit from an approved larger home notification in this instance.

However, the proposal would be located adjacent to the garage of no 101 and would extend a similar distance down the garden as this projection. Officers consider that as there is limited screening from the public realm for the rear amenity space of these dwellings, a projection of this depth would not be read as overly discordant in this instance.

The proposal would be stepped so that where the extension is closer to the public realm, there is a reduction in depth of the proposal to aid its integration with the host dwelling.

The eaves of the dwelling would be a minimum of 2.8m and a maximum of 3.4m due to the change in topography at the site. It is considered that the proposal would still be read as a subservient addition to the host dwelling and would integrate with the street scene and host dwelling.

The use of matching materials would further aid the proposals assimilation with the host dwelling.
Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, thus complying with Policy LP24 of the KLP and the aims of Chapter 12 of the NPPF.

<u>3 – Impact on residential amenity</u>:

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 for a bathroom. 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 on site would increase the maximum height of development on the shared boundary and increase the width; however, officers consider this would be set away from the main dwelling due to the existing garage at 101 which would screen the majority of the proposal. Therefore, no significant concerns regarding overshadowing/loss of light or overbearing would be raised.

12 Bedale Avenue: adjoins the application site to the south-east. There is 13m between the main dwelling and no.12 and 7.5m between the application dwelling and the site boundary.
Overlooking: The proposal would feature one rear facing windows for a bedroom and living room. These would be 4m closer to no.12 than the host dwelling. It is considered that there is already an overlooking relationship between the application property and no.12. Therefore, no significant issues would be raised regarding overlooking.
Overshadowing/loss of light: The proposal would be located to the north of no.12. It is acknowledged there is a change in ground levels between the properties; however, due to the orientation of the dwellings and the proposal not increasing the maximum height of the dwelling; no significant issues would be raised regarding overshadowing/loss of light or 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

<u>4 – Impact on highway safety</u>:

The proposal would retain existing site access and two parking spaces would be retained on site.

Alterations are proposed to the highway via the extension of an existing dropped kerb. The applicant is remined that alterations to the highway require consent from the Highways Authority.

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 letter in support was received during the application.

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 constitute sustainable development and is, therefore, recommended for approval.

Recommendation **APPROVE**

Decision Authorisation - Delegated Powers
Application Number: 2024/93601
Officer Recommendation: Approve
Conditions and Reasons

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP11, LP21, LP22, LP24, LP30, LP33, LP52 and LP57 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The external facing and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Note: The changes to the access within the adopted highway fronting the property, to provide a dropped kerb, will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	0S		20/12/2024
Site Plan	6		11/02/2025
Existing and proposed plans	4		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.

No further alterations deemed necessary as the application is considered acceptable in its current format.