

**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: 2020/62/90196/W
Site Address: 7, Woburn Drive, Waterloo, Huddersfield, HD5 0AQ
Description: Erection of single storey side and rear extension
Recommending Officer: Alice Huxley

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: 27-Mar-2020

Officer Report

Site Description

7, Woburn Drive, Waterloo, Huddersfield.

7 Woburn Drive is a two-storey, semi-detached dwelling constructed from brick and pebble dash render located in a predominantly residential area adjacent to a doctor's surgery. Site boundaries consist of timber fencing to the north and west however it was noted whilst on site that the works have started which has removed the boundary treatment between the site and doctor's surgery.

Description of Proposal

Erection of single storey side and rear extension.

The proposed extension would project 2.2 metres from the host property's side elevation which would then wrap around the host dwellings rear elevation to meet the side of the existing lean-to porch area at the rear to make an L-shape. The extensions would have an eaves height of 2.75 metres rising to an overall height of approximately 3.9 metres inclusive of the mono-pitched roof. Proposed materials consist of brick and pebble dash render to match the host dwelling.

History of negotiations/amendments received

Officers contacted the applicant asking to confirm the proposed materials and boundary treatment. The applicant confirmed this via email on 25/02/2020. Additionally a final site plan was received on 17/03/2020 showing proposed parking and drainage systems.

Relevant Planning History

None at application site.

Representations

Final publicity date Expires:

Neighbour letters expire 2nd March 2020; site notice expires on 9th March 2020.

As a result of the above publicity, one representation was received highlighting that the proposed materials nor new boundary treatment is not detailed.

Officer comment: the applicant has confirmed that the front elevation will be brick constructed with the side and rear elevation being pebble dash render. This is considered to be acceptable as it would harmonise well with the materials used in the construction of the host dwelling. In terms of the proposed boundary treatment, the applicant has also confirmed that there will be a wall approximately 1m high on the south boundary to the front garden and 1.8m high fencing on the south boundary to the rear garden.

Parish/Town Council comments:

Not applicable.

Consultation Responses

Highways Development Management – recommend that an additional parking space is provided to the front of the premises to compensate for the loss of existing off-street parking.

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 (LP):

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**
- **LP 21 – Highway Safety and Access**
- **LP 22 – Parking**
- **LP 24 – Design**
- **LP 30 – Biodiversity and Geodiversity**

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 2 – Achieving sustainable development**

- **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**

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity (including any heritage considerations)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters – e.g. trees/ecology (e.g. bats)
- 5) Representations
- 6) Conclusion

Principle of development:

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

‘Planning policies and decisions should play an active role in guiding development towards sustainable solutions...’

Chapter 2 of the NPPF goes on to 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...’

In line with the NPPF, policy LP1 of the Kirklees Local Plan declares that:

‘...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.’

LP1 goes further and states:

‘The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.’

In this instance, it can be stated that the principle of development of this application is acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

Impact on visual amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby 124 provides a principal consideration concerning design which states:

‘124. The creation of high quality 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.’

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.

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

In regards to visual amenity, the single storey side extension would be small and incorporate materials to match the host property in all respects. It has been considered that an inclusion of a garage to the front would not look out of character for the area given that there are other detached and integral garages along Woburn Drive. Regarding the single storey rear extension, this would continue from the existing single storey lean-to at the rear of the property and connect to the single storey side element of the scheme. Furthermore, the single storey rear extension would incorporate materials to match the host dwelling as well as proposed side extension. As such, both elements of the scheme are considered to be subservient to the original dwelling and as such is acceptable in terms of visual amenity.

Impact on residential amenity:

Section B and C of LP24 states that alterations to existing buildings should:

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

In regards to residential amenity, the proposed development relates to a single storey side extension that would project from the south-elevation and wrap around the rear elevation to meet the existing single-storey lean-to at the rear of the property. The adjoining property (no.8) is located to the north of the site therefore the development would be largely hidden from the occupants of this property and is unlikely to cause any harm in terms of overlooking, overbearing or overshadowing given the nature and the location of the proposal.

With regards to the building to the south of the site, this is a two-storey doctor's surgery located approximately 13 metres from the shared boundary. Given the nature of the proposal and the applicant site in relation to the doctor's surgery, minimal concerns have been raised in regards to overlooking, overbearing or overshadowing.

Impact on highway safety:

Highways Development Management were formally consulted and it is noted that whilst the proposal does not increase the no. of bedrooms on site, the proposed side extension would result in the loss of a minimum of one off-road parking space. On-street parking at this location is likely to be at a premium due to the proximity of the doctor's surgery. To overcome any concerns regarding matters of parking and highway safety, the front garden is to be surfaced and drained as shown on drawing no. 07A received on 17/03/2020 to provide additional off-road parking.

Other matters:

Climate Change

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 pre-dates 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.

Policy LP24 (d) of the Kirklees Local Plan emphasises that *'proposals should promote good design by ensuring...high levels of sustainability, to a degree proportionate to the proposal through...considering the use of innovative construction materials...'*

In this instance, the application proposes a single storey side extension that is constructed from brick. Brick is considered to be an insulative building material that is durable and long lasting. This, along with the use of upvc windows and doors would help ensure that the proposed development is well sealed and as such would potentially reduce the resource use in the building.

For the reasons above, the proposal is considered to comply with LP24 (d) of the Local Plan.

Biodiversity

It is recognised that the site is located within a bat alert area. Despite this, the existing dwelling appears to be well sealed and unlikely to have any bat roost potential therefore any potential impact on bats is considered to be acceptable.

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 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: 2020/90196

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 Policy LP24 of the Kirklees Local Plan.

3. The external walls 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.

4. Notwithstanding the submitted information, a 1.8 metre high fence shall be erected along the southern boundary to the rear. The development shall not be brought into use until the works comprising the approved scheme have been completed and shall thereafter be retained for the lifetime of the development.

Reason: For the avoidance of doubt and in the interest of amenity and to ensure privacy is retained at the site, in accordance with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

5. Notwithstanding the submitted information, a wall to a maximum height of 1.0 metres, shall be erected along the southern boundary to the front parking/garden area hereby approved. The development shall not be brought into use until the works comprising the approved scheme have been completed and shall thereafter be retained for the lifetime of the development.

Reason: For the avoidance of doubt and in the interest of amenity and to ensure adequate visibility is retained at the site, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

6. The proposed parking shown on the proposed site plan (plan ref: 07A) received on 17/03/2020 shall be completed before the single storey side and

rear extension are brought into use. The parking shall be kept free of obstructions and retained thereafter.

Reason: To provide sufficient off-road parking on site in accordance with LP21 and LP22.

7. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	1	05/02/2020
Existing Site and Floor Plans	02	1	05/02/2020
Existing Elevations	01	1	05/02/2020
Proposed Floor Plans	03	1	05/02/2020
Proposed Elevations	04	1	05/02/2020
Proposed Site Plan	07A	2	17/03/2020

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. Officers contacted the applicant asking to confirm the proposed materials and boundary treatment. The applicant confirmed this via email on 25/02/2020. Additionally a final site plan was received on 17/03/2020 showing proposed parking and drainage systems.

Report Dated: 25/03/2020