
Report of the Head of Planning and Development**HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 21-Sep-2023****Subject: Planning Application 2023/91145 Erection of first floor extension over existing single storey side extension and rear single storey extension 49, Manorstead, Skelmanthorpe, Huddersfield, HD8 9DW****APPLICANT**

H McKerchar

DATE VALID

28-Apr-2023

TARGET DATE

23-Jun-2023

EXTENSION EXPIRY DATE

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

Electoral wards affected: Denby Dale

Ward Councillors consulted: No

Public or private: Public

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 application is brought to the Heavy Woollen Planning Sub Committee as the applicant is an elected member of Kirklees Council. This is in accordance with the Council's Scheme of Delegation.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site, no.49 Manorstead, Skelmanthorpe comprises a detached dwelling, with amenity space which wraps around the front, side and rear of the property. There is a parking area and single, detached garage to the rear which are accessed via Meadow View, to the north of the site.
- 2.2 The site is unallocated within the Kirklees Local Plan, is not in a conservation area and there are no listed buildings within close proximity to the site.

3.0 PROPOSAL:

- 3.1 Planning permission is sought for the erection of a first-floor extension over the existing single storey side extension and a single storey rear extension.
- 3.2 The proposed side extension would be on the same footprint as the existing single storey element to the northern side of the property. It would be two-storey in height, with a hipped roof design as viewed from the front elevation. The roof would be split into two-gable end features on the northern elevation. The proposed roof height would align with the existing roof height.
- 3.3 The proposed rear extension would be single storey in height and would cover the entire width of the existing dwelling. It would have a lean-to roof design.
- 3.4 The proposed development would serve an additional two bedrooms, an extended kitchen/diner and a utility room.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 2006/95239 Erection of conservatory. Conditional full permission.
- 94/91288 Erection of single storey extension. Conditional full permission.

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

- 5.1 Although the Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration.
- 5.2 Officers had concerns regarding the design of the original submission and the impact on visual amenity. These concerns were raised with the applicant. Amended plans and a justification were provided which were considered acceptable by officers for the reasons set out in the appraisal below.

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 27th February 2019).

Kirklees Local Plan (2019):

- 6.2 LP 1 – Achieving Sustainable Development
LP 2 – Place Shaping
LP 7 – Efficient and Effective Use of Land and Buildings
LP 20 – Sustainable Travel
LP 21 – Highway Safety
LP 22 – Parking Provision
LP 24 – Design

Supplementary Planning Guidance / Documents:

- 6.3 Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and alterations and open space, to be used alongside existing SPDs previously adopted. They are now being considered in the assessment of planning applications, with full weight attached. 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. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the follow SPDs are applicable:
- Kirklees Highways Design Guide SPD (2019).
 - Kirklees Biodiversity Net Gain Technical Advice Note (2021).
 - Kirklees House Extensions and Alterations SPD (2021).
 - National Described Space Standards (2015).

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 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th 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 11 – Making efficient use of land
 - Chapter 12 – Achieving well-designed places
 - Chapter 15 – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 Publicity ended on 15th June 2023.
- 7.2 No representations have been received.

8.0 CONSULTATION RESPONSES:

- 8.1 Due to the scale and nature of the proposals, no consultation was considered necessary in this instance.

9.0 MAIN ISSUES

- Principle of development
- Impact on visual amenity
- Impact on residential amenity
- Impact on highway safety
- Other matters
- Representations
- Conclusion

10.0 APPRAISAL

Principle of development

- 10.1 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.

- 10.2 In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

Impact on visual amenity

- 10.3 The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby 126 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.”
- 10.4 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.
- 10.5 Policy 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...”
- 10.6 Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (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 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.
- 10.7 The proposed side extension would be built on the same footprint as the existing side extension. It would have a double-pitched roof design which would appear hipped from the front elevation. The host dwelling is a detached dwelling located on a corner plot and therefore the proposed development would maintain a significant separation distance to the adjacent dwellings, and there is no risk of a terracing effect being created as a result of the proposed side extension. Whilst it is noted that the proposal would not be set back from the front elevation, as recommended by the House Extensions and Alterations SPD, when taking the site context into consideration, this is considered acceptable on balance and provides sufficient justification. The scheme would also not be set down from the existing roof ridge height. However, the roof design would reduce the mass of the proposed extension, ensuring that, on balance, the proposed extension would remain subservient to the host dwelling, thus complying with policy LP24 of the Kirklees Local Plan and providing sufficient justification in respect to the House Extensions and Alterations SPD.

- 10.8 The proposed rear extension would project ~3.2 metres, the same as the existing conservatory, and would extend across the entire width of the existing dwelling. This would be a relatively moderate addition to the property and would therefore not cause harm to visual amenity. The proposed extension would be finished in materials to match the existing dwelling and as such would be considered acceptable in terms of design.
- 10.9 Having taken the above into account, it is considered the proposed extensions, by virtue of their design, scale and materials, would not cause significant harm to the visual amenity of the host dwelling and the wider street scene. Therefore, the proposal complies with Policy LP24 of the Kirklees Local Plan, chapter 12 of the National Planning Policy Framework and, when taking into account the context of the application site, provides sufficient justification in respect of the House Extensions and Alterations SPD.

Residential Amenity

- 10.10 Section B and C of 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." 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.
- 10.11 The proposed first floor side extension would retain ~18m from the nearest neighbouring property. This is considered a sufficient distance to prevent any significant overbearing or overshadowing harm to the neighbouring occupants. The additional windows in the front and rear elevations would align with the existing openings in the dwelling and therefore would not cause any additional overlooking harm over and above the existing arrangements on site.
- 10.12 The proposed rear extension would be single storey in height and would remain ~15m from the nearest neighbouring property. There would be additional openings in the rear elevation as a result of the proposed scheme. There is a ground floor doorway in the side elevation of 37 Meadow View, which would remain a sufficient distance to prevent any significant overlooking harm. It is also noted that the proposed extension replaces an existing conservatory and therefore there would not be any additional harm over and above the existing arrangements on site.
- 10.13 Taking the above into considerations, the proposals would not result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

Highway Safety

- 10.14 The proposed development would serve two additional bedrooms, resulting in the intensification in the domestic use of the dwelling from a three-bedroom to a five-bedroom dwelling. Three off-street parking spaces are required for a property which serves more than four bedrooms to comply with the House Extensions and Alterations SPD. There is a detached single garage to the rear of the property as well as sufficient space on the driveway for parking of at least three vehicles. The scheme would not represent any additional harm in terms of highway safety and as such complies with Policies LP21 and LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions and Alterations SPD.

OTHER MATTERS

Carbon Budget

- 10.15 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.
- 10.16 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. 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.

Biodiversity

- 10.17 It is noted that the application site is partially located within a bat alert layer, however the part of the site to which this application relates is not. Following a site visit, the building appeared to be well-sealed and there was no evidence of bat roosts or bat roost potential. If approved, a footnote shall be added to the decision notice to provide the applicant with advice, should bats or evidence of bats be found during construction. This would accord with the aims of policy LP30 of the KLP and chapter 15 of the NPPF.
- 10.18 There are no other matters considered relevant to the determination of this application.

11.0 CONCLUSION

- 11.1 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.
- 11.2 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, subject to the imposition of the conditions listed below.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and documents.
3. The external walls and roofing materials of the extensions to match those used in the construction of the existing building.

Background Papers:

Application and history files.

[Planning application details | Kirklees Council](https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023%2f91145)
<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023%2f91145>

Certificate of Ownership – Certificate A signed and dated.