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:	**2022/62/91711/W**
Site Address:	38, Templar Drive, Almondbury, Huddersfield, HD5 8HS
Description:	Conversion of existing detached garage to home office with external timber cladding and formation of mono-pitch roof
Recommending Officer:	Katie Chew

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.

Stuart Howden

AUTHORISED OFFICER

Date: 01-Sep-2022

Officer Report

Site Description

38 Templar Drive, Almondbury, Huddersfield, HD5 8HS

The application site relates to a two-storey stone, render and timber clad semi-detached dwelling which benefits from both front and rear garden areas, with a detached single garage under a flat roof to the rear which is accessed by a driveway which runs to the side of the dwelling.

The site is within a predominately residential area. It is not located within a Conservation Area and there are no Listed Buildings in close proximity.

Description of Proposal

The applicant is seeking planning permission for the conversion of existing detached garage to home office, with external alterations to this building.

The proposals will not see the existing garage be extended in length or width but will see some internal and external changes. These include providing an amended internal layout to allow for a new home office, shower room and cupboard. Externally a new set of double doors are to be provided with new roof lights installed. Some of the existing openings are to be blocked up and altered, with the external elevations of the building to be finished in render. The existing flat roof design is also to be altered to provide a duo pitched roof finished with cedral thrutone smooth tiles. The existing roof canopy to the front of the building is to be retained.

History of negotiations/amendments received

Amendments have been sought to amend the design and reduce down the height of the originally submitted roof to the home office, with this now becoming dual pitched rather than mono-pitched. The applicant's agent has also requested to change the proposed materials from timber cladding to render.

Relevant Planning History

There is no relevant planning history at the application site or at adjacent sites.

Representations

Final publicity date expires:

Neighbour Letters – Expired 30th June 2022.

No representations have been received to date.

Officer note: We are currently undertaking the legal 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 only, details of which are outlined above.

Whilst it is acknowledged that there is a Public Right of Way which runs to the north west/rear of the application site, given the nature of the proposals for a simple conversion, with alterations to the roof of an existing structure officers consider no impacts arising to the PROW in this instance. Therefore, the application was not advertised by site or press notice on this occasion.

Whilst it is acknowledged that amended plans were received during the lifetime of this application, as these amendments sought to reduce the overall scale and size of the converted garage re-consultation was not considered necessary on this occasion.

Consultation Responses

No technical consultations required.

Parish/Town Council

N/A.

Local Ward Members

N/A.

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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The application site is unallocated in the Kirklees Local Plan but is located within a Bat Alert Area. A Public Right of Way runs to the north west of the application site too, but this is not within the site.

Kirklees Local Plan (LP):

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highways and Access
- LP22 - Parking
- LP24 – Design
- LP30 – Biodiversity & Geodiversity
- LP51 – Protection and Improvement of Local Air Quality

Other Guidance Documents:

- House Extensions and Alterations SPD (2021)
- Kirklees Highways Design Guide (2019)

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 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. In this instance the chapters of most relevance include:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 9 – Promoting sustainable travel
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

1) Principle of development
1) Scale, design and visual impact of the proposed development
2) Impact of the proposed development upon the privacy and amenity of neighbouring properties
3) Highway Impacts
4) Other matters
5) Conclusion

1 – Principle of Development:

The site is unallocated within the Kirklees Local Plan.

NPPF Paragraph 11 and Policy LP1 of the Kirklees Local Plane 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 the 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 instance, it could be stated that the principle of development of this application is acceptable, but this is subject to the assessment of impacts on

visual and residential amenity, as well as highway safety and any other impacts that may arise. This will be discussed below.

2 - Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal consideration concerning design which states:

"The creation of high-quality beautiful and sustainable 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 the development in the local area, thus retaining a sense of local identity.

Policy LP24 states that all proposals should promote good design by ensuring the following:

"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…".

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document seek to ensure development is subservient to the host property and in keeping with the character of the locality. Specifically stating the following:

'Key design principle 1 (Local character and street scene) – 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'.

Key design principle 2 (Impact on the original house) – 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'.

Section 5 of the aforementioned SPD provides specific advice on particular types of extensions and alterations. Whilst there is not advice in relation to garage conversions, section 5.6 relates to outbuilding, with paragraphs 5.29 & 5.30 within this section stating the following:

'5.29 Outbuildings, such as garden offices, detached garages and granny annexes, can have as much of an impact on the appearance of the building as any other extension. Wherever possible these should reflect the style, shape

and architectural features of the existing house and not be detrimental to the space around the building.

5.30 Outbuildings should normally:

- *be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;*
- *be set back behind the building line of the original building so that they do not impact on the street scene; and*
- *preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost'.*

The proposal seeks to convert the existing garage which is set behind the building line of the original dwelling, into a home office with shower room and cupboard. Whilst no changes are proposed to the length and width of the building, alterations are to be made to the roof pitch and design, alongside internal and external alterations. Officers deem the internal alterations and installation of new windows and doors to be suitable and reflective of the host dwelling. The proposed external materials include the use of render and Cedral Thrutone smooth tiles, and these materials are deemed to be sympathetic and reflective of the host dwelling and existing detached garage and are therefore considered to be acceptable. Furthermore, the proposals seek to increase the height of the garage and amend the design of the roof from a flat roof to a duo pitched roof. Whilst it is acknowledged that the host dwelling benefits from a hipped roof, there are a number of pitched roofs within the street scene and this amended design is considered to be an improvement from the large mono-pitched roof originally with the application. The proposals would also remain subservient to the host dwelling in terms of scale, and would also retain at least 50% of the garden space surrounding the property.

To conclude, the proposal is considered to be appropriate in size, scale and design in this location. The proposal therefore accords with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and Principles 1 and 2 outlined within the Council's adopted House Extensions and Alterations SPD.

3 - Impact on Residential Amenity:

Sections B & C of the Kirklees Local Plan Policy LP24 which states that alterations to existing buildings should:

"*Maintain appropriate distances between buildings' and '…minimise impact on residential amenity of future and neighbouring occupiers'.*

Further to this, paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future occupiers.

Principles 3 and 4 of the House Extensions and Alterations SPD highlights that extensions and alterations should be designed to achieve reasonable levels of

privacy for both inhabitants, future occupants and neighbours, this should include considering the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.

Principles 5 and 6 relate to overshadowing/loss of light and overbearing impact. The above principles will all be discussed in more detail within the assessments below.

Impact on no. 36 Templar Drive

This outbuilding is adjacent to this this neighbouring property, located to the north of the application site. As no windows are proposed within the northern elevation of the proposed home office there are no significant concerns in respect to overlooking or loss of privacy. Of note, boundary treatment would restrict views of the rear window whilst the front window would directly overlook the driveways of both the host property and No.36.

In addition, whilst the site is set on higher land to No.36, given the outbuilding's location adjacent to no. 36's detached garage, this will help to prevent the extended outbuilding from cause undue harm overshadowing, as a large amount of any shadowing would fall over this existing structure and therefore would not impact on any habitable room windows or useable amenity space. Finally, although the proposals are set at a higher ground level to no. 36 given the buildings location and the nature of the proposals, which simply seek to increase and amend the existing roof design of the building by a minimal amount, officers consider that these changes would not appear overly dominant or overbearing on this neighbouring property and therefore raise no significant concerns in this instance.

Principle 7 of the Kirklees House Extensions and Alterations SPD highlights that new development should ensure that an appropriately sized and useable area of private outdoor space is retained. In this instance the entirety of the front and rear garden would be retained, and therefore the garden space is considered to be acceptable in this instance.

In conclusion, taking the above into account it is considered that the proposals would not result in any significant or detrimental impacts on the privacy and amenity of any neighbouring properties, complying with Chapter 12 of the NPPF and Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, as well as Principles 3-7 of the House Extensions and Alterations SPD.

4 - Impact on 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 on highway safety and provide sufficient parking. Paragraph 111 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.

Principle 15 of the House Extensions and Alterations SPD states that extensions and alterations should maintain appropriate access and off-street 'in curtilage' parking. With Principle 16 going on to say that proposals should maintain appropriate storage arrangements for waste.

Whilst the proposal seeks to convert the existing detached garage into additional living accommodation, the garage at present is not of a sufficient size to accommodate a vehicle and therefore its loss is deemed to neutral from a highway's perspective. It appears that no additional bedrooms are to be provided at the property, and it is considered that no additional parking spaces need to be created and therefore the proposals are deemed to be acceptable in this instance. It should be noted that the conversion of this building to a home office would likely constitute permitted development (if incidental to the enjoyment of the dwellinghouse)

Given the nature of the proposals and their location within the site, no changes are anticipated in relation to existing access and parking arrangements. Waste storage and collection arrangements are likely to remain as is.

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 of the Kirklee Local Plan, Principles 15 and 16 of the House Extensions and Alterations SPD and the guidance contained within Chapter 9 of the National Planning Policy Framework.

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.

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. Principle 10 refers to the use of renewable energy,

and Principle 11 states that extensions and alterations should consider designing water retention into the proposals.

The proposal is for a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan, Principles 8, 9, 10 and 11 of the House Extensions and Alterations SPD and Chapter 14 of the National Planning Policy Framework.

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.

Whilst it is acknowledged that the application site is located within a bat alert area, the existing garage has a flat roof and appears to be well sealed to the eaves, therefore there is considered to be limited risk of harm to roosting bats. An informative has been included to ensure that if roosting bats are found during construction works the proper procedures are undertaken. It is not considered proportionate to seek net gains in this instance.

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: 2022/91711

Officer Recommendation: Approve with conditions.

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 with Policies LP1, LP2, LP21, LP22, LP24, LP30 and LP51 of the Kirklees Local Plan, Principles 1-17 of the Council's adopted House Extensions and Alterations SPD and Chapters 2, 4, 9, 12, 14 and 15 of the National Planning Policy Framework.

3. Notwithstanding the material specified within the submitted application form for the walls of the converted detached garage hereby approved, the external walls shall be finished with smooth render and thereafter retained as such.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD.

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 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. If Bats are found then contact Natural England.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Location Plan	22/575/01	-	25th May 2022
Existing Block Plan	22/575/02	-	25th May 2022
Existing Floor Plan and Elevations	22/575/03	-	25th May 2022

Proposed Floor Plan and Elevations	22/575/04	D	26th August 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 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. Amendments were sought to amend the design and reduce the height of the originally submitted roof to the home office and such amendments were provided by the applicant's agent. The applicant's agent also requested to change the proposed materials from timber cladding to render, which Officers raised no objections to.

Report Dated: 01/09/2022