

**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: 2021/62/90232/W

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

Description: Erection of two storey extension to front

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: 31-Mar-2021

Officer Report

Site Description

8, Greenside Avenue, Waterloo, Huddersfield, HD5 8QQ

The site is located to the west of Greenside Avenue in Waterloo, which is an adopted road. The application site relates to a two-storey semi-detached dwelling constructed from brick and partly faced in render. The property benefits from garden/amenity areas to the front and rear, with off-street car parking provided to the side of the dwelling within the large driveway.

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 full planning permission for the erection of a two-storey extension to front.

The proposed extension is to measure approximately 2m x 2.8m, with a ridge height of 6.5m. A small set of steps and landing area is also proposed measuring approximately 0.8m x 2.2m, with a height of approximately 0.6m. The extension would have a hipped roof form and would provide an enlarged hall and bedroom.

The materials proposed within the extension include brick, white render, and tiles all to match the existing dwellinghouse.

History of negotiations/amendments received

No amendments were sought in this instance.

Relevant Planning History

There is no relevant planning history at the application site, there is however relevant history at adjacent properties. Details are provided below.

6 Greenside Avenue

2021/90170 – Erection of two storey rear extension. Pending consideration.

2020/93041 – Certificate of lawfulness for proposed erection of two storey rear extension. Refused 20th November 2020.

14 Greenside Avenue

2000/92576 – Erection of conservatory. Approved 13th October 2000.

4 Greenside Avenue

2003/92910 – Erection of conservatory. Approved 27th August 2003.

Representations

Final publicity date expires:

Neighbour Letters – Expired 8th March 2021.

No representations have been received to date.

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 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.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways and access**
- **LP22 – Parking**
- **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) 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

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

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 that are of a similar age and design. A number of these dwellings have been extended or altered in some way over the years, and whilst there are no other visible two storey front extensions on Greenside Avenue at present, there are a number of two storey side and rear extensions, and single storey front extensions which have meant that there is no longer visually a uniform appearance within the streetscene. In addition to this, whilst a two-storey extension to the front of a dwelling is not a very common form of development in Kirklees, there are other examples of these types of extensions throughout Waterloo and therefore it may be acceptable to extend the host property in such a way, dependent on design, scale and detailing.

The proposed extension will be openly visible from Greenside Avenue, nonetheless the proposed extension is considered to be small in scale and size and whilst it will alter the appearance of the front elevation of the host property, it is not considered to dominate or detract from the original dwelling as it would be less than half of the width of the frontage, and the ridge height of the extension will be dropped down from the existing ridge and will therefore appear subservient in this location. Furthermore, the materials proposed are to match what is currently found within the property and therefore they are considered to be acceptable however, in the interests of visual amenity the external materials are to be conditioned. Finally, the proposed design is considered to be sympathetic and reflective of what currently exists within the area and therefore it is in officer's opinion that the proposals would not appear unduly incongruous in this location. However, this is based on consideration of this application alone and the same circumstances might not be relevant to other dwellings located in the vicinity. Finally, the host property and its associated curtilage are considered to be of a sufficient size to support the proposed extension and therefore the proposals are considered to be acceptable in respect to visual amenity.

To conclude, the site is not within a Conservation Area or located in close proximity to any listed buildings, and whilst the proposals will be openly

visible, 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. 10 Greenside Avenue

This neighbouring property adjoins the application site to the south. As no windows are proposed within the southern elevation of the extension there are no concerns in respect to overlooking or loss of privacy. In addition to this, given the location and orientation of the application site and this neighbouring property, there are no concerns in regard to overshadowing or loss of light, and whilst the proposals are to be two storey in height, the extension itself is only small in size and set well off the boundary and therefore it is in officer's opinion that the proposals would not appear overbearing in nature in this instance.

Impact on no. 6 Greenside Avenue

This neighbouring property is located to the north of application site, approximately 4.5m away. Only one ground floor window is proposed within the northern elevation of the extension, serving the entrance hall, and there are no concerns in respect to overlooking or loss of privacy as a result. Furthermore, whilst it is noted that there may be some additional overshadowing from the proposals towards no. 6, it is considered that the majority of this shadowing would fall within the driveway of the application site and would not impact on any habitable room windows at no. 6 unduly. Finally, it is acknowledged that no. 6 is stepped down at a lower ground level to no. 8 and that a proposed two storey extension could appear overbearing in nature. However, the proposed extension is to be small in size and would be viewed against the existing two storey dwelling. Given this and the separation between the properties it is considered the proposals are not considered to be overbearing in this location.

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.

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 Kirklees Highways Design Guide outlines that Kirklees Council has not set local parking standards but notes that as an initial point of reference for residential development, 2–3-bedroom dwellings should provide 2 off-street car parking spaces, but consideration to the accessibility of the development, the availability of and opportunities for public transport and local car ownership levels should also be given. As no changes are proposed to the existing access or car parking arrangements at 8 Greenside Avenue, as no additional bedrooms are sought within the dwelling, it is in officer's opinion that there are no concerns in respect to highway safety and availability of parking at the site.

For the aforementioned reasons it is considered that 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:

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 dwellinghouse. 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. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

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: 2021/90232

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 approved 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.

3. The external walls and roofing materials of the extension 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.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Plans, Elevations and Views as Existing and Proposed	2102-01	-	29 th January 2021

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. No amendments have been sought in this instance as the application was deemed to be acceptable upon submission.

Report Dated:

31/03/2021