

**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: 2020/62/93263/E

Site Address: 24, Lea Drive, Shepley, Huddersfield, HD8 8HA

Description: Erection of single storey front extension

Recommending Officer: Alice Downham

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.

Paul Dowd

AUTHORISED OFFICER

Date: 25-Nov-2020

Officer Report

Site Description

24 Lea Drive, Shepley, Huddersfield, is a two-storey detached property. It is constructed of brick, with a gable roof finished in concrete roof tiles. The property benefits from an existing two-storey side extension (including single-storey rear element) and a single-storey front extension, with a lean-to roof over the porch and a gable over the integral garage door. There is off-street parking for two cars to the front. The site has gardens to the front and rear.

Surrounding the site is predominantly residential and many of the dwellings have been extended. The character of the area is varied, including two-storey dwellings and single-storey bungalows. The neighbouring property to the northeast, 22 Lea Drive, is a bungalow.

Description of Proposal

Planning permission is sought for the erection of a single-storey front extension. The proposed extension would be flush with the front elevation of the existing porch and garage and accommodate a living room extension. The dimensions of the proposed extension are as follows:

1.5m deep x 2.6m wide x 1.6m eaves height (2.4m maximum height).

The roof would be a lean-to design, to match that on the existing porch. All external materials would match existing, as indicated on the application form, including brickwork walls. It is noted that the existing window will be re-used for the front elevation. As part of the proposal, a new rooflight will be inserted above the porch.

History of negotiations/amendments received

No amendments were sought in this instance.

Relevant Planning History

24 Lea Drive

2017/90117 – Erection of two-storey side extension and single-storey front extensions and cladding. Conditional full permission.

2017/92343 – Erection of two-storey side extension (including single-storey element) and single-storey front extension. Conditional full permission.

Representations

The application was advertised by neighbour letters, which expired on 13/11/2020.

No representations were received following the above publicity.

Kirkburton Parish Council were consulted, although had no comment on the application.

Consultation Responses

No consultations were considered necessary in this instance.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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.

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 under other matters.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** - 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-designed places
- **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
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conditions
- 7) Conclusion

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. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

The property is located on a residential street, with properties of a similar age and style. It is important to note that a number of properties on the street and in the surrounding area have been extended or altered in some way and it is, therefore, considered that, dependent on design, scale, and detailing, it may be acceptable to extend the host property.

In terms of scale, the proposed extension would project 1.5m from the front of the dwelling and lie flush with the front elevation of the existing ground floor projecting element.

In terms of design, front extensions are a typical feature of this residential area and the proposed development would not harm the street scene, despite being visible. This is because there are other front extensions on Lea Drive and there is an existing front extension at the host dwelling. Given the character of the area, in which there is a variety of extensions and alterations within the street scene and the subservient appearance of the extension, it would not harm the character of the area.

Given the simple and sympathetic design of the front extension, this would not appear as an incongruous addition that would detract from the appearance of the host dwelling. The proposed materials and openings are acceptable.

The extension would not result in overdevelopment of the site, and there would be a reasonable amount of amenity space at the site following development.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, thus complying with Policy LP24 of the KLP and the aims of Chapter 12 of the NPPF.

3 – Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out in terms of Policy LP24 c), which states that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

Impact on 22 Lea Drive

This is the adjoining property to the north-east of the application site. Given the proposed extension would be a small-scale extension to the far side of the front elevation of the applicant property, and that 22 Lea Drive is set forward of the applicant property, it is considered that there will be no additional impacts from overlooking, overshadowing, or an overbearing effect, as a result of the proposed extension. There will be no impact on the amenity of 22 Lea Drive.

Impact on 26 Lea Drive

This is the adjoining property to the south-west of the application site. There are no new openings to be inserted into the south-western elevation of the application property, so there will be no impact from overlooking resulting from this extension. The application property is located to the north of this neighbour so there will be no impact from overshadowing. There will be no impact from an overbearing effect, as the proposed extension would be a small-scale front extension and the separation distance between the properties will be maintained. There will be no impact on the amenity of 24 Lea Drive.

Impact on 13 Eastfield

This is the neighbouring property to the front elevation of the application site. The side elevation of this neighbouring property faces onto the application property. This neighbouring property is screened from view by a hedge (approximately 2m). There will be no impact on the amenity of 13 Eastfield.

Impact on 203, 205, 207, and 209 Abbey Road

These are the neighbouring properties to the rear elevation of the application site. As this application is for a front extension, there will be no impact on the amenities of 203, 205, 207, and 209 Abbey Road.

Having considered the above factors, the proposal is considered not to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, thus complying with Policy LP24 of the KLP Plan and Paragraph 127 (f) of the NPPF.

4 – Impact on highway safety:

The proposed extension would be located to the front of the property, being constructed over amenity space, and would serve as a living room extension. The extension is, therefore, unlikely to result in an increase in the domestic use of the dwelling and would not affect the existing parking arrangements at the site. The current provision (off-street parking for two cars) is considered sufficient. Therefore, the scheme would not represent any additional harm in terms of highway safety and, as such, complies with Policies LP21 and LP22 of the KLP.

5 – Other matters:

Carbon Budget

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 and which will require compliance with national standards.

Ecology

The site is located within a bat alert layer. Based on the site photos, the building appears to be well-sealed and there is no evidence of bat roosts, nor was any bat roost potential found. In the event of approval, a footnote should 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.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations were received.

7 – Conclusion:

This application to erect a single-storey extension to the front of 24 Lea Drive, Shepley, Huddersfield, has been assessed against relevant policies in the development plan as listed in the policy section of the report, the NPPF and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered acceptable.

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.

As set out above, 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: 2020/93236

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy 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 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 the aims of Chapter 12 of the National Planning Policy Framework.

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.

NOTE: Please note that the granting of planning permission does not overrule private legal rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works as construction and maintenance or parking of vehicles may involve access to land outside your ownership or subject to private rights of way.

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 13.00 hours, 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 may control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Proposed Elevations		-	07/10/2020
Proposed Floor Plans		-	07/10/2020
Existing Elevations		-	07/10/2020
Existing Floor Plans		-	07/10/2020
Location Plan		-	07/10/2020

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 has, 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.

As the submitted plans were considered acceptable, no amendments were sought during consideration of the application.

Report Dated: 16/11/2020