

**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: 2021/62/90170/W

Site Address: 6, Greenside Avenue, Waterloo, Huddersfield, HD5 8QQ

Description: Erection of two storey rear extension

Recommending Officer: Lucy Taylor

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: 18-Mar-2021

Officer Report.

Reference: 2021/90170

Location: 6, Greenside Avenue, Waterloo, Huddersfield, HD5 8QQ

Proposal: Erection of two storey rear extension.

Site Description.

6 Greenside Avenue is a two-storey semi-detached property located in Waterloo, Huddersfield. The property is constructed from render, with the incorporation of a small extent of brickwork to the front elevation and is topped with a tiled gable roof. In addition, some of the external walls on the dwelling have a pebble dash finish.

The property is located along Greenside Avenue, a residential area. There is a strong sense of similarity within the streetscene given that the construction style and design of the properties are alike. All of the properties in the vicinity of the application site are of a semi-detached nature and are constructed from render with the design incorporation of brickwork.

Description of Proposal.

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

Two-Storey Rear Extension:

The proposed rear extension will project 3.10 metres from the existing rear wall of the dwelling, have a width of 6.25 metres and a maximum height of 7.9 metres. The proposed height will in turn align with the existing height of the host dwelling, with the roof pitch aligning with the pitch of the existing hipped roof. The extension will have a gable roofing style, harmonising with the existing roof where the extension and host dwelling meet and infilled with matching cement tiles. The external walls of the extension will be constructed from both brick and render, which will have a pebble dash finish. In turn, these proposed construction materials match the appearance of the host dwelling as existing.

Fenestration detailing is only proposed on the rear elevation of the extension, facing the rear garden amenity space. This comprises of three regular windows and a glazed access door. In addition, roof lighting is proposed to be erected within the gable roof, this is in the form of two velux windows, one on each side elevation. All of the fenestration detailing will be constructed from UPVC, in keeping with that previously erected on the host dwelling.

History of Negotiations.

Following a consultation with KC Highways and Development Management, further information was sought to show the retainment of suitable storage for waste, as well as proposed bin presentation points and the access routes for collection of wastes.

A location plan showing this required information was provided and, following a consultation with KC Highways Development Management, was deemed acceptable.

Relevant Planning History.

- **2020/93041** – 6 Greenside Avenue, Waterloo – Certificate of lawfulness for proposed erection of two storey rear extension. *Certificate of Lawful Operations refused in 2020.*

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 12th March – no representations were received.

Consultation Responses.

KC, Highways Development Management – Considered that sufficient parking would be retained following development, however requested further information regarding bin storage arrangements. This information was provided and was deemed acceptable from a highways perspective.

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 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**

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.

The proposed rear extension to 6 Greenside Avenue is two-storey in height, however, due to the harmonisation of the appearance in terms of construction materials with that of the host dwelling, the extension will be subservient when viewed in conjunction with the two-storey host dwelling. This subservient nature will also contribute to ensuring overdevelopment is not caused to the

rear of the property as a result of the erection of the proposed extension. In addition, the two-storey rear extension will not lead to an undue extent of increased bulking and massing, contributing to this is its simple form which aligns with the host dwelling to the side elevations and the erection of a gable roof that harmonises with the existing roof pitch over the host dwelling.

With regard to fenestration, the proposed detailing can be classified as been minor in both extent and size/scale. The regular windows replicate fenestration detailing previously erected on the host dwelling and the glazed access door and roof lighting are considered to be appropriate contemporary additions to the host dwelling. The proposed fenestration will also harmonise with that previously erected on the host dwelling in terms of construction materials.

The proposed positioning of waste storage and bin presentation points following development has been considered to be appropriate, causing no disruption to the visual amenity of the site as the bins will be stored to the rear of the dwelling, away from the streetscene of Greenside Avenue.

Taking into account all of the above, it is considered that the proposed infill extension 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 boundary with several properties. Therefore, development at 6 Greenside Avenue 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:

- *4 Greenside Avenue* – this property is located to the north and adjoins the application site. The proposed rear extension at 6 Greenside Avenue will not cause undue overbearing or overshadowing for the occupiers of this neighbouring property, given the subservient nature of the extension and the harmonisation of the proposed roof pitch. A sunlight calculator has been used to further confirm resultant shadowing, with the exception of overshadowing visible at present due to the dwellinghouse itself, the extension will only contribute in the winter between 3:00pm-4:30pm and not at all in the summer months. In addition, the proposed extension causes no detriment to neighbouring privacy, given that no glazing is proposed on the side elevation, posing no impact of overlooking.

- *8 Greenside Avenue* – this property is located to the south of the application site. It should first be acknowledged that separation distance is present between these two neighbouring properties, given the position of the driveway at the application site, and that the neighbouring property of 8 Greenside Avenue is set at a higher ground level. As such, the proposed rear extension at 6 Greenside Avenue will not cause undue overbearing or overshadowing for the occupiers of this neighbouring property. A sunlight calculator has been used to further confirm this, with the chance of shadowing only occurring prior to 7:30am in the summer months and none in the winter months. In addition, as no glazing is proposed on the side elevation of the extension, it poses no detriment to neighbouring privacy.

- *40 Fleminghouse Lane* - this property is located north west of the application site. Given the extent of the rear garden at the application site, as well as the topology of the land between these two neighbouring dwellings, no undue overbearing or overshadowing will be caused for the occupiers of 40 Fleminghouse Lane from the erection of the proposed extension. A sunlight calculator has been used to further confirm that there will be no overshadowing caused for this neighbouring property from the extension, in both the summer and winter months. In addition, given the topology of the land, the glazing proposed to the rear will not detriment neighbouring privacy and it should also be acknowledged that boundary treatment is in place, in the form of wooden fencing, that will further mitigate any potential impacts.

- *13 Greenside Drive* - this property is located in a south westerly direction from the application site. The proposed extension will cause no undue overbearing or overshadowing for the occupiers of this neighbouring property given the extensive separation distance between the two dwellings, as well as the angle at which this neighbouring property is located. Both these factors also mean that the proposed rear extension at 6 Greenside Avenue will cause no detriment in terms of neighbouring privacy or overlooking.

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

3. Impact on Highway Safety

Although it has been acknowledged that the proposed extension has the potential to increase domestic use of the property, increasing the number of bedrooms within the dwelling from three to four, KC Highways Development Management concluded that the scheme was acceptable from a highway safety perspective and that sufficient parking was retained at the property following development. In addition, the scheme does not alter existing access to and from the property, in conjunction with the adjoining highway. 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

No representations were received.

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: 2021/90170

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: The application site is located in a low coal risk area.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Grouped Plans and Elevations	001 6 Greenside Avenue Grouped	-	18.1.21

Plan Type	Reference	Version	Date Received
	Plans Elevations Rev B Jan 2021		
Plans – Location Plan	002 6 Greenside Avenue Location Plan Jan 2021(1)	-	18.1.21
Plans – Location Plan	003 6 Greenside Avenue Refuse Location Layout March 2021	-	15.3.21

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. Further information was sought regarding the proposed position of bin storage and bin presentation following development, this information was provided and deemed acceptable.

Report Dated: 16.3.21