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:	**2022/62/90150/W**
Site Address:	12, Woodlands Road, Lepton, Huddersfield, HD8 0HT
Description:	Erection of two storey side and single storey rear extension and front porch
Recommending Officer:	Sam Jackman

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 14-Mar-2022

Officer Report. -

Reference: 2022/90150

Location: 12 Woodlands Road, Lepton, Huddersfield, HD8 0HT

Proposal: Erection of single storey rear, two storey side and single storey front extensions.

Site Description.

12 Woodlands Road is a two-storey detached property located in Lepton, Huddersfield. The property is constructed in regular coursed light buff brick, with a hipped roof form built in concrete roofing tiles. The front of the property benefits from a lawn and driveway with a front porch and attached side garage and utility room, with a small pathway providing access to the large rear garden. The garage has a flat roof and white garage door.

The site is located in a residential area with properties in the area varying in style and design, although with some similarity. Detached two-storey properties with hipped roofs are common on this side of the highway, with the majority being constructed in red brick. Side garages are also common, as well as some with first floor extensions above these. Across the highway bungalows are present constructed in brick and stone with gabled roof forms. There is therefore much variety in the streetscape of the area.

Description of Proposal.

The application is resubmission of an identical scheme which expired on the 16th of Jan 2022.

The proposal is for the erection of a single storey rear extension, two storey side extension and single storey front extension. The rear extension will allow for an enlarged open plan kitchen and dining area and new living room, the side extension will allow for a widened garage on the ground floor and an additional bedroom and an enlarged bedroom with en suite on the first floor, and the front extension allows for a slightly larger porch. The details for each of these elements are described below. Matching materials and roofing tiles are proposed throughout.

The rear extension is to project 2.10 metres from the property and have a length of 6.50 metres, with a maximum height of 3.00 metres and eaves of

2.50 metres with a lean-to roof. French doors and a large window are proposed on the rear elevation.

The two-storey side extension is to replace the existing side garage and utility room with the first-floor constructed level with the front elevation of the main dwelling and a lean to roof installed over a ground floor projecting garage. The extension would have a length of 8.10 metres at first floor level and 11.6 metres at ground floor with a width of 3.30 metres, having a 0.40 metre greater side projection than existing. The roof is to have a small, hipped roof feature at the front constructed in line with the front elevation of the property which would have a maximum height of 7.2 metres with eaves of 5.50 metres, a matching hipped roof would be formed for the remaining part of the roof.

A small side window is proposed on each floor for the WC room and en-suite. A front facing window is also proposed, with the garage door increasing in width from 2.20 metres to 2.40 metres.

The front extension is to be replacing the existing front porch and have it run along the garage. It is to have a projection of 1.50 metres and length of 5.80 metres with a maximum height of 3.50 metres and eaves of 2.50 metres with a lean-to roof.

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022%2F90150

History of Negotiations.

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format.

Relevant Planning History.

Application site

2018/93592 - erection of a single storey rear extension, two storey side extension and single storey front extension granted - Granted Jan 2019

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f93592

similar applications nearby to the site:

2002/90208 – *16 Woodlands Road* - Erection of two storey extension.
Granted in 2002.

2005/92510 – *18 Woodlands Road* - Erection of two storey extension.
Granted in 2005.
2017/91031 – *2 Woodlands Drive* - Erection of two storey side extension.
Granted in 2017.

These applications share a similar design to this application, with a two-storey side extension with garage being common in the area. It is also important to note that a two-storey side extension has been erected to the neighbouring 14 Woodlands Road, although this has no record of 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 the 28.2.22, whereby no representations have been received.

Consultation Responses.

No consultations were deemed necessary for this proposal.

Policy/Legislation.

The site is unallocated on the Kirklees Local Plan and falls within an area with a known presence of bats and also an area at low risk of ground movement as a result of former mining activity.

The following policies are therefore considered to be applicable in the consideration of this application: -

Kirklees Local Plan (LP):

- **LP 1**– Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** - Parking
- **LP 24** – Design
- **LP 30** - Biodiversity and geodiversity

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 21st July 2021, 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 2 –** Achieving sustainable development
- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding & coastal change.
- **Chapter 15** – Conserving and enhancing the natural environment

Supplementary Planning Documents

- House Extensions and Alterations Supplementary Planning Guidance (SPD)

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.

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
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Conclusion

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 stating that “the council will always work pro-actively 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.”

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. In terms of extending and making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design, including the now adopted Kirklees Supplementary Planning Document on House Extensions (SPD) which come into effect on 29th June 2021 and attracts weight as a material consideration.

Given the above the principle of erecting extensions at the site is considered to be acceptable. The impact on visual and residential amenity, highway safety and all other material planning considerations will be assessed below.

Impact on visual amenity:

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all 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…*
>
> *c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details…"*

LP24 goes onto to referring to terracing in the justification of the policy which states any extensions should be subservient and not dominate or detract from the original dwelling and seek to minimise impact on residential amenity of future and neighbouring occupiers, through maintaining privacy and daylight. Extensions should seek to avoid a "terracing" effect in the streetscene where this is incompatible with the existing character of the area. Any alteration should respect the character of the streetscene, including the scale, massing, rhythm, details, roof line, building line and fenestration.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The SPD also clearly refers to front extensions in section 5.2 and the potential impact they could have on the character of the area and visual amenity. The SPD advises that front extensions will not normally be supported unless:

- The house is set well back from the pavement or is well screened; and
- The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and
- The materials and design match the existing features of the original house; and
- The extension would not unreasonably affect the neighbouring properties.

In Section 5.19 of the SPD refers to side extensions and the potential impact they could significantly have on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area. 5.20 states 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.

5.21 includes first-floor side extension which indicates how spaces between houses, are important in providing a sense of space, local character and attractive appearance of an area and should be retained.

In Section 5.1 followed by 5.2 of the Supplementary Planning Document refers to the general rules, where a rear extension should:

- Preserving a back garden of a reasonable size, with a general principle that at least half the garden area is retained;
- Being set behind the original building, and not projecting beyond the sides; and
- Maintaining external access to the rear garden.

- respect the original house and garden in terms of its size and scale;
- use appropriate materials which match or are similar in appearance to the original house; and
- not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.

In Section 5.6 of the Supplementary Planning Document specifically refers to single storey rear extension which should:

- be in keeping with the scale and style of the original house
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- not exceed 4 metres in height; not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;

- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposal is located on Woodlands Road, a residential area with a variety of housing design and styles. There is a predominant use of detached two-storey properties nearby to the site with hipped roofs constructed in brick, although bungalows with gabled roofs and constructed in stone are present across the highway. Two storey side extensions are also common in the area, with several sharing the same design as what is proposed. Therefore, the two-storey side extension would be in keeping of the local area. Adding this massing to the side of the property means the potential for the terracing effect, although the hipped roof and gap between the neighbouring property limiting this. Whilst the proposal does not include the set back from the principal elevation as advised in the SPD, given the recent planning permission at the site, and the detached nature of the host property with a separation to the shared boundary the lack of set back is considered to be acceptable. The proposed hipped roof is considered to be in keeping of the host property and be a visual improvement from the flat roof of the garage, with the front hipped roof being set lower than the main roof and in line with the front elevation of the dwelling ensuring it remains subservient. Matching brickwork is proposed which would also not harm the character of the area or the host property. Therefore, the proposed side extension is to have no harm upon the visual amenity.

The proposed front extension elements would be visible from the main highway and have the potential to impact upon the appearance of the streetscape. The ground floor extension is to replace the existing porch and run the length of the garage which is considered to not be of any significant harm. The roof is to change from a flat roof to a lean to which would be more in keeping with the hipped roof and other front porches in the area and ensure the extension remains visually subservient. Therefore, the front extension is also to have no detrimental impact upon the visual amenity.

The rear extension is to add massing to the rear of the property, although this won’t be visible from the highway and the rear garden is relatively large which would lessen any impact of its mass. The extension is to have a lean-to roof which would be in keeping of the hipped roof whilst ensuring the extension remains subservient and be an improvement of the flat roof of the garage and utility room. The windows and doors are to be aligned with the windows on the upper floor which would ensure an adequate visual appearance. The rear extension is therefore to have no significant impact upon the visual amenity.

The extension is considered to relate satisfactorily to the host building and have an acceptable impact on visual amenity, in accordance with the requirements of policies LP1, LP2 & LP24 of the Kirklees Local Plan, having regard to principles 1, 2 and 7 of the Supplementary Planning Document on House Extensions (SPD) and policies within Chapter 12 of the National Planning Policy Framework.

Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and advice within Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing

The site shares its boundary to properties to the east and west, with properties from the north and south also having visibility of the proposal. Therefore, development at 12 Woodlands Road 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:

- *10 Woodlands Road* – This property is located to the southeast of the property, sharing the boundary as to where the side extension and rear extension is to be located. The two-storey extension is to bring considerable massing toward this property, although this is to be mitigated by the distance of 2.00 metres between the properties and the hipped roof ensuring only the minimum height is overlooking. There are two side windows proposed, both for bathroom facilities, which are to be conditioned to be obscurely glazed to ensure privacy levels. The rear extension is also to add massing to the rear of the site that this property would have visibility of. The small scale of the extension, no side windows and fair distance means that this would be of no significant harm. The extensions may impact upon light levels but due to the orientation, any impacts would be in the late evening.

- *14 Woodlands Road* – This property is located to the northwest and would not be greatly impacted by the proposed development. The front porch is to be of a small scale and set away from this property and thus would have no impact. The rear extension is to have no side windows and be located over 5.00 metres away.

- *32 and 34 Grosvenor Way* – These properties are located to the rear of the site and would have visibility from the rear of their properties. Windows are proposed on the rear elevation that could have visibility, but this is in addition to the existing windows and the distance of over 20.00 metres.

- *1 Woodlands Way* – This property is located to the south of the property, having a view of the front of the property. The visual amenity of the proposal has been deemed to be of no harm and the view of the property would have no impact upon this neighbour. There is a considerable distance of over 20.00 metres lessening any impact.

It is therefore concluded that the proposal accords with policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations Supplementary Planning Document as well as policies within chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

Policies LP22 of the Kirklees Local Plan, and Key Design Principle 15 of the adopted House Extensions & Alterations SPD seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

In terms of highway safety, the proposal would result in an extra bedroom which could result in the need of an increase of car usage. However, the proposal includes an internal garage for one space as well as the driveway still being able to serve one car. Given that the property is in a residential area with the opportunity for on-street parking it is considered it would be unreasonable of the LPA to insist upon the creation of a total of 3 off-street parking spaces on the basis the property would host 4 rather than 3 bedrooms.

Furthermore, the visual impact of undertaking such in curtilage parking is considered to have an unsightly impact upon the visual amenities of the street, given the sloping drive and elevated property.

It is therefore concluded the proposal meets the aims of Policy LP22 of the Kirklees Local Plan with respect to highway safety and advice in Chapter 12 of the National Planning Policy Framework.

Other matters:

Climate Change – Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including

reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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 size, scale and limited nature of development, it was not considered necessary to request specific measures to address the developments' resilience to climate change.

K.C. Biodiversity –

Paragraphs 174, 180, 181 and 182 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance.

This is due to the fact that albeit the extension will connect into the existing roof, the property in this case appears to be well sealed and maintained with little opportunity for bats.

However, as a cautionary measure, and to ensure accordance with the aims of Chapter 15 of the National Planning Policy Framework, a footnote shall be attached to the permission setting out that, should any bats be found using the building then works must cease and appropriate advice sought.

Representations:

No public representations were received for this proposal.

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: 2022/90150

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 51 of the Planning and Compulsory Purchase Act 2004.

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 with Policies LP01, LP02 & LP24, principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with policies within chapters 2, 12, and 14 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the existing dwelling.
Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, the adopted SPD on House

Extensions and Alterations and advice within the National Planning Policy Framework.

4. The development shall not be occupied until the two windows in the south-eastern (side) elevations of the dwellings hereby approved have been obscure glazed to a minimum grade 4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), the obscure glazing (to a minimum grade 4) shall thereafter be retained. **Reason**: So as not to detract from the amenities of the adjoining property by reason of loss of privacy and to accord with policies LP01, LP02 & LP24 of the Kirklees Local Plan and advice in the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 - 18.30 hours (Mondays to Fridays), 08.00 - 13.00 hours (Saturdays) with no work carried out on Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and 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 to 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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received

Plan Type	Reference	Version	Date Received
Location Plan	1841. 1		18.1.2022
Existing Floor Plans	1841. 2		17.1.2022
Proposed Ground Floor	1841. 3		17.1.2022
Proposed First Floor	1841. 4	A	17.1.2022
Existing and Proposed Front Elevation	1841. 5	A	17.1.2022
Existing and Proposed Rear Elevation	1841. 6		17.1.2022
Existing and Proposed Side Elevation 1	1841. 7	A	17.1.2022
Existing and Proposed Side Elevation 2	1841. 8	A	17.1.2022

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

The Case Officer did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.

Report Dated: 10.3.22

Coal low