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:	**2022/62/93734/W**
Site Address:	59, Larch Road, Paddock, Huddersfield, HD1 4JG
Description:	Formation of extended dropped crossing and parking area to front of dwelling
Recommending Officer:	Lucy Taylor

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.

John Holmes

AUTHORISED OFFICER

Date: 02-Mar-2023

Officer Report.

Reference: 2022/93734

Location: 59, Larch Road, Paddock, Huddersfield, HD1 4JG

Proposal: Formation of extended dropped crossing and parking area to front of dwelling

Site Description.

59 Larch Road is a detached bungalow located in Paddock, Huddersfield. The property is faced in stone and brick and has a gable roof infilled with concrete tiles. Within the wider curtilage, the property benefits from garden amenity space to the rear elevation, with all of the front and eastern side elevation hard surfaced for onsite parking. A detached garage is located to the back of the driveway.

Within the wider streetscene, there is a mix of housing types and designs, creating a weak sense of similarity along Larch Road. However, several bungalows are located down Larch Road, integrated into the housing mix.

Description of Proposal.

Planning permission is sought for the formation of an extended dropped crossing and parking area to the front of the dwelling.

The proposal would see the existing dropped kerb extended across the entire frontage of the site, to a total length of approximately 12 metres.

The existing parking area would be resurfaced in permeable block paving or gravel and to the front, some of the existing grassed area would be resurfaced in these materials to increase the level of on-site parking.

Some landscaped areas would be retained to the front elevation.

In addition, whilst it has been noted that the existing wall to be front of the site would be removed to facilitate vehicle access to the on-site parking area, Planning Permission is not required to carry out such works.

History of Negotiations.

The case officer contacted the applicant in relation to modifying the original description of proposal. The original description of proposal read: 'formation of extended dropped crossing and parking area to front of dwelling with concrete surface'. The case officer requested that the description of proposal be changed, to remove the part stating, 'with concrete surface.'

The applicant provided agreement to the case officer's modified description of proposal, with this application determined on the basis of the new description, which reads: 'formation of extended dropped crossing and parking area to front of dwelling'.

In addition, the it was requested that further details be provided regarding the proposed methods of drainage on the site and that the scheme be revised to retain some landscaped areas to the front elevation for reasons of visual amenity.

The applicant provided a revised plan, demonstrating retained landscaped areas to the front and labelling the parking area to be surfaced in a permeable material – block paving or gravel.

In turn, the overall determination of this application is on the basis of the amended plans as submitted 27th February 2023.

Within these negotiations, the applicant was also informed that a condition would be imposed upon any grant of permission, to ensure that the parking area be surfaced in a permeable material.

Planning History.

- **86/01804** – extension to garage to form greenhouse. *Approved.*

- **2021/93257** – erection of first floor over bungalow with second floor accommodation in the roof space, application of render finish to side and rear elevations of dwelling and extension to width of detached garage. *Refused.*

- **2022/91971** – raising of roof height to create first floor accommodation, application of render to side and rear elevations of dwelling and extension to width of detached garage. *Approved.*

Representations.

This application was advertised via neighbour notification letters, which expired on 6th January 2023. As a result of this publicity, no representations have been received.

Although amended plans were sought and submitted, it was not deemed necessary to re-advertise the scheme. This is because the proposal and principal of development remain the same as originally proposed, with minor alterations to retain landscaped areas and clarification of materials for the purposes of drainage.

Consultation Responses.

KC Lead Local Flood Authority – Outlined that the applicant must look to a sustainable drainage solution and that the driveway should be drained in line with the 'Permeable Surfacing of Front Gardens' guidance.

KC Highways Development Management – (informal) Have no objection to the proposed scheme with the inclusion of a condition regarding surfacing and drainage and a note regarding the dropped kerb to be constructed under a section 184 agreement of the 1980 Highways Act.

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 in the Kirklees Local Plan. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP51 – Protection and improvement of local air quality

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:
The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

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, 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 4 – Decision-making
• Chapter 9 – Promoting sustainable transport
• 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

Assessment.

The following matters will be considered as part of the assessment: -

1) Principle of Development
2) Impact on Visual Amenity
3) Impact on Residential Amenity
4) Impact on Highway Safety
5) Other Matters
6) Representations
7) Conclusion

1) Principle of Development

The site is without notion in the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan 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. In terms of extending and making alterations to a property, Policy LP24 of the Kirklees Local Plan is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be accessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1) Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state 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. Furthermore, Key Design

Principle 2 of the House Extensions and Alterations SPD goes onto state 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 details.

The proposal is for the formation of vehicular access and a dropped kerb along the public pavement. This would include minor alterations to the application site including the demolition of the existing front boundary wall. Although the proposed development would not alter the appearance of the dwellinghouse, it would alter the appearance of the existing outdoor amenity space to the front.

The proposed parking area would be increased in scale to the front, with hard surfacing to replace some of the existing grassed area, and the removal of the low-level boundary wall. However, given that some landscaped areas would be retained to the front elevation and that other properties within the vicinity have an entirely hard surfaced front elevation, it is considered that the proposal would not appear out of character with the surrounding area and would not have a material impact on visual amenity.

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2) Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions and Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Due to the nature of the proposed development, it is considered that there would be no undue harm to the neighbouring properties. The formation of vehicular access via a dropped kerb and an increase in hard surfacing would not lead to a significant overbearing, overshadowing or overlooking impact to any residential amenity and would be acceptable in this regard.

With regard to occupier amenity, sufficient private outdoor amenity space would be retained at 59 Larch Road to the rear of the site. On this basis, it is considered that the proposed works would ensure an acceptable standard of amenity for existing and future occupiers.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

3) Impact on Highway Safety

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 Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

KC Highways Development Management were informally consulted as part of this application. Their response raised no objection to the proposed scheme at 59 Larch Road from a highway's safety perspective, noting that the extra hard-surfacing would achieve three off-road parking spaces and that visibility would actually be improved through the removal of the stone wall.

The hard-surfacing is to be completed in either block paving or gravel, however, KC Highways Development Management noted that they would prefer the use of block paving, as gravel can become loose and spread onto the highway.

Both proposed hard surfaced materials would be permeable in nature. In turn, they are considered to be acceptable from a drainage perspective and appropriately accord with guidance on the permeable surfacing of front gardens.

Details that are to be secured via condition include surfacing and drainage of the parking areas. Furthermore, the formation of a dropped kerb would need to be completed via a Section 184 agreement with the Council. It is recommended that this be included as a footnote.

The applicant has confirmed bin storage arrangements following the proposed alterations to the hard surfacing. The bins would be stored in the garage.

In turn, it is concluded that the scheme would not represent any additional harm in terms of highway safety and accord with Policy LP21 and LP22 of the Kirklees Local Plan, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4) 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 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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF, Policy LP51 of the Kirklees Local Plan.

5) Representations

None.

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 development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve
Decision Authorisation: Delegated Powers
Application Number: 2022/93734
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 & LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 9, 12, 14 & 15 of the NPPF.

3. The development shall not be brought into use until the areas to be used by vehicles and/or pedestrians have been surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 2009 (ISBN as amended or any successor guidance. The parking space shall be so retained, free of obstructions and available for the use thereafter.
Reason: In the interests of highway safety and to ensure satisfactory surface water drainage of the site in accordance with Policy LP21 and LP28 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework.

Note: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

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 and 18:30 hours, Mondays to Fridays 08:00 and 13:00 hours, Saturday, with no working 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 application site is not located in a coal risk area.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received

Proposed Plans	PL502revA	3	27.2.23
Application Form			24.11.22

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. Amended plans were sought to ensure a permeable surface and to retain landscaping to the front elevation.

Report Dated: 25.7.22