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**Report of the Head of Planning and Development**

**HUDDERSFIELD PLANNING SUB-COMMITTEE**

**Date: 16-Jun-2022**

**Subject: Planning Application 2022/90680 Erection of single storey extension and summer house 52, Benomley Road, Almondbury, Huddersfield, HD5 8LS**

**APPLICANT**

Mr & Mrs Hollinson

**DATE VALID**

26-Apr-2022

**TARGET DATE**

21-Jun-2022

**EXTENSION EXPIRY DATE**

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

**LOCATION PLAN**



**Map not to scale – for identification purposes only**

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**Electoral wards affected: Almondbury Ward**

**Ward Councillors consulted: No**

**Public or private: Public**

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**RECOMMENDATION:**

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

**1.0 INTRODUCTION:**

1.1 This report relates to the erection of single storey extension and summer house at 52, Benomley Road, Almondbury, Huddersfield, HD5 8LS. It has been brought to the Huddersfield Sub-Committee for determination in accordance with the Council's Scheme of Delegation as the applicant is closely related to a council employee who works within the Growth and Regeneration Service.

**2.0 SITE AND SURROUNDINGS:**

2.1 52 Benomley Road, Almondbury is a detached, two-storey dwellinghouse with a link-attached garage to the fore and conservatory to the rear. It is faced with stone and roofed with concrete tiles. It sits on a cul-de-sac with a driveway and small landscaped amenity space to the front. The rear garden is timber fenced adjacent to the road. The land falls from southwest to northeast gradually.

**3.0 PROPOSAL:**

3.1 The proposal seeks to erect a single-storey extension to the rear of the attached garage and to the side of the main dwelling house. This would have a lean-to roof and it would be flush with the rear wall and roof slope of the garage. It would be set back from the rear elevation of the host building.

3.2 The extension would project 3m from the side elevation of the main body of the dwelling and have a depth of 4.2m with a roof ridge height of 4.8m and eaves height of 3.3m from ground level.

3.3 The extension would be finished in stone under a concrete tile roof to match the existing dwelling. The extension would have a wrap-around glazed section which would cover the entire width of the rear elevation and part of the side elevation. It would serve to extend an open plan living/dining/kitchen room and the host building would have internal alterations to re-configure rooms.

3.4 In addition, it is proposed to erect a detached, mono-pitch roofed summerhouse within the rear garden, to the eastern corner of the property. Its dimensions would be 2.44m width and 1.8m depth and its mono-pitch roof would have a maximum and minimum roof height of 2.1m and 1.9m from ground level (given these dimensions, it is unlikely this element of the proposal required planning permission).

3.5 It would be finished in timber and have a roofing membrane forming its mono-pitch roof. Openings would be located on the front and side elevations, with none to the rear elevation. A section of new patio would be extended at lower ground level to enjoy the summerhouse.

#### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

4.1 89/07030 – Erection of 23 no. detached dwellings with associated road and sewers – Conditional Full Permission on 16/02/1990.

4.2 87/00920 – Outline application for residential development – Granted Conditionally on 14/05/1987.

#### **5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):**

5.1 None.

#### **6.0 PLANNING POLICY:**

6.1 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 27<sup>th</sup> February 2019).

##### Kirklees Local Plan (2019):

6.2 The site is unallocated on the Kirklees Local Plan Proposals Map

- LP 1 – Presumption in favour of sustainable development
- LP 2 – Place shaping
- LP 21 – Highways and access
- LP 22 – Parking
- LP 24 – Design
- LP 30 – Biodiversity & Geodiversity
- LP 51 – Protection and Improvement of Local Air Quality

##### Supplementary Planning Guidance / Documents:

6.3 House Extension and Alterations SPD  
Highways Design Guide SPD

##### National Planning Guidance:

6.4 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20<sup>th</sup> July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

6.5 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 9** – Promoting sustainable transport
- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 15** – Conserving and enhancing the natural environment

## **7.0 PUBLIC/LOCAL RESPONSE:**

7.1 The application has been publicised in accordance with statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. The publicity expired on 01/06/2022. No representations have been received at the time of writing this report.

## **8.0 CONSULTATION RESPONSES:**

### **8.1 Statutory:**

None required

### **8.2 Non-statutory:**

None required

## **9.0 MAIN ISSUES**

- Principle of development
- Urban design issues
- Residential amenity
- Highways safety
- Other matters
- Representations

## **10.0 APPRAISAL**

### Principle of development

10.1 The site is without notation on the Kirklees Local Plan (KLP). Chapter 2 of the NPPF states that:

*“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

10.2 Chapter 2 of the NPPF goes onto 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...”*

10.3 In line with the NPPF, Policy LP1 of the KLP declares that:

*“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

10.4 In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other relevant material planning considerations, including visual and residential amenity, as well as highway safety.

#### Urban Design issues

10.5 The NPPF offers guidance relating to design in Chapter 12 (achieving well-designed places) whereby Paragraph 126 of the NPPF 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.”*

10.6 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.

10.7 Policy LP24 of the KLP 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...*

and

*‘c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”*

10.8 The Kirklees House Extension and Alterations SPD sets out design guidance of specific relevance to extensions and outbuildings in conjunction with broader principles to support high quality design.

10.9 Principle 1 of the Kirklees House Extensions and 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. In addition, Principle 2 of this SPD states 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 detail.

10.10 The property is located on a residential close with other properties of a relatively similar style and material palette, with some of the houses being extended and altered. Officers consider that dependent upon design, scale and detailing, it may be acceptable to extend the host property.

10.11 The proposal under consideration consists of two distinct elements which shall be addressed below.

*Single-storey rear extension*

10.12 The proposed extension would technically be both a rear extension, as well as a side extension to the dwelling.

10.13 In respect of single storey rear extensions, the Kirklees House Extensions and Alterations SPD (SPD) outlines that these can have an adverse impact on neighbouring properties and gardens.

10.14 The SPD sets out specific guidance on single-storey rear extensions, and states that these 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 4 metres for detached properties;*
- *where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and*
- *retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.”*

10.15 With regard to single storey side extensions, the SPD states that these should:

- *“not extend more than two thirds of the width of the original house;*
- *not exceed a height of 4 metres; and*
- *be set back at least 500mm from the original building line to allow for a visual break.”*
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10.16 With reference to the guidelines within the SPD, this extension would not project more than two thirds of the width of the original house, nor would it project out more than 4 metres from the detached dwelling (in fact it would be set behind rear wall of the main body of the dwelling still). The extension would also be more than 1 metre away from the side boundary of the property (3.3 metres).

10.17 The extension would however exceed 4 metres in height (4.8 metres). Despite this, Officers consider that the extension would appear to be a modest and subservient addition to the original dwelling. This is due to its single storey height in relation to the main body of the building, its relatively limited footprint and that it would be set back from the rear elevation of the main body of the dwelling. Given its modest scale, its materials to match the existing dwelling and that it would have a flush side wall and roof with the side wall and roof of the existing garage element of the building, it is considered that this extension would appear as a harmonious addition to the existing dwelling.

10.18 In addition, with it being positioned behind the garage and to the side of the main body of the dwellinghouse, it is considered that this extension would be largely screened from the street by the bulk and massing of the existing building.

- 10.19 Further to this, even when taking into account the outbuilding proposed, the property would retain most of its rear garage as a result of the proposal, and external access to the rear garden would be retained.
- 10.20 Officers therefore consider that the proposed single storey extension would form a subservient addition and would be in-keeping with the character of the dwelling. This element is therefore considered to be acceptable in terms of its impact upon the visual amenities of the locality.

#### *Single-storey outbuilding*

- 10.21 The SPD states that outbuildings can have as much of an impact on the appearance of the building as any other extension. It goes on to note that wherever possible these should reflect the style, shape and architectural features of the existing house and not be detrimental to the space around the building.
- 10.22 The SPD sets out specific guidance on outbuildings and outlines that these should:
- *“be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;*
  - *be set back behind the building line of the original building so that they do not impact on the street scene; and*
  - *preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and*
  - *follow a general principle that no more than 50% of garden space should be lost.”*
- 10.23 The detached outbuilding would be 2.4m width and 1.8m depth with its mono-pitch roof no more than 2.15m height from ground level. Officers hold the view that this would clearly be subservient in scale and footprint when considering the property is two-storey and has a relatively large footprint. It would be set to the rear and east of the property and behind the building line accordingly. The bulk and massing of the dwelling would screen the outbuilding from view at the front and the 1.8m boundary fencing to the southwest adjacent to the highway and the conservatory closer to the highway would aid in partially screening the outbuilding from the highway. In addition, the property would retain a large garden space for the private amenity of the house occupants. The outbuilding would be faced with timber and have a minor section of patio added to integrate it with an existing patio which would be considered to blend in within its residential garden setting. The outbuilding is also unlikely to require planning permission with reference to the General Permitted Development Order.
- 10.24 It is therefore considered that the proposed single storey outbuilding would form a subservient addition given its size and design and would be in-keeping with the character with the host property when viewed in the context of the existing dwelling's garden. It is therefore considered that the proposed outbuilding would not cause detrimental harm to the visual amenities of the locality.
- 10.25 Given the above, Officers consider that the proposals would accord with Policy LP24(a) and (c) of the Kirklees Local Plan, Principles 1 and 2 of the Kirklees House Extension and Alterations SPD and Chapter 12 of the NPPF.

## Residential Amenity

- 10.26 Section B and C of Policy LP24 of the Kirklees Local Plan states that alterations to existing buildings should:

*“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”*

- 10.27 Further to this, Paragraph 130 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.

- 10.28 Principle 3 of the SPD sets out that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours. In addition, Principle 4 notes 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. Furthermore, Principle 5 states that extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property. Principle 6 states extensions and alterations should not unduly reduce the outlook from a neighbouring property.

### *Impact on 96 and 98 Benomley Crescent (to the east of the site):*

- 10.29 The single-storey side extension and outbuilding would both have windows facing towards the rear elevations of these neighbouring properties. However, these windows would face towards a 1.8m high boundary timber fence and there would be a separation distance of at least 24m metres between habitable windows. It is therefore considered that the proposal would not result in undue harm in terms of overlooking or loss privacy for these neighbouring properties. Given the modest scale of the extension and outbuilding, their set off from these neighbouring properties and dwellings, and the intervening fencing it is also considered that the proposal would prevent undue harm to these properties in terms of loss of light, loss of outlook, overshadowing or the creation of an overbearing effect.

### *Impact on 48 and 50 Benomley Road (to the rear of the site):*

- 10.30 The single-storey rear extension would have a rear window facing towards the rear wall of No. 50 (at a slight angle), with a separation distance of 15m, and this window would face slightly away from the rear wall No. 48's with a separation distance of 15m. In between, at the boundary to these properties, is a close boarded timber fence approximately 1.5m high as well as abundant green screening with trees and shrubbery serving to either obscure or partially obscure the habitable windows of the properties from the site. The rear of the outbuilding would be windowless facing southeast and whilst it would be close to the rear boundary, it would offer no clear views of those properties. It is therefore considered that the proposal would not cause undue harm to these neighbouring properties in terms of loss of privacy or overlooking. Furthermore, given the modest scale of these proposed elements and their siting in relation to these neighbouring properties, it is considered that the proposal would prevent adverse harm to these neighbours in terms of loss of light, loss of outlook, overshadowing or the creation of overbearing effect.



*Impact on 62 and 64 Benomley Road (to the west of the site):*

- 10.31 The single-storey rear extension would be mostly screened from these properties by being set behind the rear wall of the existing dwelling at No.52, thereby helping to prevent undue overshadowing and overbearing impacts, as well as adverse overlooking. The outbuilding would be more than 24 metres away from these neighbouring dwellings and partially screened from them by a 1.8m high close boarded timber fence on the boundary. It is therefore considered the proposal would not have any detrimental impacts to the occupiers of these properties in terms of loss of outlook, loss of light, overshadowing, loss of privacy or overbearing effects.
- 10.32 Given the above, is considered that the proposals would not cause undue harm to the amenities of any neighbouring properties, in accordance with Policy LP24 (b) and (c) of the KLP and Chapter 12 of the NPPF.

Highway issues

- 10.33 Policies LP21 and LP22 of the Kirklees Local Plan, the Council's adopted Highway Design Guide and Principle 15 of the SPD relate to access and highway safety as well as parking standards and are considered to be relevant to the consideration of this application.
- 10.34 It is considered that the proposal would unlikely result in the intensification of the residential property as it would not add any bedrooms or reduce available off-street parking with the double garage remaining in use. It is therefore considered not to have a detrimental impact on highway safety and is concluded to accord with Policies LP21 and LP22 of the Kirklees Local Plan, the Council's adopted Highway Design Guide, the SPD and Chapter 9 of the NPPF.

Other Matters

*Climate change:*

- 10.35 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. This includes key design principles of the SPD, in particular nos. 8-11.
- 10.36 The proposal consists of a single-storey extension and an outbuilding which are relatively small scale and would retain a large proportion of the landscaped garden. However, it would involve construction of low carbon embodied material in natural stone and natural timber. The use of stone, furthermore, is a locally available material that has a long life and which requires little maintenance. This is in accordance with Principle 9 of the SPD.

10.37 As such, no special measures were considered to be required in terms of the planning application with regards to carbon emissions particularly as there are controls in terms of Building Regulations which would need to be adhered to as part of the construction process.

*Coal mining legacy:*

10.38 The site is within a Low Coal Risk Area and this is a Householder application. The standing advice is that subject to a note appended to a decision notice, there remains no further duty in relation to this Area.

*Biodiversity:*

10.39 The site is located within an identified bat alert area with likely wildlife corridors formed of wooded areas to the west, south and east of the site. Key Design Principle 12 of the SPD looks for how extensions might contribute towards the enhancement of the natural environment and biodiversity. In this case the proposal is relatively modest with minor alterations to a relatively modern and well-sealed roof and therefore it is considered unlikely that the proposals would have a negative impact on the bat population. Furthermore, the limited height of the proposed extension and elements of glazing would make it unsuitable for bird or bat roosts to be incorporated into the structure. The design and construction of the outbuilding would also be unsuitable to provide features to support biodiversity net gain.

10.40 An informative footnote can be appended to decision notice however should permission be granted, so as to notify that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward fulfilling duties to a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

Representations

10.41 No representations have been received from members of the public following publicity.

**11.0 CONCLUSION**

11.1 This application to erect a single-storey rear extension and a single-storey detached outbuilding to 52, Benomley Road, Almondbury, Huddersfield, HD5 8LS has been assessed against relevant policies in the development plan, the National Planning Policy Framework and other material considerations.

11.2 The proposed development is considered to have an acceptable impact to the residential amenity of neighbouring occupiers and also an acceptable visual impact to both the host property and the wider street scene which is in accordance with Policies within the Kirklees Local Plan, accompanying SPD and national planning policy as discussed within the 'Visual Amenity' and 'Residential Amenity' sections of this report.

- 11.3 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.
- 11.4 It is considered that the development proposals do accord with the development plan and the impacts of granting permission would accord with policies in the NPPF and other material considerations. It is considered that therefore the proposed development would constitute sustainable development and is recommended for approval.
- 12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)**
1. Standard three-year timeframe for commencement of development.
  2. Development to be completed in accordance with approved plans and specifications.
  3. The external walls and roofing materials of the single storey rear extension hereby approved shall in all respect match those used in the construction of the existing dwelling.

**Background Papers:**

Application and history files:

[Link to application details](#)

Certificate of Ownership – Certificate A signed