

**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: 2020/62/92461/W

Site Address: 284, Coppice Drive, Netherton, Huddersfield, HD4
7WR

Description: Erection of single storey rear extension

Recommending Officer: Laura Yeadon

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: 15-Oct-2020

Officer Report

Site Description

284 Coppice Drive is a mid-terraced property located within an area defined as land without no notation on the Kirklees Local Plan. The property is two storeys in height and hosts an attached single storey garage to the side which is accessed from a tarmac driveway. To the rear of the property is a garden area and the property benefits from a conservatory which is attached to the rear elevation. The surrounding area is predominantly residential.

Description of Proposal

Permission is sought for the erection of a single storey rear extension.

The development would result in the removal of the existing conservatory and this would be replaced with the extension which would sit to the rear of both the dwelling and the garage. The extension would project from the rear elevation of the property by 3 metres and would project 1.995 metres from the rear elevation of the garage. The extension would be a total of 8 metres in width with an eaves height of 2.3 metres and an overall height of 3.3 metres to the ridge of the lean-to roof.

It is proposed that the extension would be constructed from artificial stone to match the existing property with artificial heads and cills to match the existing with the roof surfaced with grey interlocking roof tiles.

History of negotiations/amendments received

No negotiations have taken place or amendments submitted however due to the current COVID19 situation, it was requested to the Agent that site photos were submitted to enable the assessment of the application to be carried out as a desktop assessment. These were submitted as part of a recent application for a Certificate of Lawfulness and therefore re-used for the purposes of this assessment.

Relevant Planning History

2000/90329	Erection of 45 dwellings with associated integral or detached garages <i>Section 106 Full Permission</i>
2020/91349	Certificate of lawfulness for proposed single storey rear extension <i>Certificate of lawfulness refused</i>
2010/90946	Erection of attached garage

<i>Conditional Full Permission</i>

Representations

Final publicity date expired 16th September 2020 – no representations received

Consultation Responses

None required

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 without notation on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design

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-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

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 highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

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

In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

2 –Impact on visual amenity:

The development would result in a single storey rear extension which would be located on the rear of the property. The extension would have no impact on the site frontage as the works would be isolated to the rear, set in from the shared boundary with No. 282 by 0.8 metres and set in from the boundary with No. 286 by 0.4 metres. The extension is single storey in height and is subservient when viewed against the backdrop of the two storey dwelling.

The construction materials would match the host property and the fenestration details include openings within the rear elevation and roof lights within the roof slope. The openings are limited to being positioned within the rear elevation of the proposal.

The design of the extension is simplistic with a lean-to roof, typical of a domestic extension. It is noted that the extension would span most of the width of the rear elevation and garage however the projection of the extension would be a maximum of 3 metres and therefore it is not considered that and overdevelopment of the site would occur.

The proposal is therefore considered to be acceptable and would comply with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

In terms of overlooking, the openings would overlook the rear garden of the application site with little impact on the neighbours at either side. Whilst there would be a degree of overshadowing due to the orientation of the property having a south facing rear elevation, this is mitigated to a degree by being set in from the shared boundaries and it is noted that there is an existing projection of the rear garage at No. 286. Due to the extension being single storey in height and by reason of the above, it is not considered the extension would cause undue harm to the occupiers of either neighbouring property. The dwellings beyond the rear boundary are set a good distance from the application site and it is not considered that there would be undue harm to the occupiers of these properties.

Taking all the above into account, it is considered that the proposal is acceptable from a residential amenity perspective and would accord with both local and national policy.

4 – Impact on highway safety:

None.

5 – 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. The extension would be constructed from artificial stone which would reduce the energy requirement for the construction.

6 – Representations:

No representations have been 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 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: 2020/92461

Officer Recommendation: Approve

Conditions

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 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 with Policies LP1, LP2 and LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

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 and advice within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	LP01		31 st July 2020
Existing and proposed elevations and floor plans	2020/004/03		31 st July 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. No negotiations have taken place and no amended plans received.

Report Dated:

14th October 2020

Coal - low