

**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: 2021/62/92793/W

Site Address: 27, Thick Hollins Drive, Meltham, Holmfirth, HD9 4DL

Description: Erection of two storey side and rear extension and detached double garage, demolition of existing extensions

Recommending Officer: Ellie Worth

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: 07-Oct-2021

Officer report

Site description

27 Thick Hollins Drive is a detached property predominantly constructed from brick with an area of render to the front elevation. The property appears to benefit from a small conservatory/sun room addition to the rear. The existing flat roof aspect appears to be original, having reviewed the sites historic files.

The property benefits from a driveway and grassed area to the front and private amenity to the rear. There is also a detached garage to the North West of the site, which will be demolished as part of this permission. Pedestrian and vehicular access can be taken from the front boundary onto Thick Hollins Drive. Boundary treatment consists of hedging, fencing and stone and brick walls.

The site is unallocated on the Kirklees Local Plan, however to the North of the site is designated woodland, with Green Belt land to the North, East and South East.

Description of development

The proposal is seeking permission for the erection of a two storey side and rear extensions, front porch, detached garage and demolition of existing extensions. The measurements of the scheme are as follows:

Front porch:

- 2.6m in width
- 1.2m in projection
- 3.4m in overall height

Two storey side extension:

- 1.6m in projection
- 6.5m in width
- 5.3m in height to the eaves; 6.7m in overall height

Two storey rear extension:

- 2m in projection
- 5.7m in width
- 5m in height to the eaves; 6.5m in overall height

Detached garage:

- 6.4m in width
- 6.4m in depth
- 2.4m in height to the eaves; 4m in overall height

The extensions would be constructed from brickwork/render with concrete tiled roof to match the host property. The additional windows and doors would be UPVC. Internally the works would create a larger lounge, w/c, utility and

lobby at ground floor, along with a larger third bedroom with en-suite and study at first floor.

The existing garage will be demolished and replaced with a double garage.

History of negotiations/amendments received

Officers have entered into discussions with the agent regarding the location of the detached garage. As such, an amended plan was received on the 27th October to re-position the outbuilding closer to the host property. Concerns were also raised regarding the construction materials for the garage and therefore a condition has been attached to the decision notice accordingly. This was agreed with the agent on the 28th September 2021.

Relevant Planning History

At the application site:

2021/91144 - Erection of two storey side extension and detached double garage, demolition of existing extensions - Withdrawn

97/90130 – Change of use of land to form part of residential curtilage and erection of detached garage

Pre application advice:

2020/20094 – Householder development – Comments made.

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 26th August 2021.

As a result of the above publicity, no representations have been received.

Consultations responses

KC Trees: Requested that further information is provided before development commences to include a Arboricultural Method Statement. A condition should also be attached to the decision notice to secure tree and hedge planting along the site boundary with the woodland.

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:

- LP1 – Achieving sustainable development
- LP2 – Place shaping
- LP21 – Highway safety
- LP22 – Parking

- LP24 – Design
- LP30 – Biodiversity
- LP31 – Strategic green infrastructure network
- LP33 – Trees

Supplementary Planning Documents (SPD)

- House extensions and alterations
Kirklees Council has adopted supplementary planning guidance on house extensions which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.
- Highways design guide

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, 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 design 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
3. Impact on residential amenity
4. Impact on highways
5. Other matters
6. Representations
7. Conclusions

1. Principle of development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of development on the application site is acceptable and shall be assessed against other material planning considerations below.

2. Impact on visual amenity

The NPPF provides guidance in respect of design in chapter 12 (Achieving well designed places) with 126 providing an overarching consideration of design stating '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 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.

With regard to the House Extensions and Alterations SPD, Key Design Principles 1 and 2 are relevant which state:

- Principle 1 - that "extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene."
- Principle 2 - that "extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail."

In this instance, officers consider the proposed development to appear subservient to the host property, as the majority of the extension would be above the existing flat roof aspect. The dual pitched roof would also be set down from the main ridge, along with the rear extension. The detached garage would be situated forward of the principal elevation; however, this would be similar to the existing arrangement.

There would also be limited amenity space development as part of this proposal and therefore the works would not result in the overdevelopment of the site, as the host property, is a detached dwelling with a relatively modest curtilage.

Two storey side extension:

With regards to two storey side extensions, the Councils adopted House Extensions and Alterations SPD states that such development "can have a significant effect on the character of the original house and the street". More specifically paragraph 5.2 sets out that two storey side extensions should:

- not take up all or most of the space to the side of a house;
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house.

In this case, the side extension would be inset from the boundary by approximately 4.3m and would not be adjacent to any built form, given its location on a corner plot. The extension, in this case would sit flush with the original dwelling, given that the works would predominantly be to extend the existing flat roof feature. As such, officers do not consider it reasonable to request that the extension is set back. However, to compensate on the above,

it is noted that the dual pitched roof would be set down 0.5m from the main ridge roof line. For these reasons, it has been considered that the side extension would have an acceptable visual finish, as it would replace the existing flat roof feature in accordance with the councils adopted SPD.

With regards to design, the extension is considered acceptable in terms of visual amenity, as it would follow the simple form of the original property and would be finished in render and brickwork to match. Whilst the works would be perceived as being relatively large in scale, it has been noted that the area is dominated by detached dwellings and therefore any additional built form would not appear out of character and incongruous within the street scene.

The proposed fenestration has also been considered acceptable from a visual perspective, as it would be of a similar appearance to those that exist on the host property.

Whilst the extension would intensify development to the side of the host property, it would not result in an undesirable terracing effect as the extension would sit closest to the boundary with the adjacent woodland.

Two storey rear extension:

As shown on the submitted plans, the works proposed to the rear of the dwelling would be compliant with the aims of paragraph 5.8 of the Councils House Extensions and Alterations SPD. More specifically, it has been noted that the extension would be proportionate to the size of the house and would not exceed 50% of the total area of land (including all extensions/outbuildings). The works would have a projection of 2m and would be at least 4m from any boundary.

In terms of design, the extension would be built with a dual pitched roof and would be set down from the ridge on the two storey side extension. This would help reduce some of the bulk and massing at the site. New windows and a Juliette balcony will be added within the rear elevation. Such openings have been considered acceptable from a visual perspective, adding passive solar gain.

The extension would be finished in render to match the host property, along with a concrete tiled roof.

Porch

The design of the porch has been considered acceptable from a visual perspective, as it would appear relatively small in size and scale when compared against the backdrop of the main house. Whilst no specific details have been provided regarding the finish of the porch, it is likely to be constructed from brickwork or render to match the host property.

Detached garage

The design of the garage would match the existing structure by benefitting from a dual pitched roof. Its location however, would differ from the existing arrangement, as the garage would be situated further to the North West and

would create a new entrance into the site. Turning would be provided to the front of the garage.

Amendments have been requested in order to reposition the garage closer to the main house. In this case, a compromise has been sought and therefore officers consider the size, scale and location of the outbuilding to be acceptable, on balance.

A garage door is proposed within the front elevation, along with a side pedestrian door and a rear window. This arrangement is typical for ancillary outbuildings and therefore no concern is raised.

With regards to materials, officers have raised concern regarding the introduction of a timber clad garage with a corrugated sheet roof. This is due to the development being located within a residential area, whereby the predominant material is brick and render. As such, officers are looking to attach a condition to the decision notice to ensure that the outbuilding is finished in either render and/or brick to match the materials used on the host property. This would preserve the visual amenity of the site, in accordance with Policy LP24 of the KLP.

Having taken into account the above, it has been considered that the proposal would harmonise, to an acceptable degree, with the host property and the surrounding development the character of the area and the wider street scene, complying with LP24 of KLP, the aims of the Councils House Extensions and Alterations SPD and Chapter 12 of the NPPF.

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 House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposals impact on residential amenity, which state:

- Principle 3 - that “extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours.”
- Principle 4 - that “extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light, and outlook.”
- Principle 5 - that “extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.”
- Principle 6 - that “extensions and alterations should not unduly reduce the outlook from a neighbouring property.”
- Principle 7 - that “extensions and alterations should ensure an appropriately sized and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals.”

The impact of the development on each of the surrounding properties will be assessed in turn.

29 Thick Hollins Drive is the neighbouring property to the South West of the application site. Given that the works would mainly be situated to the North East of the host property, officers are satisfied that there would be no detrimental overbearing and overshadowing from the additional built form. With regards to overlooking, the submitted plans do now show any new windows to be inserted into the side elevation of the two storey rear extension. This would prevent any loss of privacy into these neighbours garden space. The extension would also be situated approximately 8m from the shared boundary.

The detached garage would be situated a substantial distance from these neighbours front elevation and therefore there would be no material harm.

Given the above, the relationship between these two properties can be supported.

26 Thick Hollins Drive is the neighbouring property to the North West of the application site. There would be a separation distance of approximately 24m retained between these neighbours and the proposed extensions, along with 20m to the detached garage. As such, officers are satisfied that there would be no undue overbearing, overshadowing or overlooking from the additional bulk, massing and openings contained within the extensions and outbuilding proposed.

To the North of the site is woodland.

Overall, it has been considered that the impact on amenity is acceptable and therefore the proposal is considered to comply with LP24 of the Kirklees Local Plan and the aims of the Councils House Extension and Alterations SPD.

4. Impact on highway safety

It has been noted that the applicant is seeking permission to erect a new double garage and driveway to the North West of the application site. In this instance, no concern has been raised regarding sight lines, as Thick Hollins Drive serves the surrounding residential properties. However, officers would not wish to see any boundary treatment along the sites frontage at a height greater than 1m. As such, a condition to control this will be attached to the decision notice accordingly.

Alongside the above, a further condition will also be attached to the decision notice to ensure that the driveway is appropriately surfaced and drained in accordance with standard guidance to ensure that the additional hard surface does not result in an increase in surface water run-off and flood risk. This would accord with Policies LP28 and LP34 of the Kirklees Local Plan.

With regards to dropping the kerb, this would require a separate application to the Council's Highways Department. A note will therefore be attached to the decision notice, which states that the granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required.

Overall, the proposal has been considered acceptable from a highway and a drainage perspective, as the scheme will provide at least three off street parking spaces in which will be laid and surfaced in a permeable substance. This is to accord with Policies LP21, LP22, LP28 and LP34 of the KLP and Chapter 14 of the NPPF.

5. Other matters

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, with the main works being proposed to the existing flat roof, in which is not suitable for 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 licenced bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

Alongside the above, given that the site is situated directly adjacent to a wildlife habitat corridor, officers consider it essential to seek biodiversity net gain. As such, a condition shall be attached to the decision notice, to state that a bird box shall be erected on the northern facing side elevation of the side extension. This is to accord with Policy LP30 of the KLP and Chapter 15 of the NPPF.

Trees

KC Trees have been formally consulted as part of this application. In this case the officer has noted that the site is adjacent to a protected woodland ref TPO/06/04/w1, with the area between the house and the protected woodland containing a number of trees until recently. The clearance of the land of tree cover prior to submission of an application is not encouraged and appears to be an attempt to remove objections to these proposals with regards to trees.

The Arboricultural Impact Assessment submitted does allow some impacts of the proposals to be assessed however does not give any indication of canopy spread of the woodland adjacent to the proposed extension. The woodland crown spread is shown to not extend over the boundary line of the property and as no stems have been plotted within the woodland it is not possible to determine the extent of root spread of the closest trees.

Having been to site, the officer noted that the canopies of the trees do overhang by approximately 1 or 2m in places and the closest tree would be outside of influencing distance of the proposals. There is therefore unlikely to

be any direct impacts on the adjacent woodland from the proposed extension or garage.

The new driveway access between the two Birch trees T1 and T2 will impact upon the rooting area of these trees unless a tree-friendly method of construction is used. This is mentioned within the AIA submitted however it would be preferable if the large area of hardstanding were not extensive along Thick Hollins Drive and was constrained more towards the house in an effort to separate the property from the woodland.

The provision of a driveway either round T1 or between T1 and T2 would impact upon the obvious surface roots present from these trees. Any driveway design would need to be constructed above ground level and only ramped down to the road level at the edge. This would need to be resolved by the provision of a satisfactory Arboricultural Method Statement which would need to specify the method proposed for use and how the trees will be protected during construction on the site. In this case, the agent has requested that the information is conditioned on the decision notice. This will be a pre commencement condition.

Lastly, given the adjacent protected woodland and loss of trees prior to submission on the site, the Council should secure tree and hedge planting along the site boundary with the woodland in mitigation for the development for the site. This will also have the effect of separating the new site use from the woodland both visually and from a wildlife perspective. No details of tree planting have been included within the proposals and given the recent changes on the site, a condition will be attached to the decision notice accordingly.

As such, it is considered that the proposal would be compliant with Policies LP24i and LP33 of the Kirklees Local Plan.

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 is not considered reasonable to require the applicant to put forward any specific resilience measures. Nonetheless, it has been noted that the area of hardstanding will be laid and hardened in a permeable surface in order to reduce the risk of flooding.

6. Representations

As a result of the above publicity, no representations have 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: 2021/92793

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 Policies LP1, LP2, LP21, LP22, LP24, LP30 and LP35 of the Kirklees Local Plan and the aims of the Council's House Extensions and Alterations SPD and the National Planning Policy Framework.

3. The extensions hereby approved shall be constructed from render and brickwork to match the materials used on the host property, in accordance with the submitted plans. The extensions shall thereafter be retained with such finish.

Reason: In the interests of visual amenity and to accord with Policies LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

4. Notwithstanding the details set out on the approved plans and information, the detached garage hereby approved shall be constructed from brickwork and/or render, with a concrete tiled roof to match the materials used on the host property. The garage shall thereafter be retained with such finish.

Reason: In the interests of visual amenity and to accord with Policies LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

5. The hereby approved vehicle parking area shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' and thereafter retained.

Reason: In the interests of highway safety and to ensure that the additional hardstanding is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

6. Nothing shall be permitted to be planted or erected within a strip of land 2.4m deep measured from the carriageway edge of Thick Hollins Drive or along the full frontage of the site which exceeds 1.0m in height above the level of the adjoining highway.

Reason: To ensure adequate visibility in the interests of highway safety, in accordance with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

7. Development shall not commence until an Arboricultural Method Statement, in accordance with British BS 5837, shall be submitted and approved in writing by the Local Planning Authority before development commences. The method statement shall include details on how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Reason: This is a pre-commencement condition so as to protect to viability of the protected mature trees within close proximity to the application site and to accord with Policy LP33 of the Local Plan and advice within the National Planning Policy Framework.

8. Development shall not commence until a scheme detailing landscaping, tree/shrub planting, including the indication of all existing trees and hedgerows on and adjoining the site, details of any to be retained, together with measures for their protection in the course of the development, has been submitted to and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and biodiversity, in accordance with Policies LP30 and LP33 of the Kirklees Local Plan.

9. A woodcrete or long lasting nest box suitable for starlings or sparrows shall be erected on the exterior of the two storey side extension before it is first brought into use. The box shall be installed on a north facing side elevation, at least 3 metres above the ground and not located above windows or doors. The box shall thereafter be retained.

Reason: In the interests of enhancing the biodiversity value of the site, in accordance with LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	-	-	21 st July 2021
Existing elevations	-	-	21 st July 2021
Proposed elevations	-	C	21 st July 2021
Existing ground floor plan	-	-	21 st July 2021
Proposed ground floor plan	-	C	21 st July 2021
Existing first floor plan	-	-	21 st July 2021
Proposed first floor plan	-	C	21 st July 2021
Garage elevations and floor plans	-	A	21 st July 2021
Planning statement	-	-	21 st July 2021
Proposed site plan	-	D	27 th September 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 Planning 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. In this instance, officers have entered into discussions with the agent regarding the location of the detached garage. As such, an amended plan was received on the 27th October to re-position the outbuilding closer to the host property. Concerns were also raised regarding the construction materials for the garage and therefore a condition has been attached to the decision notice accordingly. This was agreed with the agent on the 28th September 2021.

Report Dated: 29th September 2021

