

**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: 2021/62/90651/W

Site Address: 1, Hermitage Park, Fenay Bridge, Huddersfield, HD8 0JU

Description: Erection of single storey side and rear wraparound extension, porch to front and glass pod to side

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 12-Apr-2021

Officer Report.

Reference: 2021/90651

Location: 1, Hermitage Park, Fenay Bridge, Huddersfield, HD8 0JU

Proposal: Erection of single storey side and rear wraparound extension, porch to front and glass pod to side.

Site Description.

1 Hermitage Park is a single storey detached property located in Fenay Bridge, Huddersfield. The exterior walls of the property are constructed from stone and the property has a gable roofing style, infilled with concrete tiles.

The property is located in a residential area, where there is a strong sense of similarity within the streetscene. This is because, of the properties located within the vicinity of Hermitage Park have a very similar exterior appearance, especially with regard to there exterior construction materials and the use of stone. This particular property is within a prominent position at the junction of Rowley Lane with Hermitage Park.

Description of Proposal.

The proposal is seeking planning permission for the erection of a single-storey side and rear wraparound extension, a porch to the front and a glass pod to the side.

Wraparound Extension:

The proposed wrap around extension will project 3.5 metres from the existing rear wall of the dwelling and have a total width of 10.9 metres, adjoining onto the side extension to the southern side elevation of the dwelling, which projects 3 metres from the existing side elevation and has length of 5.3 metres. The maximum height of the rear extension will be 4.5 metres and the maximum height of the side extension will be 3.6 metres. The exterior walls of the side extension will be constructed from stone and the rear wall of the rear extension will be faced in

render, but in the shade stone to match the existing appearance of the dwelling. A gable roof will be erected above the rear extension, also covering the rear extent of the side extension, and a separate small gable will be erected above the front of the side extension. All of the roofing will be infilled with concrete tiles, to match the appearance of the existing roof over the dominant dwellinghouse.

With regard to fenestration, a regular window is proposed in the side and front of the side extension and within the rear wall of the rear extension more extensive roof to ceiling glazing is proposed, this is also present in the

southern eastern side elevation of the rear extension. Furthermore, two smaller scale glazing panels are also proposed in the rear wall of the rear extension. The appearance of all of the glazing will match the appearance of that previously erected within the dominant dwellinghouse.

Within the interior of the dwelling, the rear extension will function as an open plan living room and kitchen and the side extension will function as both a study and snug.

Porch:

The proposed porch will be erected to the front elevation of the dwelling and will project 2.7 metres from the existing position of the main access door, aligning with the length of the furthest existing front projection. The porch will have a width of 2 metres and a maximum height of 3.2 metres. The porch will have a flat roof erected above, coloured to match the other roofing above the dwellinghouse and the exterior walls will be mainly made up of glazed panels, with a small extent of stone used where the wall is infilled. This glazing will span the entire side elevation and nearly all of the front elevation, with the inclusion of a glazed access door. The glazing will be constructed to match the appearance of existing fenestration erected on the dominant dwellinghouse.

On the exterior of the porch, two small steps will be erected to facilitate access to and from the dwellinghouse through the access door within the porch. These will appropriately match the appearance of the dwellinghouse and be constructed from stone.

Glass Pod:

The proposed glass pod will be erected on the northern side elevation and facilitate access from one of the bedrooms to the garden. It will project 0.75 metres from the existing side elevation of the dominant dwellinghouse, have a width of 2.10 metres and a maximum height of 2.6 metres, with a flat roof erected above. All of the elevations are to be constructed from glass, with a glazed access door also erected within the exterior walls. The glazing will match the appearance of existing fenestration on the dominant dwellinghouse.

On the exterior of the glass pod, a single step will be erected to facilitate access to and from the interior of the dwelling and the garden through the proposed access door. This will be the width of the pod and measure 0.25 metres in height.

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 9th April 2021 – no representations were received.

Kirkburton Parish Council – no response

Consultation Responses.

No consultations were deemed necessary for the proposal.

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

Kirklees Council is currently in the process of producing its supplementary planning guidance on House extensions. Although this is at the draft stage, it does need to be considered in the assessment of planning applications with some weight attached. The general thrust of the advice is aligned with both the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character the host property and the wider street scene.

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 works at 1 Hermitage Park are all single storey in height and harmonise appropriately with the existing appearance of the dwelling in terms of exterior materials. Most of the exterior walling proposed will be constructed from stone and although render is proposed to the rear elevation, this will be coloured to harmonise with the existing dwelling in turn, posing no detriment in terms of visual amenity. Additionally, this rendered wall is to the rear of the property, therefore, not visible within the immediate streetscene of Hermitage Park. Therefore, the erection of the proposed extensions, the porch and the glass pod will be subservient when the developments are viewed in conjunction with the dominant dwellinghouse.

Although the extent of glazing within the exterior walls of the dwelling will increase as a result of the works, this is deemed appropriate visually, with many of the new forms of glazing proposed, considered to be appropriate

contemporary additions to the existing appearance of the dwellinghouse. The roofing styles of all the proposed works are also acceptable visually, with the large gable over the rear extension reflecting the existing roofing patterns over the dominant dwellinghouse, and the other roofing styles posing no impact and mitigating any potential of undue bulking and massing.

The siting of the principal extension is to the rear of the property and would not appear as an overprominent feature at the road junction.

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 boundary with various properties. Therefore, development at 1 Hermitage 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:

- *7 Hermitage Park* – this property is located to the north east of the application site. It should first be acknowledged that the proposed porch and glass pod pose no impact to this neighbouring property with regard to residential amenity, given their proposed position upon the application site. The side extension also poses no detriment and the rear extension will not result in undue overbearing or overshadowing, given its single storey nature and the extensive separation distance present between the proposed site of erection and this neighbouring property. In addition, despite rather extensive glazing proposed on the rear of the rear extension, this will not negatively impact upon neighbouring privacy given the extensive boundary treatment in place between these two neighbouring properties. This boundary treatment is in the form of intensive shrubbery that exceeds the height of the proposed glazing, in turn, completely mitigating any potential of overlooking.
- *3 and 5 Hermitage Park* – these properties are located to the east of the application site. It should first be acknowledged that the proposed porch and glass pod pose no impact to this neighbouring property with regard to residential amenity, given their proposed position upon the application site. The rear and side extensions also pose no detriment to the residential amenity of this neighbouring property in terms of overbearing, overshadowing or neighbouring privacy, given the extensive separation distance present between the two properties and

the extensive boundary treatment in place. This boundary treatment is in the form of intensive shrubbery that exceeds the height of the proposed glazing, in turn, completely mitigating any potential of 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 works present the potential for domestic use of the dwelling to increase, it is considered that sufficient parking is available at the property with both a garage and driveway located to the side of the dwellinghouse. In addition, the proposed works will 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.

In addition, some of the exterior walls are to be constructed from stone which is considered to be a natural material and most of the glazing proposed will be double glazed.

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 worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

5. Representations

No representations were received.

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: 2021/90651

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.

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.

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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Grouped Plans and Elevations	2060 A(10)-01 Proposed Plans and site plan	-	18.2.21
Plans – Grouped Plans and Elevations	2060 A(00)-01 Existing Plans – location plan and site plan	-	18.2.21

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 amended plans were sought or submitted.

Report Dated: 12.4.21