

**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: 2021/62/90691/W

Site Address: 2 , Godwin Place, Bradley, Huddersfield, HD2 1RE

Description: Erection of two storey side and single storey rear extensions and front porch

Recommending Officer: Katie Chew

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval 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: 14-Apr-2021

Officer Report

Site Description

2, Godwin Place, Bradley, Huddersfield, HD2 1RE

The application site relates to a two-storey semi-detached dwelling off Godwin Place (adopted road) in Bradley. The property benefits from garden/amenity space to the front and rear, with a detached double garage to the south with a driveway to park 2 vehicles.

The host dwelling is constructed from cement render, flat double roman roof tiles, UPVC windows and UPVC and composite doors.

The site is not within a Conservation area and is not located in close proximity to any Listed Buildings.

Description of Proposal

The application seeks planning permission for the erection of two storey side and single storey rear extensions and front porch.

The existing double garage is to be demolished and replaced with a new single garage measuring approximately 5m x 3.1m, with a ridge height of 2.6m.

The proposed single storey rear extension is to measure approximately 1m x 6.2m, with a ridge height of 3.4m.

The proposals also seek to erect a new front porch which is to measure approximately 2m x 2.9m, with a ridge height of 3.5m.

Finally, a two-storey side extension is also proposed to the south, the extension will measure approximately 6.5m x 4.5m, due to the stepped appearance of the two-storey side extension the ridge height does differ from between 6.6m to 7.2m.

Materials proposed include k-render to match, flat double roman roof tiles to match and UPVC and composite windows and doors also to match.

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 but there is relevant history at adjacent sites, details are provided below.

8 Sherwood Avenue

2002/93056 – Erection of 2 storey extension, conservatory and porch. Approved 14th October 2002.

Representations

Final publicity date expires:

Neighbour Letters – Expired 12th April 2021.

No representations have been received to date.

Consultation Responses

No technical consultations are 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**

Supplementary Planning Guidance:

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) 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

Other guidance documents:

- National Design Guide
- Kirklees Highways Design Guide

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) Highway safety
- 5) Other matters
- 6) Conclusion

1 - 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 this 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 not 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:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 124 provides a principal consideration concerning design which states:

“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

The application site is surrounded by numerous other residential dwellings that are of a similar age and design. A number of these dwellings have been altered or extended in some way over the years and it is therefore considered that dependent on design, scale and detailing it may be acceptable to extend the host property.

The proposed extensions and alterations would overall see changes that are large in scale and size that would also be visible from Godwin Place and Sherwood Avenue. Nonetheless, given the general context of the area it is not uncommon to find single storey and two storey extensions to these types of properties, in addition to this the proposed extensions will be stepped down from the ridge of the host dwelling and stepped back from the principal elevation, or be single storey in height, therefore the proposals will all appear as subservient additions to the host dwelling and will not appear as alien features in this location. Furthermore, the host property and its associated curtilage are of a sufficient size to support the proposed extensions and alterations without amounting to overdevelopment and a reasonable amenity space will be retained. It is noted however that any future additions to the dwelling may lead to the overdevelopment of the site, therefore it is

considered reasonable and necessary to remove permitted development rights in this instance.

The materials proposed are to match what is currently found at the property and throughout Godwin Place, therefore they are considered to be acceptable. However, in the interests of visual amenity the external materials have been conditioned.

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 to the public, 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:

Sections B and C of LP24 state that alterations to existing buildings should: *“maintain appropriate distances between buildings”* and *“minimise impact on residential amenity of future and neighbouring occupiers”*.

The properties most likely to be impacted by the proposals are no. 8 Sherwood Avenue and no. 7 Godwin Place, an assessment on the residential amenity of these properties is outlined below.

Impact on no. 8 Sherwood Avenue

This neighbouring property is located to the south of the application site and is most likely to be impacted upon by the proposed two storey side extension. As no windows are proposed within the southern elevation of the proposed extension there are no concerns in respect to overlooking or loss of privacy. Furthermore, given the location and orientation of no. 8 in relation to the application site, there are no concerns in regard to overshadowing or the loss of light. Finally, as the proposed extension is to be viewed against the existing two storey dwelling, it is considered that the proposals would not appear overbearing in nature in this location.

Impact on no. 7 Godwin Place

This neighbouring property is located to the west of the application site on the opposite side of the road and is most likely to be impacted by the proposed two storey side extension. Given this large separation distance (approximately 24.5m) there are no concerns in regard to overshadowing or overlooking. In addition to this, as the proposed side extension would be viewed against the existing two storey dwelling, it is not considered that the proposals would appear overbearing in nature in this instance.

The proposals do 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 Chapter 12 of the National Planning Policy Framework.

4 – Highway Safety:

Turning to highway safety Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. 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.

No changes are proposed to the existing access to the site but the proposals will result in the loss of 1 car parking space and the addition of 1 extra bedroom. 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, 4+ bedroomed dwellings should provide off street parking for at least 3 vehicles, but that consideration to the accessibility of the development, the availability of and opportunities for public transport and local car ownership levels should also be given.

In this instance the dwelling is to go from a 3 bedroomed property to a 4 bedroomed property, the submitted plans show that off-street parking could be provided within a single detached garage and driveway, whilst it is acknowledged that the proposed garage would be slightly smaller than recommended for a car, it could accommodate a small vehicle and there are additional spaces within the site. It is therefore considered that sufficient off-street parking can be achieved should the proposed extensions and alterations be approved.

For the aforementioned reasons it is concluded 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:

Permitted Development Rights

Given the scale and size of the proposed additions to no. 2 Godwin Place it is considered reasonable and necessary to remove permitted development rights for extensions to the host dwelling. This is to avoid overdevelopment of the site in the future and to protect the residential amenity of neighbouring properties.

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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. 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: 2021/90691

Officer Recommendation: Approved.

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 taken 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 extensions 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Class A of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site, and to protect the residential amenity of neighbouring properties, 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 – As Existing	A(00)-01	-	20 th February 2021
Plans & Elevations – As Proposed	A(10)-01	-	20 th February 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 proposals were considered to be acceptable upon submission.

Report Dated:

14/04/2021