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:	2019/62/93293/W
Site Address:	94, Woodside Road, Beaumont Park, Huddersfield, HD4 5JW
Description:	Erection of single storey rear extension, rear dormer with balcony, first floor front extension and exterior alterations
Recommending Officer:	Ellie Worth

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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 02-Dec-2019

Officer report
Site description
94 Woodside Road, Beaumount Park is a detached property constructed from stone with a slate tiled roof. The property benefits from an area of hardstanding and a grassed area to the front and private amenity space to the rear. Pedestrian and vehicular access can be taken from the front boundary onto Woodside Road. Boundary treatment consists of stone walling with small railings above to the front and stone walling and timber and mesh fencing to the rear.

The site and the wider area is dominated by residential properties, most of which vary in design and form.

Description of development
The applicant is seeking permission for the erection of a single storey rear extension, rear dormer with balcony, first floor front extension and exterior alterations.

Single storey rear extension:

- 3.3m in projection
- 6.4m in width
- 3.5m in height

Rear dormer

- 2.6m in height
- 8.9m in width
- 3.8m in depth

Proposed balcony

- 0.8m in depth
- 2.5m in width

First floor extension

- 4.4m in width
- 5m to the eaves; 6.5m in maximum height
- 4.7m in depth

The proposed extensions will be constructed from stone to match the host property. The additional fenestration will also be constructed from UPVC. Internally, the proposal will provide additional living accommodation.

History of negotiations/amendments received

The officer entered into discussions with the agent regarding the existing garage not being shown on the submitted plans. As such amended plans were received on the 21st October 2019.

Relevant Planning History
At the application site

- 2004/92363 Erection of first floor extension, single storey extension, bay window and porch - Granted
- 2012/92775 Erection of double garage – Granted
- 2015/93642 Erection of extensions to front, side and rear with Juliet balcony to rear – Granted
- 2016/92687 Erection of extensions to front, side and rear with balcony to rear – Granted
- 2016/92505 – Non-material amendment to previous permission 2015/93642 for Erection of extensions to front, side and rear with Juliet balcony to rear – Refused

Representations
The application has been advertised by site notice and neighbour notification letters.
Final publicity expires: 23rd November 2019
As a result of the above publicity, no representations have been received.

Consultation responses
None necessary.

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.

Kirklees Local Plan:

- LP1 – Achieving sustainable development
- LP2 – Place shaping
- LP21 – Highway safety
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity

National Policies and Guidance
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, 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 design places
- Chapter 15 – Protecting and enhancing the natural environment

Assessment

The following matters are considered in the assessment below:

1. Principle of development
2. Impact on visual amenity
3. Impact on residential amenity
4. Impact on highways
5. Other matters
6. Representations
7. Conclusions

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. 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 development on the application site is acceptable and shall be assessed against other material planning considerations below.

The previous application for the erection of extensions to front, side and rear with balcony to rear (2016/92687) is an extant planning permission which is a material planning consideration that establishes the principle of having a first floor extension, rear dormer and balcony at the application site.

2. Impact on visual amenity

It has been considered that the proposed extensions would appear subservient to the host property as the first floor extension would be situated within the front roof slope on the host property. The single storey rear extension would replace the existing extension and would have a maximum projection of 3.3m. Whilst it has been noted that there would be some additional amenity space developed under this proposal, it would not result in the overdevelopment of the site as the host property is a detached dwelling with ample if of space to the front and rear.

First floor front extension

The design of the front extension is considered acceptable in terms of visual amenity and would add a degree of symmetrical in terms the appearance of the property balancing the existing first floor element. The materials of the extension will be stone to match the host property with a dual pitch roof and therefore any impact would not be undue. Furthermore, the principle of having a first floor extension at the application site has previously been granted by extant permission 2016/92687. Therefore there would be no undue impact on

the amenity of the site nor the wider street scene. This is due to their being a mixture of property types and styles within the vicinity.

The proposed fenestration has also been considered acceptable from a visual perspective as it would be similar in appearance to those that exist on the host property.

Whilst it is appreciated that the extension would be situated on the front facing roof slope at the host property and would be readily visible within the street scene, the impact on visual amenity has been considered acceptable for the reasons outlined above and therefore this element is considered to comply with LP24 of the KLP.

Rear extension
The design of the rear extension is considered acceptable in terms of visual amenity, as it would benefit from a flat roof in order to reduce the bulk and massing at the application site. The simple form would allow the extension to harmonise well with the host property as the extension will replace the existing lean to.

In terms of fenestration, the submitted plans show large bi-folding doors to the inserted into the rear and north-eastern facing side elevation. This aspect has been considered acceptable, as the extension would appear a contemporary additional to the dwellinghouse which would provide flexible space for the occupants. There would also be no additional openings submitted into the south western facing side elevation. A sky light will also be inserted into the flat roof which has been considered satisfactory as it will allow natural light into the extension.

The maximum projection of the rear extension would be 3.3m from the rear elevation at the host property. This has been considered acceptable, as the property benefits from an adequate amount of amenity space to the rear.

Rear dormer
It has been assessed that the rear dormer would appear large in size and scale, whereby its design is clearly based on function rather than form. Nonetheless, Policy LP24 of the Kirklees Local plan states that proposals should promote good design by ensuring the scale of development respects and enhances the character of the area. In this instance, the dormer would be located on the rear slope, whereby the surrounding residential properties vary in design and form. As such, it is not considered that there would be any undue impact on amenity and therefore, on balance officers are satisfied with the impact.

The materials of the proposed dormer have not be specified as part of this application, however, in order to protect visual amenity, a condition will be attached to the decision notice stating that the proposed rear dormer shall be constructed from hanging tiles in blue slate in order to harmonise with the roof of the host property. This will also tie in which the extant permission which

also required the proposed dormer to be constructed from hanging tiles to match the original dwelling.

A juliet balcony will also be inserted into the face of the dormer, to serve bedroom 3. Visually this is a small opening which will have balustrade surrounding the balcony. As such any impact on visual amenity can be supported.

Alongside this, the submitted plans also show an open balcony to be provided above the existing single storey rear extension to serve bedroom 1. This aspect has also been considered acceptable from a visual perspective as it would be small in size and scale with a projection of 0.8m and a width of 2.5m. The siting and scale of this aspect would not be unduly prominent and its design would be generally in keeping with the host property.

External alterations
The submitted plans show external alterations to the existing single storey rear elevation which serves the existing dining room. This includes replacing the openings with bi-folding doors to keep in with the proposed rear extension. This has been considered satisfactory from a visual perspective and therefore can be supported by officers.

Conclusion of amenity
Having taken the above into account, it has been assessed that the proposed extensions and external alterations would not cause any significant harm to the visual amenity of the host property or the wider street scene, complying with the aims of LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

3. Impact on residential amenity
92 Woodside Road is the neighbouring property to the east of the application site. It has been assessed that there would be some impact on these neighbours as a result of the proposal. Nonetheless, the previously approved application is a material consideration, which establish the principle of having additional development at the site.

More specifically the impact on overbearing from the first floor extension has not be considered undue as there would be a separation distance of approx. 4m retained between the nearest side elevation of the extension and the nearest elevation at the these neighbours. As a result it has been considered that any impact on overbearing and overshadowing would be acceptable. The submitted plans also show no additional openings to be inserted into the eastern facing side elevation which will further mitigate against any impact on overlooking. Future openings will also be controlled under the GPDO.

With reference to the rear extension, it has been noted that this would be located at the opposite side of the host property, away from these neighbours. As such, there would be a separation distance of approx. 5.9m retained and therefore it is unlikely that there would be any undue impact on overbearing and overshadowing as a result The extension will also benefit from a flat roof

in order to keep the overall height to a minimum, alongside there being sufficient boundary treatment in the formation of timber fencing in place.

Nonetheless, it has been considered that there would be some impact on these neighbours amenity as a result of the rear dormer. This is due to the fact that it would be relatively large in size and scale. However, the submitted plans show the dormer to only be situated on the original rear roof slope at the host property and therefore would be inset 2.5m from the side elevation on the existing garage. As a result, it has been considered that the impact on these neighbours amenity in regards to overbearing and overshadowing would not be detrimental and therefore an acceptable level of amenity would be retained at these neighbours.

The submitted plans also show a balcony to be attached to the proposed dormer which will serve bedroom one. In terms of potential overlooking, the main outlook of the balcony would be to the rear of the application site. Nonetheless, in order to protect these neighbours amenity a condition will be attached to the decision notice stating that a 1.8m obscurely glazed screen should be installed along the eastern elevation of the balcony before it is first brought into use.

For the reasons outlined above, it has been considered that the relationship between these neighbours can be supported.

96 Woodside Road is the neighbouring property to the south west of the application site. It has been considered that there would be some impact on these neighbours amenity as part of this application, as the rear extension and dormer would intensify development to the rear of the site. Nonetheless, it has been noted that the proposed rear extension would replace the existing with a maximum projection of 3.3m and an overall height of 3.5m. This has been considered acceptable in terms of overbearing, as the extension would benefit from a flat roof. There is also sufficient boundary treatment in the formation of a high timber fence which will further mitigate against any undue impact on overbearing.

Furthermore, to alleviate some of the concern, it has been noted that these neighbours benefit from an area of hardstanding to the rear which appears to be used for parking. As a result, it has been noted that any impact on overshadowing would be acceptable as it would only be evident within a morning. The submitted plans also show no additional openings to be inserted into the south western facing side elevation of the rear extension. In this instance it is not deemed necessary to remove permitted developments for new openings given the sufficient boundary treatment in place.

With regards to the rear dormer, it has been noted that there would be some impact on these neighbours, as it would appear relatively large in scale and scale with a depth of 3.6m. Nonetheless, the impact on these neighbours in regards to overbearing and overshadowing would not be detrimental given that these neighbours have ample of amenity to the front and rear. There

would also be no additional impact on overlooking, as the Juliet balcony would only provide an outlook to the rear of the application site.

Overall, it has been considered that there would be an acceptable impact on these neighbours amenity.

46 and 46a Beaumount Park Road are the neighbouring properties to the south east of the application site. These properties will be the least impacted by this proposal, as there would be a significant separation distance of at approximately 42m retained between these neighbours, alongside a highway. As a result any impact on overbearing, overshadowing and overlooking from the additional mass and new openings contained within the first floor extension would not be undue given to the separation and the orientation of these properties with one another.

To the rear of the site is Moor End Academy and Woodside Pre School and it is considered that there would be no detrimental impact on the users of the school.

4. Impact on highway safety
It has been considered that there would be a sufficient amount of onsite parking retained to the front of the host dwelling in which would be suitable for 4 parked cars. Alongside this, the existing attached garage will also be retained as part of this proposal, however, it has been noted that the internal width would not be sufficient for a parked car.

Nonetheless, for the reasons outlined above it has been considered that the application would have an acceptable impact on highway safety and would therefore comply with LP21 and LP22 of the Kirklees Local Plan.

5. Other matters
Bats
The application site lies within the bat alert layer on the Council's GIS system. As such, careful attention was paid when undertaking the site visit to look to evidence of bat roost potential. In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats.

Even so, as a cautionary measure, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a licenced bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

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

Recommendation **Approve**

Decision Authorisation - Delegated Powers
Application Number: 2019/93293
Officer Recommendation: Approve

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 so as to ensure the satisfactory appearance of the development on completion, and to accord Policies LP1, LP2, LP21, LP22, LP24 and LP30 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The external walls of the extensions hereby approved shall in all respects match those used in the construction of the existing building, in accordance with the details shown on the approved plan.
Reason: In the interests of visual amenity and to accord with Policies LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

4. The external roofing materials of the first front floor extension hereby approved shall in all respects match those used in the construction of the existing building, in accordance with the details shown on the approved plan.
Reason: In the interests of visual amenity and to accord with Policies LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

5. The face and checks of the rear dormer hereby approved shall be faced in blue slate vertically hung tiles which shall in all respects match those used in the construction of the existing building. The dormer shall thereafter be retained with this finish.
Reason: In the interests of visual amenity and to accord with LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

6. Notwithstanding the details shown on the approved plans, an obscurely glazed privacy screen at a height of not less than 1.8m above floor level shall be installed on the north eastern facing boundary of the balcony to bedroom 1 (plan no. 03 Rev B) before it is first brought into use. The obscure glazing shall have a minimum privacy level of grade 4 or equivalent. The obscure glazed privacy screen shall be retained thereafter as specified in this condition.
Reason: So as not to detract from the residential amenity of occupants of the adjoining property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

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 work may be carried out.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer

a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan, existing and proposed floor plans and elevations	03	B	21st October 2019

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. In this instance, an amended plan was received on the 21st October to reflect the existing detached garage.

Report Dated: 02.12.19