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:	2021/62/91116/E
Site Address:	27, Allison Drive, Fartown, Huddersfield, HD2 2RA
Description:	Erection of two storey extension to rear with extension to balcony
Recommending Officer:	Tom Hunt

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: 24-May-2021

Officer Report

Site Description

2021/91116 – 27, Allison Drive, Fartown, Huddersfield, HD2 2RA

No 27 is a detached dwelling which sits within a large plot and presents as two storey from the front and three storey to the rear. It is faced with stone, render and concrete tile roof. To its front is a driveway for its single storey, integral double garages and shrubbery, to the rear is a large lawned garden with trees at the rear boundary. It currently benefits from a veranda with timber fencing to the rear serving the ground floor closest to No. 25 to the east. It lies within a residential area with similar constructed detached dwellings. To the south west of the site, and at a much lower ground level, are properties along Fulford Avenue. These are separated to the application site by Allison Dike and a mature boundary of landscape.

Description of Proposal

Erection of two storey extension to rear with extension to balcony

It is proposed to erect an extension to the ground floor situated left of the house, to be a two storey extension with the lower ground kept as a void. It would be constructed of natural stone at base, render for the extension and a parapet flat roof. The balcony would be full span of the house and would be forward of the extension to create a glass fronted balcony. The dimensions proposed are 2950mm from the rear elevation of the garage and project 1640mm from the host dwelling rear elevation, to span 6680mm and be 3200mm in height. The extension would serve a kitchen and the ground floor window openings would be converted to patio doors opening onto the balcony. To its parapet roof, there would be a glazed roof lantern.

The 3200mm height balcony would project from the extension by 1100mm, span 10250mm to then join the existing veranda which already projects 2900mm from the rear elevation and itself spans 3600mm. The glazed enclosure would be 1000mm in height and be 800mm for the existing veranda section to be of continuous height to the rear.

History of negotiations/amendments received

The case officer considered the application on review and sought no amendments as it met LP policies on visual and residential amenity.

Relevant Planning History

86/02621 – Proposal: Residential development comprising 4 No. detached dwellings & private access drive. Decision: GC - GRANTED CONDITIONALLY. Decision date: 31/10/1986.

87/01664 – Proposal: Erection of detached dwelling with integral double garage. Decision: GC - GRANTED CONDITIONALLY. Decision date: 05/06/1987.

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: 03/05/2021

No representations have been received.

Consultation Responses

No technical consultees required.

Policy

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 (LP):

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**
- **LP21 – Highways and access**
- **LP 22 – Parking**
- **LP 24 – Design**
- **LP 30 – Biodiversity**
- **LP 33 – Trees**

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 of 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 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.

- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

Assessment
The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)
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 National Planning Policy Framework. LP1 goes on further to stating that:

> "The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."

In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

2 –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.

LP24 of the Kirklees Local Plan requires extensions to be “subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”.

The two storey rear extension would be set above the double garage eaves to the rear, be of modest projection and width, and when viewed against the three storey rear elevation would aid in the extension’s scale appearing subservient to the main dwelling. It would not have impact on the streetscene. The use of matching materials and lightweight appearance of the glass enclosure would enable the extension and balcony to marry acceptably with the host dwelling; despite its flat roofed form.

The proposal would also retain sufficient garden space to ensure that the scheme does not represent an overdevelopment of the site.

The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area and be acceptable and accord with Policy LP24 of the Local Plan and the House Extensions and Alterations draft SPD.

3 – 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 proposed extension and alterations are assessed upon whether they would have a detrimental effect on residential amenity, adjoining dwellings or any occupier of adjacent land by way of overshadowing, overbearing or overlooking and also in terms of its design, size and visual amenities. The closest properties to be affected by the development are No. 25 (east) and nos. 6-10 Fulford Avenue to the south west.

Plans show the development would be separated from properties on Fulford Avenue by a minimum of 29m and screened by trees, which would ensure that there would be no detrimental overbearing, overshadowing or overlooking impact. This is important given the significant difference in levels between the sites.

Considering impact to No. 25, the rear extension would be to the rear and west of the property with no facing windows, slender profile, set away from the mutual boundary and angled away from the property which would on balance be a scheme that would ensure that there be no additional detrimental overbearing, overshadowing or overlooking impact. The balcony would extend the potential viewing platform a modest projection from the rear and would not change the pre-existing relationship of the veranda with No. 25 which in turn is angled away from direct views into habitable windows and therefore no additional detrimental overbearing, overshadowing or overlooking impact.

4 – Impact on highway safety:

Turning to highway safety, Policies LP21 and 22 of the Local Plan have been considered along with the KC Highway Design guide. The policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking. The proposed development would not adversely affect the existing parking spaces within the site, intensify use and therefore would not cause additional harm to highway safety.

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.

Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

Biodiversity

Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

6 – Representations:

No representations had been received.

7 – 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: 2021/91116

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 render finish used for the external walls of the extension hereby approved shall in all respects match that 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 'Bat Alert' location, a bat roost may be present on site. Bats are a European protected species under section 43 of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone to intentionally 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans - Grouped Plans and Elevations	Drawing Title: As Existing. Drawing No. 1266/1. Dated October 2020.		17th March 2021
Plans - Grouped Plans and Elevations	Drawing Title: Plans & Elevations. Drawing No. 1266/2. Rev A. Dated October 2020.	Rev A	17th March 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 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. The case officer considered the application on review and sought no amendments as it met Local Plan policies on visual and residential amenity.

Low Coal Notes

Report Dated: 24/05/2021