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:	2021/62/90164/W
Site Address:	86, Woodside Road, Beaumont Park, Huddersfield, HD4 5JW
Description:	Ereection of first floor rear extension
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: 2021/90164

Location: 86, Woodside Road, Beaumont Park, Huddersfield, HD4 5JW

Proposal: Erection of first floor rear extension.

Site Description.

86 Woodside Road is a two-storey semi-detached property located in Beaumont Park, Huddersfield. The property is constructed from stone and has a tiled hipped roof. At present, the property benefits from a single storey extension to the rear.

The property is located in a residential area where there is a strong sense of similarity within the streetscene. This is because all of the properties share a very similar style of construction and design in terms of been semi-detached and constructed with similar materials. Overall, creating a strong sense of similarity within the streetscene.

Description of Proposal.

Permission is sought for the erection of a first-floor extension over the existing rear single storey extension to form a two-storey rear extension.

Two-Storey Rear Extension:
The proposed two storey extension will be constructed above the existing single storey rear extension following the demolition of the existing lean-to roof. The two-storey extension will have a total height of 7.85 metres, topped with a hipped roof that matches the roof pitch of the existing dominant roof above the dwellinghouse. The width and length of the extension will mirror that of the existing single-storey extension, projecting 3 metres from the rear wall of the dwelling and having a length of 5.9 metres. All of the proposed construction materials will match those used on the exterior of the dominant dwellinghouse.

With regard to fenestration, minor alterations are proposed to the existing rear elevation of the single storey extension, removing one small window and increasing the length of the existing glazed bi-folding doors by one panel. In terms of the two-storey element, two regular windows are proposed to be erected within the rear elevation. One of these windows will be obscurely glazed given its alignment with a bathroom within the interior of the dwellinghouse.

History of Negotiations.

No negotiations have taken place and no amended plans have been sought or submitted.

Relevant Planning History.

No relevant planning history.

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 which expired on 8th March 2021 – 3 representations were received.

Both representations objected to the proposed development at 86 Woodside Road, the following reasons were given:

- Affects sunlight to neighbouring properties, resultantly, making the rear rooms to neighbouring properties darker.
- Resultant problems caused in terms of damp and mould/fungus growth outside, due to the great reduction in light.
- Medical proof that a lack of sunshine and natural light can have a detrimental effect on people's mental well-being.
- Increased need for artificial lighting and heating to neighbouring properties as a result of loss of sunlight.
- Consequential impact on views.
- Affect on the prospects of selling neighbouring properties.

Consultation Responses.

No consultations were required.

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 unallocated in 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

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.

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.

The proposed two-storey extension would harmonise with the existing single-storey feature to the rear of the dwelling as well as the dominant dwellinghouse itself, constructed from the same materials externally and adjoin with the existing roof in terms of the proposed roof pitch. In addition, the proposed fenestration is minor, and the features proposed have all

previously been established on the dwelling. As a result, the principle of development would harmonise with the host dwelling and would not cause any detrimental impacts in terms of visual amenity. In addition, the proposal would not cause excessive bulking or massing or lead to overdevelopment to the rear of the property.

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 86 Woodside Road 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:

- *84 Woodside Road* – This property is located to the east and adjoins the application site. Despite the proposed two-storey nature of development, the works would not result in undue overbearing. This is because, the roof pitch would match the existing proof pitch over the dominant dwellinghouse, reducing any potential of excessive bulking and massing. A sunlight calculator has been used to assess the impacts of overshadowing and it showed, given the extent to which the extension will project and its orientation to the north of the properties, no detrimental overshadowing will be caused during the summer months and during the winter months, although slight shadowing may occur to the neighbouring rear garden, this will be focused towards the rear boundary, in turn, causing very little detriment to the garden amenity space and to the neighbouring dwellinghouse itself. Additionally, the proposed extension will cause no impact upon neighbouring privacy as no glazing is proposed in the side elevations.

- *88 Woodside Road* – this property is located to the west of the application site. It has been considered that the two-storey extension would pose no detriment of overbearing or overshadowing upon this neighbouring dwelling. This was concluded following an assessment of the relationship between the two dwellings, specifically the separation distance present between the neighbouring property and host dwelling. In addition, a sunlight calculator showed no overshadowing to be caused in the winter and in the summer, any overshadowing encouraged from the erection of the proposed rear extension, would be focused on the rear garden space and would only occur between early in the mornings. In addition, the proposed extension would not cause

any detriment in terms of neighbouring privacy as no glazing is proposed on the side elevations.

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

3. Impact on Highway Safety

Firstly, it has been acknowledged that the proposed development does not alter existing access to and from the property in conjunction with the adjoining highway, nor does it alter the existing parking arrangements at the property. In addition, although the drawings do not show the increased domestic use of the property from the erection of the proposed extension, it has been acknowledged that this could occur as a result. Even so, the driveway at the property is deemed to facilitate sufficient parking. 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. In addition, it should be acknowledged that stone is the proposed exterior construction material to be used to build the rear extension. Stone is considered to be a natural material.

Bats

The application site lies within the bat alert layer on the Council's GIS system. As such, careful attention has been paid when looking for evidence of bat roof potential.

In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats. Even so, as a cautionary measure, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a licensed bat worked sought. This is to accord with the aims of Chapter 15 of the NPPF.

5. Representations

3 Representations were received.

The comments made included:

- Affects on both natural and sunlight to neighbouring properties, resultantly, making the rear rooms to neighbouring properties darker.
- Resultant problems caused in terms of damp and mould/fungus growth outside, due to the great reduction in light.
- Medical proof that a lack of sunshine and natural light can have a detrimental effect on people's mental well-being.
- Increased need for artificial lighting and heating to neighbouring properties as a result of loss of sunlight.
- Consequential impact on views.
- Affect on the prospects of selling neighbouring properties.

Response:

- Several of the representations made are non-material planning considerations and therefore, cannot be considered in the overall determination of this application. These include: resultant problems of damp or fungus growth, medical and well-being needs/affects, internal heating and lighting systems and the prospects of selling neighbouring properties.
- The effects of the proposal on neighbouring properties has been assessed within the 'impact on residential amenity' section of this report. It was concluded that the extension would pose little detriment in terms of limiting natural and sun light to neighbouring dwellings and if any overshadowing was to occur as a result, this would be to rear gardens rather than neighbouring dwellings and would only pose potential detriment for short time periods.
- Comments were made about the potential effects that the extension could have on the view from neighbouring properties. The extension would cause no harm to the existing view from the rear of neighbouring properties. They are all angled in the same way along the street and therefore, the main view from the rear is directly outwards, from which, the rear extension at 86 Woodside Road will not be visible.

6. Conclusions

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: **2020/90164**
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 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.

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. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Existing Site / Block Layout	Existing Site Plan	-	18.1.21
Plans – Grouped Plans and Elevations	Proposed Plans and Elevations- Rev.1	-	18.1.21
Plans – Grouped Plans and Elevations	Existing Plans and Elevations	-	18.1.21
Plans – Location Plan	Location Plan	-	18.1.21
Plans – Proposed Site / Block Layout	Proposed Site Plan	-	18.1.21

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. No amendments were sought and the application was determined as submitted.

Report Dated: 15.3.21