

**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: 2021/62/90133/W

Site Address: 19, Meadow Park, Kirkheaton, Huddersfield, HD5 0HX

Description: Erection of single storey rear extension and porch to front

Recommending Officer: Lucy Taylor

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: 15-Mar-2021

Officer Report.

Reference: 2021/90133

Location: 19, Meadow Park, Kirkheaton, Huddersfield. HD5 0HX

Proposal: Erection of single storey rear extension and porch to front.

Site Description.

19 Meadow Park is a two-storey semi-detached property located in Kirkheaton, Huddersfield. The property is constructed from brick and has a tiled gable roof. The property benefits from a relatively large extent of garden amenity space to the rear elevation and driveway amenity space to the front elevation.

There is a strong sense of similarity along the streetscene of Meadow Park. This is because, all of the properties are semi-detached in their style of construction and have a very similar exterior appearance in terms of design and construction materials.

The rear curtilage of 19 Meadow Park adjoins the boundary of classified green belt land.

Description of Proposal.

Permission is sought for the erection of a single storey rear extension and porch to front.

Single Storey Rear Extension:

The single storey rear extension will project 3.3 metres from the existing rear wall of the dwelling, have a width of 3.45 metres and a maximum height of 3.25 metres. The extension will have a lean-to roof that projects from the existing rear wall of the dwelling. The roof will be infilled with tiles that match the tiles on the roof over the dominant dwellinghouse and the exterior walls of the extension will be constructed from brick to match the appearance of the host dwelling.

With regard to fenestration, glazing is only proposed on the rear elevation of the extension, this in the form of glazed bi-folding doors. In addition, roof lighting is proposed, with one velux window proposed to be erected within the lean-to roof. The fenestration detailing will be constructed from MPVC to match fenestration previously erected on the host dwelling.

Within the interior of the dwelling, the extension will function as a dining room.

Porch:

The front porch extension will be erected in the same location as the existing access door on the principle elevation of the dwelling. The porch will project

1.5 metres from the existing front elevation, have a width of 2.95 metres and a maximum height of 3.85 metres. The porch extension will be enclosed with a lean-to roof erected, projecting from the front wall of the dwelling. The lean-to roof will be infilled with tiles that match the tiles of the roof over the dominant dwellinghouse and the walls of the porch will be constructed from matching brickwork.

With regard to fenestration, a window is proposed in the front elevation and a new access door in the eastern side elevation. These features will be constructed from MPVC to match existing fenestration detailing at the property.

On the exterior of the front porch, steps will be erected to the eastern side elevation to enable access to and from the front driveway amenity space and access door within the new porch. There will be three steps and the feature will have a height of 0.45 metres.

History of Negotiations.

The case officer sought amendments regarding the proposed position of the rear extension. It was suggested that revised plans be submitted, setting the extension away from the neighbouring shared boundary slightly and enabling the existing fence to be retained between the neighbouring property. This amendment was sought with regard to the overall design of the extension and LP24 of the Kirklees Local Plan.

Revised plans were submitted, these showed the extension to be set away from the shared boundary by about 0.15 metres and the shared fence to be retained.

Relevant Planning History.

- **2018/92912** – *19 Meadow Park, Kirkheaton* – Erection of two storey side extension. *Granted in 2018.*

Representations.

We are currently undertaking 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, a site notice and within the newspaper, collectively expiring on 8th March - 1 representation was received.

Following the submission of revised plans, neighbour letters were re-publicised to ensure that neighbouring properties had been made aware of the amendments.

The representation received suggested the following:

- As a result of the substantial size, scale and positioning of the extension on the boundary, it will severely harm the level of residential amenity enjoyed by neighbouring properties.
- The development, by virtue of its sitting and poor design will have an adverse impact on the character and appearance of this property and surrounding area.
- Application defects as development will take place on land under the ownership of neighbouring properties.

Consultation Responses.

The Health and Safety Executive (HSE) – does not advise, on safety grounds, against the granting of planning permission in this case.

Policy/Legislation.

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 not specifically allocated on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP24** – 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 February 2019, together with Circulars, Parliamentary 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** – Protecting and enhancing the natural environment

Assessment.

The Following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 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 NPPF.

Policy LP1 goes on further to state that “the council will always work proactively 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 terms of extending and making alterations to a property Policy LP 24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design. Policy LP24 of the Kirklees Local Plan is relevant and states that “good design should be at the core of all proposals in the district”.

In the case of this application, the principle development on the application site is acceptable and shall be assessed against other material planning considerations below.

1. Impact on Visual Amenity

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

Firstly, due to the single storey nature of the proposed rear extension and the matching construction materials to the host dwelling, its presence following erection will be subservient when viewed in conjunction with the host storey-dwelling. As such, the extension will not be obtrusive, and the lean-to style of roof proposed will further mitigate any potential excess in bulking and massing. In turn, the erection of the proposed rear extension will not lead to overdevelopment to the rear of 19 Meadow Park. Finally, the proposed fenestration detailing is minimal and both features are deemed to be acceptable contemporary additions to the dwellinghouse.

Again, the proposed front porch extension is of a single-storey nature and will be constructed using matching materials. Therefore, this development is too considered acceptable in terms of visual amenity. The front porch has a minimal projection from the existing front elevation, especially when the front bay style window is also taken into consideration and does not detract from the original architectural style of the dwelling. The erection of a front porch will not lead to overdevelopment at the property, especially given the large extent

of driveway amenity space available at the property, further supporting its subservient appearance with regard to visual amenity. Finally, the fenestration proposed is similar to what is, at present, established on the front of the dwellinghouse, therefore, visually in keeping with the design of the host dwelling.

Taking into account all of the above, it is considered that the proposed developments would comply with local, national and emerging policies in relation to design.

2. Impact on Residential Amenity

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to *“provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.”*

The site shares its boundaries with properties to the east and west. Therefore, development at 19 Meadow Park has the potential to have some form of impact upon these neighbours. The impacts that may affect these properties are set out and discussed below:

- *17 Meadow Park* – this property is located to the west and adjoins the application site. Due to the single-storey nature of the proposed developments at 19 Meadow Park and their position, not directly built onto the shared boundary, no undue overbearing or overshadowing will be caused as a result of their erection. In addition, especially in conjunction with the rear extension, due to the erection of a lean-to roof style, the extension will not result in excessive bulking and massing, further mitigating any potential of overbearing and overshadowing for the occupiers of 17 Meadow Park. Finally, neither of the proposed developments pose detriment to neighbouring privacy. This is because, no glazing is proposed on the side elevations that face this neighbouring property, posing no impact in terms of overlooking.
- *21 Meadow Park* – this property is located east of the application site. Due to the single storey nature of the proposed rear extension and front porch, as well as the separation distance present between the proposed site of erection and this neighbouring property, no undue overbearing or overshadowing will be caused for the occupiers of 21 Meadow Park. In addition, no glazing is proposed on the elevations that face this neighbouring property and therefore, their erection will cause no detriment to neighbouring privacy with regard to potential overlooking.

In light of the above the proposal is considered to have an acceptable impact on residential amenity.

3. Impact on Highway Safety

The proposed developments will not increase domestic use of the property and will not alter existing access to and from the property in conjunction with the adjoining highway. In addition, the erection of the proposed front porch will cause no detriment to the existing parking amenity space at the property and therefore, parking arrangements will remain the same following development. For these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

4. 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 predates 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.

In this case, due to the nature of the proposal it is not considered reasonable to require the applicant to put forward any specific resilience measures.

5. Representations

1 representation was received.

The representation received suggested the following:

- As a result of the substantial size, scale and positioning of the extension on the boundary, it will severely harm the level of residential amenity enjoyed by neighbouring properties.

Response: The impact of the proposed development upon residential amenity has been assessed thoroughly within the assessment section of this report. It was concluded that the proposed size, scale and positioning of the extension would not cause severe harm to residential amenity.

- The development, by virtue of its sitting and poor design will have an adverse impact on the character and appearance of this property and surrounding area.

Response: The impact of the development upon the character and appearance of the surrounding area has been assessed thoroughly within the assessment section of this report. The proposal was considered to be appropriate in terms of visual amenity.

- Application defects as development will take place on land under the ownership of neighbouring properties.

Response: This is a private legal matter and not a material planning consideration and therefore, will not be taken into consideration upon granting a recommendation on the proposal.

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 development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers**Application Number: 2021/90133****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 materials of the developments 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Grouped Plans and Elevations	Wood – 2;02;2021	2	4.1.21

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. Amendments were sought to set the rear extension away from the neighbouring boundary, revised plans were submitted and the final recommendation was based on these.

Report Dated: 15.3.21

