

**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: 2020/62/94257/W

Site Address: 64, Woodside Road, Beaumont Park, Huddersfield,
HD4 5JR

Description: Erection of single storey side extensions

Recommending Officer: Katie Chew

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 10-Feb-2021

Officer Report

Site Description

64, Woodside Road, Beaumont Park, Huddersfield, HD4 5JR

The application site comprises of a medium size two storey detached dwelling constructed from natural stone and render. The property is stepped back from the highway, with garden/amenity areas provided to the front and rear of the dwelling. Parking is available along the driveway to the front and within the single storey attached garage. It should be noted however that the existing single storey garage measures approximately 4.6m x 2.1m and is therefore considered to be substandard for vehicle parking.

Boundary treatment of the site consists of approximately 0.5m high natural stone wall and a mature hedge along the southern aspect of the site. The wall also extends along the eastern boundary separating the application site and no. 54 Woodside Road, this wall also includes the addition of timber fencing increasing the height of the boundary to approximately 1.5m. To the west the boundary between no. 64 and no. 66 is defined by a timber fence and mature vegetation.

The property is located to the north off Woodside Road in Beaumont Park, which is an adopted road. The application dwelling is surrounded by residential dwellings to the south, east and west. To the north is the Moor End Academy playing field.

The site is not within a Conservation Area and there are no Listed Buildings within close proximity to the site.

Description of Proposal

The application seeks planning permission for the erection of single storey side extensions.

The application seeks to construct a single storey side extension to provide a new flat roof garage. The garage is to measure approximately 9.5m x 4.8m and therefore may be able to accommodate 2 small cars and 1 larger vehicle. This garage will have a height of approximately 2.9m.

An additional extension is proposed to the rear of the existing garage, this would provide a WC and access into the rear garden area. This extension is to measure approximately 5.5m x 2.3m, it will have a mono-pitched roof with a ridge height of 4.7m.

No additional bedrooms are to be created by the proposals.

Materials are to include natural stone to the front elevation and render to the side and rear to match the host dwelling. Natural slate roof tiles are also proposed and UPVC windows and doors, all to match the host dwelling.

Officer note: Planning permission was granted for the same proposals in 2017 (app ref. 2017/91818), this approval has now expired as works did not commence on site within 3 years.

History of negotiations/amendments received

Amendments were requested to remove an error found on drawing no. 01.

Relevant Planning History

2017/91818 – Erection of single storey side extensions. Approved 25th July 2017.

Representations

Final publicity date expires:

Neighbour Letters – Expired 8th February 2021.

1 representation has been received to date in support of the proposals. Comments are summarised below.

- No objections to the proposal, there would be limited impact on neighbouring properties given that this is for a single storey extension;
- There would be no impact on the character of the area given that the extension is to the right hand side and would maintain the existing façade, the extension to the left hand side is single storey and would be almost completely hidden due to the trees and boundary of the property;
- The extensions will have finishes which are complimentary to the existing building;
- Do note that there is an error in the submitted plans in that the 'existing rear elevation' shows a structure to the right-hand side which does not presently exist.

Officer note: We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters only, details of which are outlined above.

Consultation Responses

No technical consultations are required.

Planning Policy Background

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 application site is unallocated in the Kirklees Local Plan but is located within a bat alert area, adjacent to urban green space (to the north).

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways and access**
- **LP22 – Parking**
- **LP24 – Design**
- **LP30 – Biodiversity & Geodiversity**

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 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. Most specifically in this instance, the below chapters are of most relevance:

- 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

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

- 1) Principle of development
- 2) Scale, design and visual impact of the proposed development
- 3) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 4) Impact on highway safety

- 5) Other matters
- 6) Conclusion

1 - Principle of Development:

1.1 – Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

In this case, the principle of development is considered to be 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:

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24 states that all proposals should promote good design by ensuring the following:

‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’ and that ‘extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers’.

The application site is surrounded by a number of other residential dwellings, these dwellings do all vary in age, scale and design to no. 64. Although, the majority of dwellings relate to two storey detached properties, there are also some two-storey semi-detached and terraced dwellings located on the street. The proposal seeks to construct a new single storey side extension to provide

additional garage, and extend the existing garage out to the rear to provide a W.C. A number of the dwellings located on the street have also undertaken some extensions or alterations over the years, it is therefore considered that dependent on the scale, design and detailing it may be acceptable to extend the host dwelling.

The proposed extension to the rear of the existing garage would not be openly visible from the public domain however, the new garage proposed would be visible from Woodside Road. Nonetheless, the proposed garage is considered to reflect the proportions and design of other garages located within the immediate vicinity and therefore it is not considered that these additions would appear subservient to the host dwelling and would not dominate the street scene or detract from it. Moreover, the host property benefits from a domestic curtilage which is considered to be of a sufficient size to support the proposed extensions without amounting to overdevelopment. There would also be a reasonable amenity space retained.

In respect to detailing and design, as discussed above the new garage is to have a flat roof and be of a similar scale and size to garages found within the streetscene. The proposed extension to the rear of the existing garage has also been designed to reflect what is currently there at the site and therefore it is in officer's opinion that the design and detailing would have little impact on the visual amenity of the area and would not appear incongruous in this location.

Materials proposed within the extensions are to reflect what is currently found within the host dwelling and therefore they are considered to be acceptable in this location. However, in the interests of visual amenity the external materials have been conditioned in this instance.

To conclude, the site is not within a Conservation Area or located in close proximity to any Listed Buildings, and whilst the proposals would be somewhat visible to the public they are considered to be appropriate in size, scale and design in this location, and that they would not appear incongruous or overly dominant in the general context of this site. The proposals therefore accord with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3 - Impact on Residential Amenity:

The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. This is echoed within Kirklees Local Plan Policy LP24 which states that: -

'proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary'.

Neighbouring properties with the most potential to be impacted by the proposals are discussed below.

Impact on no. 66 Woodside Road

This neighbouring property is located to the west of the application site and is most likely to be impacted by the proposed side extension to provide a new garage. As no windows are proposed within the western elevation of the garage there are no concerns in respect to overlooking or loss of privacy arising from the development. Whilst the proposals will close in some of the gap between these properties, given the scale and size of the single storey extension, and that there are no windows installed within the eastern elevation of no. 66, there are no concerns in respect to overshadowing or the proposals appearing overbearing in nature when viewed in the general context of the site.

Impact on no. 54 Woodside Road

This neighbouring property is located to the east of the application site and is most likely to be impacted by the proposed extension to the rear of the existing garage. As no windows are to be installed within the eastern elevation of the proposed extension, there are no concerns in respect to overlooking or loss of privacy in this instance. Whilst it is acknowledged that this neighbouring property is stepped down at a slightly lower ground level to the application site, given the scale and size of the proposed extension to the rear of the existing garage, it is not considered that this addition would appear overbearing or overly dominant in this location, and although there may be some additional overshadowing generated by the proposals, any shadowing would fall on the existing outbuildings at no. 54 and not over any habitable room windows.

The proposal does not give rise to any adverse impacts upon neighbouring residential amenity and as such, this aspect of the proposal is considered to be acceptable. It is therefore concluded that the proposals comply with Policy LP24 of the Kirklees Local Plan and Section 12 of the National Planning Policy Framework.

4 - Impact on Highway Safety:

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposals seek to provide an additional garage space to the dwellinghouse. Access to the garage will be via an alteration to the existing driveway including the removal of a grassed area. Despite these alterations the singular vehicle access point off Woodside Road will be retained and as such the proposals present no highway safety concerns. It is considered reasonable in the interests of amenity and traffic safety to add a condition

which requires the new driveway to be appropriately laid out with a hardened and drained surface prior to its use.

It is therefore considered that there would not be a material change to the use of the access or any intensification of any such access. The scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, and the guidance contained within the National Planning Policy Framework.

5 - Other Matters:

Biodiversity

Whilst it is acknowledged that the application site is located within a Bat Alert Area, the dwelling is considered to be well sealed and unlikely to have any significant bat roost potential. Notwithstanding this an informative has been provided in respect to finding a bat roost during construction works.

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 proposal is for 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.

There are no other matters for consideration.

6 - 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 proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation:

Approve.

Decision Authorisation - Delegated Powers

Application Number: 2020/94257

Officer Recommendation: Approve.

Conditions & Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
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 with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the host dwelling.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the detail within the approved plans, the new drive serving the garage shall not be brought into use until it has been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 2009. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) the drive shall be so retained, free of obstructions and available for the use specified on the submitted plans.

Reason: In the interests of visual amenity and traffic safety, to mitigate the potential for flood risk through the use of permeable surfacing, to ensure adequate space within the site for vehicle movements and parking and in accordance with Kirklees Local Plan Policies LP21 and LP24.

NOTE: Due to its location, a bat roost may be present on site. Bats are European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally 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. Contact Natural England if bats are found.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Location Plan	-	-	11 th December 2020
Existing Plan	01	A	10 th February 2021
Proposed Plan	02	B	11 th December 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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Amendments were requested to remove an error found on drawing no. 01.

Report Dated:

10/02/2021