

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:	2022/62/93126/W
Site Address:	Woodhouse Hill Farm, 44, Woodhouse Hill, Fartown, Huddersfield, HD2 1DL
Description:	Demolition of existing rear porch and erection of front and rear porch and replacement front bifold doors
Recommending Officer:	Laura Eddey

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: 04-Jan-2023

OFFICER REPORT 2022/93126

Woodhouse Hill Farm, 44, Woodhouse Hill, Fartown, Huddersfield, HD2 1DL

SITE

The site is a mid-to-late C19 detached stone dwellinghouse located on Woodhouse Hill, Fartown, North Huddersfield. The house is sited on a large plot of land with several outbuildings and an area of hardstanding. There is an outbuilding attached to the dwellinghouse on the east elevation. The north, west, and south elevations of the property can be viewed from the main road, Woodhouse Hill. There is a bus stop at the junction of Woodhouse Hill and Woodhouse Hall Road northwest of the site. The level of the site slopes gently downhill to the south. This creates an uneven level between the front and rear of the property.

PROPOSAL

The proposal is for the demolition of the rear porch and the erection of a new front and replacement rear porch in matching stone and roof tiles. The front porch measures 1.7 m by 3.0 m and is 2.1 m to eaves, 3.5 m to roof ridge with a pitched roof. In the front elevation is a new uPVC window with matching stone lintels.

The rear porch replaces an existing white uPVC porch and is 1.5 m by 4.5 m and is 2.7 m to eaves, 4.0 m to the roof ridge with a mono-pitched roof. New windows and doors will be in white uPVC to match existing. The new front porch will be centred on the existing front door, with the porch entrance situated in the west elevation. The replacement rear porch will be moved to the west slightly to be centred on the back door to match the form of the front. The entrance to the rear porch will also be situated in the west elevation. The proposal also includes the insertion of bifold doors within the front elevation to replace existing patio doors. The submitted plans do not show the existing patio doors.

PLANNING HISTORY

2006/92989 – Demolition of farmhouse and outbuildings. Outline application for erection of 1 detached dwelling and 11 terraced dwellings with garages and parking – Conditional outline permission

2006/91130 – Demolition of existing farmhouse and outbuildings, outline application for erection of 3 No. detached, 2 No. semi-detached, and 9 No. terraced dwellings with garages and parking – Withdrawn
2009/92857 - Reserved Matters application for erection of 12 dwellings with garages and associated parking – Approval of reserved matters
2020/91760 - Erection of three storey learning facility – Withdrawn/Invalid

PUBLICITY & REPRESENTATIONS

The application was publicised by means of neighbour notification letters in accordance with Table 1 of the Council's Development Management Charter.

The period of publicity expired on 16th November 2022.

No representations were received.

CONSULTATIONS

Health and Safety Executive – do not advise against the granting of permission.

POLICIES

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 not unallocated within the KLP but does fall within an area with a known presence of bats and within an area identified by the Coal Authority as being at risk of ground movement as a result of former mining activity.

Local Plan:

- LP 01 Achieving sustainable development
- LP 02 Place shaping
- LP21 Highway Safety

- LP22 Parking Provision
- LP 24 Design
- LP30 Biodiversity and Geodiversity
- LP53 - Contamination

Supplementary Planning Documents:

KC House Extensions and Alterations Supplemental Planning Document (SPD) adopted June 2021.

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 2: Achieving sustainable development

Chapter 12: Requiring good design

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Chapter 15: Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on Parking
- 4) Other matters – e.g. trees/ecology (e.g. bats)
- 5) Representations
- 6) Conclusion

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 chapter 2 of the National Planning Policy Framework.

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. 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, it can be stated that the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity, as well as other matters which will be discussed as follows.

2 –Impact on visual amenity:

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design. 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, setting out the following:-

KDP 1 – Local character and the street scene – Extensions and alterations should be in keeping with the appearance, scale, design and local character of the area and the street scene.

KDP 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.

The proposal is for the erection of a new front porch and the demolition and replacement of the rear porch in matching materials to the original dwelling. The existing rear porch is a partially glazed and made from white uPVC. The house is a northeast-facing detached stone property set perpendicular to the main road. The front elevation is plain and could be easily mistaken for the rear. To the north of the property is a cottage garden bounded to the north and west by a traditional stone garden wall, approx. 1.5 m high, that runs alongside the main road, Woodhouse Hill. Access is through a large wooden gate off Woodhouse Hill. To the rear is a large area of hardstanding and several single-storey timber farm buildings and some unmanaged ground. The property is in a prominent location along Woodhouse Hill and predates many of the properties in the area. As such, it is slightly unusual in that the primary elevation lies perpendicular to the main road. As a former farm, the property retains that visual element with some dilapidated timber farm buildings and unmanaged grounds to the rear. The addition of the front porch and replacement of the rear adds some balance to the property, especially to the front elevation

The proposed front porch is small, subservient, and centrally positioned over the existing front door. While the front door will be located on the side elevation, the porch's gable ended roof design compliments the front elevation reducing the existing ambiguity regarding the front elevation. The size and design of the porch would accord with guidance on front extensions set out in the SPD.

The materials used will match the existing stone and blue slate of the original dwelling. The windows will be white uPVC to match existing. The position of the porches centrally over both the front and rear door create a nice balance on each elevation, enhancing the front elevation and improving the aesthetic of the rear.

The existing conservatory is clean and in reasonable condition. The proposed replacement porch would reduce the footprint by making the porch slimmer and higher, and set centrally over the rear backdoor to balance with the front porch, with a mono-pitch roof. Similarly, access into the property would be through a side door and two steps to make up the change in level between the front and rear of the property. The design and materials palette for this rear extension would better harmonise with the host dwelling. It would be a subservient addition and would accord with the relevant guidance on single storey rear extensions set out in the SPD.

The alterations to the front elevation through the insertion of bifold doors would have little impact on the appearance of the dwelling as these replace existing patio doors.

To conclude, the proposed development would accord with Policy LP24 of the Local Plan and relevant design principles of the SPD in respect of visual amenity.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and 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, 4, 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. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained. Principle 16 goes requires that proposals maintain appropriate storage arrangements for waste.

The property is easily viewed from the north and west along Woodhouse Hill. It has some screening from an existing stone wall and some planting along the wall and in the garden. The front porch will provide some additional privacy for occupiers of the host property to the lower left front elevation, where new glazed doors have been installed, by creating some additional screening.

The proposals would not significantly reduce amenity space provision for occupiers of the property or impact upon existing waste storage arrangements.

In terms of the impact on surrounding residents, to the south of the site is Sun Woodhouse Care Home. There are windows in the care home facing the front elevation of the dwelling at right angles. Given the separation, form and function of the proposed front porch it would have no material impact on the amenities of occupiers of the care home.

There are no other properties proximate to the site that could be adversely impacted by the proposed development.

To conclude, both porch proposals are considered to have an acceptable impact upon residential amenity, in accordance with the aforementioned policies.

4 – Impact on Parking:

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principles 15 and 16 of the adopted House Extensions & Alterations SPD

seek to ensure that acceptable levels of off street parking / waste storage areas are retained and are also considered to be relevant.

There would be no impact in relation to the availability of parking at the property or the resultant impact upon access and highway safety. Bin storage arrangements would not be altered. The proposal is therefore concluded to accord with the aforementioned policies in this regard.

5 – Other matters:

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 site is in the bat alert layer, but not in any other zone designated for the purposes of biological conservation. In these circumstances, and since the proposal is for the replacement of an existing extension and for a small single storey addition to the property, it is considered that it would not be reasonable or proportionate to seek to achieve biodiversity net gain or require submission of a bat survey given the scale of the proposal. It is recommended the requirements of legislation are brought to the applicant's attention by inclusion of an informative note in relation to bats.

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. KDP 8-11 of the SPD set out a series of issues that might be applicable to certain applications.

In this instance the applicant has not submitted any supplementary statement or other information to explain how the proposed development would help to

address or combat climate change effects. As the proposal is for the replacement of an existing extension and proposed small new extension within an urban area it is considered that that it would contribute to making more efficient use of land in a relatively sustainable location. It is considered that in the circumstances the applicant does not need to demonstrate further measures to combat climate change and the proposal is deemed to be in accordance with the aims set out above and set out in NPPF Chapter 14.

Contamination

Policy LP53 of the Local Plan and Chapter 15 of the NPPF set out what the risks can be to development resulting from the presence of contamination. Although there is no record of contamination at this site, except coal mining legacy, it is within an HSE consultation zone of a hazardous materials site (Syngenta). This requires statutory consultation with the HSE regarding development at this site. The HSE have responded raising no objections to development at this site.

Furthermore, the Coal Authority have provided mapping to indicate that the site is within a 'high risk coal area'. This could mean that additional measures would need to be undertaken to ensure a safe development due to the risk of instability or contamination. In accordance with the Coal Authority's standing advice, an advisory note will be attached to the decision notice.

6 – Representations:

No representations were 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.

Application Number: 2022/93126

Officer Recommendation: Conditional Full Permission.

Conditions

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 LP21, 22, 24 and 53 of the Kirklees Local Plan, Key Design Principles of the Council's adopted House Extensions and Alterations Supplementary Planning Document and Policies within Chapters 12 and 15 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 building and be retained thereafter.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and Policies within Chapter 12 of the National Planning Policy Framework.

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 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
Existing and proposed plans and elevations	3646/01	A	07 October

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.