
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 15-Jul-2020

Subject: Planning Application 2020/90588 Erection of two storey rear extension 11, Woodside Lodge, Kirkburton, Huddersfield, HD8 0PD

APPLICANT

K Wormald

DATE VALID

04-Mar-2020

TARGET DATE

29-Apr-2020

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Kirkburton

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and issue the decision.

1.1 INTRODUCTION:

1.2 The application is brought to the Strategic Planning Committee following a request from Cllr Bill Armer which stated:

- The extensions are too large and the original building would not remain dominant, contrary to Local Plan Policy LP57.
- All six properties to the west of the application site have had similar single storey lean-to extensions on their rear elevations, not two storey extensions.
- In their assessment of two of these single storey extensions, officers have commented that such extensions “would not significantly alter the character or style of the property” - the inference being that a two storey extension would not be acceptable.
- The extension would project 4 metres from the original rear elevation at ground floor level and between 3 and 4 metres at first floor level (noting the old maximum 3m rule under UDP Policy BE14).
- For the neighbouring property no. 9 which is set back 1.4m from the rear wall of no.11, this would mean the extension would project up to 5.4m beyond the rear elevation of the neighbouring property no. 9. As such, the impact on outlook and ambient daylight would be significantly detrimental.
- New side windows serving bedrooms would result in close overlooking of existing habitable rooms and garden areas of both no. 9 and no. 15, detrimentally affecting their privacy. No. 15 would suffer from direct sunlight loss as a result of the extensions.
- The development would be constructed of artificial stone, whereas the host building and all others at Woodside Lodge are constructed of natural stone. This would be out-of-keeping with the character of the all other properties at Woodside Lodge.
- The size of the extensions (two storeys high and virtually the full width of the house) together with the dual projecting gables would not preserve the established roofline of this row of houses, and would again be out-of-keeping.

The proposals would fail to acknowledge the previous 'neighbourliness' of all other residents in this row, who have thought carefully about the scale and design of their extensions in relation to neighbouring properties.

- The proposals would therefore be contrary to Local Plan Policy LP24 – which seeks to ensure that “extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details....”

1.2 The Chair of the Strategic Planning Committee has confirmed that Councillor Armer's reasons for referral to committee are valid having regard to the Councillor's Protocol for Planning Committees.

2.0 SITE AND SURROUNDINGS

2.1 The application site relates to a two-storey detached dwelling at Woodside Lodge in Kirkburton. The dwelling is constructed from natural stone for the external walls and stone slates for the roof. The dwelling has a projecting element to the front and a driveway and small garden area also to the front.

2.2 To the rear of the site, the application site has a conservatory which projects 5 metres from the rear elevation of the main dwelling. The application site has a large garden to the rear of the property, similar to those residential properties immediately adjacent the application site. To the rear of the site is a TPOd woodland (ref. 21/01/w1).

2.3 Surrounding the site is predominantly residential to the north, east and west. The dwellings within the immediate vicinity have extensions. No. 15 has a single storey rear extension, no. 9 has a conservatory and other properties on Woodside Lodge have also been extended (see planning history section of this report).

2.4 To the rear (south), the land is predominantly open, with the dwellings having large gardens. Beyond the wooded area is open fields.

2.5 The site is allocated as Green Belt on the Kirklees Local Plan. The site is not located in a conservation area.

3.0 PROPOSAL:

3.1 Planning permission is sought for the erection of a two- storey rear extension.

3.2 To facilitate the development, the existing rear conservatory will be demolished.

3.3 The planning application form states that the extension would be constructed from artificial stone to match the host dwelling. However, it is noted that the main dwelling is constructed from natural stone and therefore the proposed extension would match this material.

3.4 The proposed roofing material, stone slates, would also match the host dwelling.

3.5 The rear extension would project a maximum of 4 metres from the rear of the house at ground and first floor. As shown on the plans, on the south eastern boundary, the extension would project 3 metres from the rear at first floor.

- 3.6 The extension would be 9.7 metres in overall width and would have an overall height of approximately 6.6 metres. To the eaves, the height would be 5.1 metres.
- 3.7 The access to the site would remain the same and the parking arrangements at the site would not be altered.
- 3.8 The plans also include the installation of additional windows within the existing dwelling. There is one additional opening in the north western elevation serving an en suite, one additional opening in the south eastern elevation and one existing opening in the north western elevation will be enlarged.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 96/93279 – Erection of 14 detached dwellings with detached garages APPROVED
- 4.2 2012/93896 – Erection of ground and first floor extensions APPROVED (no. 15)
- 4.3 2008/91843 – Erection of conservatory APPROVED (no. 9)
- 4.4 2013/90987 – Erection of first floor extension above garage APPROVED (no. 21)

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 The case officer entered into discussions with the applicant with regard to the scale of the initial proposal and the concerns that were raised as a result of this in relation to an overbearing impact on the neighbouring properties. The applicant submitted amended plans showing a reduction in the scale of the extension and the extension set in from the boundaries of the neighbouring properties. The amended plans have been re-advertised and the case officer is satisfied that the concerns raised have been overcome for the reasons set out in the main assessment below.

6.0 PLANNING POLICY:

- 6.1 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).
- 6.2 The site is allocated as Green Belt on the Kirklees Local Plan.
- 6.3 Kirklees Local Plan (KLP):

LP1 – Presumption in favour of sustainable development

LP2– Place shaping

LP21– Highway Safety

LP22– Parking Provision

LP24– Design

LP30 – Biodiversity and geodiversity

LP33 - Trees

LP51 – Local air quality

LP53 – Contaminated and unstable land

LP57 – The extension, alteration or replacement of existing buildings

6.4 National Planning Policy Framework:

Chapter 9 – Promoting sustainable transport

Chapter 12 – Achieving well designed places

Chapter 13 – Protecting Green Belt Land

Chapter 14 – Meeting the need for climate change, coastal change and flooding

Chapter 15 – Conserving and enhancing the natural environment

7.0 **PUBLIC/LOCAL RESPONSE:**

7.1 As a result of the initial and amended plan publicity period, 11 representations have been received (5 in support of the application, 6 against). The following points have been raised:

- Six properties to the west of the application site have thoughtfully erected single storey extensions to minimise impact on neighbours
- Unprecedented two storey extension will impact on occupiers of adjacent properties
- Affecting privacy and daylight
- Not in keeping with existing buildings in terms of scale
- Block considerable amount of daylight especially in the morning
- Would not comply with LP24
- Integrity of rooflines for other extensions been maintained, this ignores that
- Proposed extension is a dramatic change that will dominate
- Will not keep style of estate intact
- Will radically cut out sunlight and sky from conservatory, kitchen and bedroom
- Would be grateful for an inspector to come to site to understand distress this is causing
- Houses staggered to allow for privacy, this extension not fair
- Changes made are negligible
- Two storey extension will dominate and overshadow Woodside Lodge, in particular the two adjoining neighbours
- Being double height is ruthless aggressive design
- Totally inappropriate for its location
- Extend time for making objections given unprecedented situation
- In support of application – nearly all properties on this estate have extensions
- No. 11 one of the smallest footprints and the extension is in keeping with the house 2 doors down on Storthes Hall Lane
- Design is in character with the house
- No impact on privacy, other houses have been extended and project further than this would
- All extensions project at different eye lines
- Some houses have extensions to the front - could argue that these cause issues of privacy of gardens at the front
- House will benefit from modernisation
- Houses generally well-spaced and no dwellings to the rear that will be affected

- No surrounding wildlife and nature
- Only visible from the site
- Providing materials in keeping with house will improve overall aesthetic
- Green Belt disproportionate addition 38% volume increase (more than rule of thumb 1/3 increase)
- All six properties on the street have similar single storey extensions, apart from 100 Storthes Hall Lane which is set back – the proposed extension does not fit with the 'overall appearance' of the site
- Planning history in the area noted and comparison made to the proposed development
- Size of extensions would be disproportionate in terms of floor space
- Lack of consistency with row of dwellings and green belt, especially given rear of houses face onto open land
- Disproportionate in that their over-dominance in relation to the appearance of the host dwelling
- no very special circumstances submitted
- no permitted development fallback position as permitted development rights removed
- extent of these extensions may not be entirely necessary and could be scaled back
- internal layout of the proposals could be designed more efficiently, negating the need for such large extensions to the rear
- need a balance between needs of occupiers of no. 11 and the neighbouring properties
- reference to UDP policy BE14 which stated 3 metres was acceptable.
- loss of direct sunlight
- massing and close proximity would be overbearing
- habitable room window proposed in eastern elevation
- new windows would require planning permission as a result of being associated with extension
- orientation of properties means there would be loss of ambient daylight
- close overlooking of dining room/home office and front garden areas would occur as a result of enlarged window
- The use of artificial stone would create material harm to the appearance of the host building and would be out-of-keeping and detrimental to the character of the surrounding development
- proposed extensions would be two storeys high and cover virtually the entire width of the dwelling. It is difficult to see how this could be judged as being subservient to the host property
- other planning applications on Woodside lodge state that proposals for single storey are subservient, inferring that 2 storey extensions would not be
- dual projecting sub-gables proposed as part of this application are out-of-keeping with the established character of the dwellings at Woodside Lodge
- neither respect nor enhance the character of the surrounding development and would fail to acknowledge the previous 'neighbourliness' of all other residents in this row
- such design elements were simply never intended on the rear elevations of the southernmost plots when this rural, high quality development was first conceived and built
- result in a poor quality and visually unattractive development, lacking sympathy with (and detracting from) the established appearance and character of Woodside Lodge as a whole

7.2 The following comments have been made by Cllr Armer (ward member for the Kirkburton area):

- The extensions are too large and the original building would not remain dominant, contrary to Local Plan Policy LP57.
- All six properties to the west of the application site have had similar single storey lean-to extensions on their rear elevations, not two storey extensions.
- In their assessment of two of these single storey extensions, officers have commented that such extensions “would not significantly alter the character or style of the property” - the inference being that a two- storey extension would not be acceptable.
- The extension would project 4 metres from the original rear elevation at ground floor level and between 3 and 4 metres at first floor level (noting the old maximum 3m rule under UDP Policy BE14).
- For the neighbouring property no. 9 which is set back 1.4m from the rear wall of no.11, this would mean the extension would project up to 5.4m beyond the rear elevation of the neighbouring property no. 9. As such, the impact on outlook and ambient daylight would be significantly detrimental.
- New side windows serving bedrooms would result in close overlooking of existing habitable rooms and garden areas of both no. 9 and no. 15, detrimentally affecting their privacy. No. 15 would suffer from direct sunlight loss as a result of the extensions.
- The development would be constructed of artificial stone, whereas the host building and all others at Woodside Lodge are constructed of natural stone. This would be out-of-keeping with the character of the all other properties at Woodside Lodge.
- The size of the extensions (two storeys high and virtually the full width of the house) together with the dual projecting gables would not preserve the established roofline of this row of houses, and would again be out-of-keeping. The proposals would fail to acknowledge the previous ‘neighbourliness’ of all other residents in this row, who have thought carefully about the scale and design of their extensions in relation to neighbouring properties.
- The proposals would therefore be contrary to Local Plan Policy LP24 – which seeks to ensure that “extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details....”

7.3 Kirkburton Parish Council has not made any comments on the planning application.

7.4 Officer comments in response to the representations will be made in the report below.

8.0 CONSULTATION RESPONSES:

No consultation responses are required.

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 The application site is located in the Green Belt on the Kirklees Local Plan.
- 10.2 Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 10.3 Policy LP57 of the Kirklees LP states that extensions will normally be acceptable provided that the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be taken into account.
- 10.4 Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building. Furthermore, the proposal should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and the design and materials used should be sensitive to the character of the Green Belt setting.
- 10.5 In this case, whilst it is acknowledged that the proposed development would result in additional built form, the size of the original house is acknowledged and considered. The original house is large and has only been extended by virtue of its conservatory which is to be demolished as part of the proposals.
- 10.6 In this case, whilst it is acknowledged that the proposed extensions would be erected along the majority of the rear elevation of the dwelling, it is important for Members to note that the extension would be set in approx. 0.4m from either side of the application property (with an overall distance of over 1.5m to both boundaries). The projection of the extensions and their subsequent bulk and massing would be an acceptable addition in relation to the host property. The extensions would represent approximately a 38% increase in volume over and above the original dwelling. The footprint of the extension is acceptable - the main dwelling's footprint at ground floor is approx 14 metres in length (excluding the conservatory), with the proposed extension being 4 metres. At first floor, the main dwelling has a length of approx. 9 metres, with the extension being a maximum of 4 metres in projection (3 metres on the south eastern boundary).

10.7 Taking into account the footprint and volume calculations discussed above, along with the appearance of the extension (which is set down from the ridge of the main dwelling), which would be a subservient addition to the main dwelling and is not considered to be a disproportionate addition to the original dwelling. Officers consider that the proposed extension would not have a harmfully greater impact on the openness of the Green Belt than the existing dwelling, complying with Policy LP57 of the Kirklees Local Plan which states that the original house must appear to remain the dominant element both in terms of size and overall appearance. As well as this, the extension would be located in an area that is currently used as a domestic garden for the dwelling and therefore the proposed development would not contradict the 5 purposes of including land within the Green Belt and would not encroach into the open countryside, complying with paragraph 134 of Chapter 13 of the National Planning Policy Framework.

Impact on visual amenity:

- 10.8 Part of policy LP57 of the Kirklees LP stipulates that ‘the design and materials used (for extensions to buildings) in the Green Belt should be sensitive to the character of the Green Belt setting’.
- 10.9 On this occasion, the area of Green Belt immediately surrounding the application site is characterised by a mix of residential stone-built properties, with large expanses of open land to the rear in the character of domestic garden with open land further to the rear, past the tree belt.
- 10.10 Whilst it is noted on the planning application form that the extension would be constructed of materials to match the host dwelling, it is noted that the existing material on the application form is incorrect. From a site visit and review of the existing plans, it is clear that the dwelling is constructed from natural stone, the same as the surrounding properties. If the application is to be approved by Members, a condition would be imposed to ensure that the materials of the extension would match the host dwelling, specifically, in this case, to be constructed in natural stone. The design is considered to be acceptable. Whilst it is noted that the roof form of the extension does not match that of the host dwelling, the extension is set down from the ridge of the main house and the design will not detract from the host dwelling which does not, in itself, have any particular architectural merit that is worthy of special protection. The extension is not visible from the street, limiting the impact that the extension would have on the visual amenity of the surrounding area. There are no public rights of way where the extension is visible from the rear and in terms of rooflines, whilst this extension would be two storey, and the majority of the others are single storey, the extension would not appear incongruous given its design and in keeping materials.
- 10.11 Given the design and scale of the proposal, set down from the ridge of the host dwelling, the extension would be read as a subservient addition which would not harm the character of the host dwelling, with the host dwelling remaining the dominant feature of the site. The eaves height of the proposed extension matches that of the host dwelling and the fenestration details are acceptable in terms of their arrangement, scale, design and materials.

- 10.12 Chapter 12 of the NPPF states that “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” Policy LP24 of the Kirklees Local Plan reiterates this and aspires for all developments to promote good design.
- 10.13 The proposed development is not considered to be overdevelopment of the site. The garden area associated with the application site is large, spanning a length of 80 metres. The proposed extension would be erected within the immediate garden area, with a very large area of amenity space remaining for the occupiers of the property.
- 10.14 In the opinion of Officers, for the reasons discussed above, the proposed development is acceptable, complying with Policies LP24 and LP57 of the Kirklees Local Plan and Chapters 12 and 13 of the National Planning Policy Framework.

Residential Amenity

- 10.15 The impact on residential amenity is considered, by officers, to be acceptable. Chapter 12 of the National Planning Policy Framework states that planning decisions create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. This is consistent with Kirklees Policy LP24 of the KLP.
- 10.16 This section of the report will assess the relationship of the proposed development with the neighbouring properties.

Impact on no. 9 Woodside Lodge

- 10.17 The dwelling at no. 9 is located to the south east of the application site and has a conservatory at ground floor level to the rear, and bedroom windows within the rear elevation of the property. No. 9 benefits from a large area of amenity space to the rear of the site.
- 10.18 At the time of the site visit, the case officer viewed the proposed plans from the neighbouring garden to assess the proposed relationship between no. 9 and the proposed extensions at the application site.
- 10.19 Firstly, in respect of overbearing, the rear elevation of no. 9 Woodside Lodge is set slightly back from the rear elevation of the application site and is also set on a slightly lower level than the application site. There is an existing conservatory at the application property that is approximately 5 metres in projection. Considering this, whilst it is noted that the proposed extension is of a more substantial construction, the proposed ground floor element will be reduced in length to 4 metres, thus not projecting significantly beyond the existing conservatory at the neighbouring dwelling, no. 9. Considering this existing relationship, along with the existing boundary hedging, the proposed development at ground floor is considered acceptable in terms of overbearing.

- 10.20 At first floor, the extension would project 3 metres from the rear of the property and would be set in 1.7 metres from the boundary (and a further 1.2 metres to the side of no.9). It is acknowledged by the case officer that no. 9 is currently set back from the application site by approx 1.4 metres. Given that this is the case, careful consideration has been given to the level of harm that would result from an additional 3 metre projection.
- 10.21 A 3 metre projection and the resultant bulk and massing, as seen on the proposed plans, is not considered to result in a significantly detrimental impact on residential amenity that would result in a harmful overbearing impact that warrants refusal of the planning application. As seen from the elevational plans, the bulk and massing will result in additional built form but, following the receipt of amended plans, this expanse of wall is not considered to result in a harmfully oppressive impact on the occupiers of no. 9. No. 9 lies to the southeast of the application site and consideration has been given to the loss of natural light that will occur as a result of the development. In this case, given the projection of the extension (3 metres at first floor), and the orientation of the properties, there would be some overshadowing in the late afternoon/ early evening at no. 9. However, this loss of natural light would be limited and would not result in significant harm that would warrant the refusal of the planning application.
- 10.22 In terms of overlooking, the extension does not have any openings in the side elevation facing this site and therefore there would be no overlooking/ loss of privacy as a result of the extension. The existing hedge will also restrict views from the extension at ground floor into the amenity space/conservatory of no. 9. However, it is acknowledged that the hedge could be removed, and openings installed in the side elevation at ground floor of the extension. For this reason, if the application is approved by Members, a condition will be imposed to remove permitted development rights for new openings in the ground floor side elevation facing no. 9 Woodside Lodge. First floor side openings would be controlled by the General Permitted Development Order (England) (2015) ('GPDO').
- 10.23 There is also a new window opening facing no. 9 which serves as a secondary window for proposed 'bedroom 2'. This window is located in a position where there would be no harmful overlooking to the main garden space of no. 9. As well as this, given its secondary nature and the fact that the window is labelled on the plan to be high level, it is considered that there would be no harmful overlooking or loss of privacy from this window. As well as this, a condition will be recommended to ensure that this window is obscurely glazed to ensure that this element of the reconfigured internal layout complies with the GPDO.

Impact on no. 15 Woodside Lodge

- 10.24 The dwelling at no.15 is located to the north west of the application site and has a single storey extension to the rear with openings in its main elevation facing the garden space. No. 15 has one habitable room opening in its side elevation which serves a study/bedroom at ground floor, and one non habitable opening. At first floor, there are no habitable room openings in the side elevation. This was confirmed on site and following a review of 2012 approved plans at no. 15 (see planning history).

- 10.25 At the time of the site visit, the case officer viewed the proposed plans from the neighbouring garden and assessed the relationship between the proposed extensions and no. 15 Woodside Lodge.
- 10.26 Firstly, in terms of overbearing, it is important to note that the application site is set back from no. 15 by approximately 1.4 metres. No. 15 is also on a very slightly higher level. Considering this, the extension will project 4 metres from the rear elevation of the application property and 2.6 metres from the rear of no. 15. Considering this, as well as the separation distance of 1.9 metres to the boundary, and a further 1.7 metres to the side of no. 15 (which does not have any habitable room openings), Officers are satisfied that there would be no harmful overbearing impact on the occupiers of this dwelling. At ground floor, the extension of no. 15 projects further to the rear than the proposed extension.
- 10.27 Considering the bulk and massing of the first floor element of the extension and the relationship between the properties, it is not considered that the additional built form that is proposed would result in significant overbearing harm to warrant refusal of the planning application.
- 10.28 The case officer has assessed the proposal with reference to loss of light and overshadowing. In this case, the harm that results will not be significant enough to warrant refusal of the application given the orientation of the properties and the fact that the neighbouring site is set forward of the application site and has an extension that extends beyond the rear elevation of the neighbouring property. The overshadowing impact is limited.
- 10.29 In terms of overlooking/ loss of privacy, there are no openings proposed in the side elevation of the proposed extension and therefore there will be no overlooking between the properties. Considering that the extension of no. 15 has a blank elevation and it projects further than the proposed extension at ground floor, it is not considered necessary to remove permitted development rights for new openings in the side elevation of the extension facing this site. The main opening of the proposed extension serving the kitchen/dining/living space is in the rear elevation, meaning that any future opening in this side elevation would be secondary.
- 10.30 In the north eastern elevation, the existing bedroom window is to be enlarged to create a double window serving the 'guest bedroom'. The enlarged part of the window will be obscurely glazed and non-opening to fall within the permitted development criteria. A condition has been recommended to safeguard this. In terms of overlooking/loss of privacy, there are no habitable room windows at first floor in no. 15 and therefore there is no harm in this regard. The existing clear glass opening will remain in situ, providing some degree of natural light to the bedroom in the re configured layout.

Impact on surroundings

- 10.31 To the front of the dwelling, there are no properties that will be affected by the proposed development given the location of the extension to the rear.
- 10.32 To the rear of the dwelling, there are no houses that will be affected by the proposed development.

10.33 The proposed development is therefore, in the view of Officers, acceptable on balance for the reasons discussed above, complying with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

Highway issues

10.34 Chapter 9 of the NPPF states that when assessing sites for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or on highway safety can be cost effectively be mitigated to an acceptable degree. Policy LP21 of the Kirklees Local Plan reiterates this, stating that new development will normally be permitted where safe and suitable access to the site can be achieved and where the residual cumulative impacts of development are not severe.

10.35 With regards to the proposed development, the extensions, if approved, will not result in an intensification of the use of the site. The number of bedrooms at the site will remain at 4 and therefore, given that the parking provision will not be altered, this existing arrangement is acceptable.

10.36 Given the small scale of the extensions, and the fact that the access/ parking arrangements will not be altered, there will be no highway safety issues as a result of the proposed development.

10.37 Considering the above, the proposal is considered acceptable from a highway safety and efficiency perspective with the inclusion of the suggested conditions, complying with Policies LP21 and LP22 of the KLP and Chapter 9 of the NPPF.

Other Matters

Protected species

10.38 The site is in the bat alert layer as identified on the Kirklees Local Plan GIS mapping system and therefore consideration has been given to the ecological impact of the proposed development. In this case, the application is householder extensions to an existing property which appeared relatively well sealed and there was no evidence of bats or bat roosts at the time of the site visit.

10.39 For this reason, a bat survey has not been requested by the case officer. Instead, a footnote will be added to the decision notice to provide advice to the applicant should bats or bat roosts be found during construction.

10.40 Officers consider that subject to the advisory guidance footnote, the proposed development complies with policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Coal Mining Legacy

10.41 The site is located within a 'low risk' coal mining area and therefore a Coal Mining Risk Assessment has not been submitted, nor has consultation with the Coal Authority been undertaken.

- 10.42 The proposed development is for householder extensions and therefore this falls under the 'exemptions' on the Coal Authority's exemptions list. For this reason, the proposed development is acceptable in this regard.
- 10.43 A footnote will be added to the decision notice to provide advice to the applicant should unexpected coal mining workings be found during construction. The proposed development complies with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Climate Change

- 10.44 Chapter 14 of the KLP relates to climate change and states that "Effective spatial planning is an important part of a successful response to climate change as it can influence the delivery of appropriately sited green infrastructure and the emission of greenhouse gases. Planning can also help increase resilience to climate change impact through the location, mix and design of development". This is also reflected in the NPPF as a core land use planning principle.
- 10.45 The NPPF emphasis that responding to climate change is central to economic, social and environmental dimensions of sustainable development. This application has been assessed taking into account the requirements summarised and provides opportunity for development that is considered to meet the dimensions of sustainable development.
- 10.46 In this case, given the small scale of the proposed extensions to an existing domestic property, the proposed development will not result in climate change impacts that need mitigation, in accordance with Local Plan Policy LP51 of the Kirklees Local Plan which states that development will be expected to demonstrate that it is not likely to result in, directly or indirectly, an increase in air pollution which would have an unacceptable impact on the natural and built environment.

Trees

- 10.47 To the rear of the site, there is a belt of protected woodland which is located at the far end of the domestic gardens. Given the significant length of the existing garden areas that the dwellings have, the levels differences (the woodland is on a higher level) and the scale of the extensions, there is no concern in any regard about the proposed development causing damage to the roots of these trees or the trees themselves. It is important to also note that these trees are out of the red line boundary which denotes the application site.
- 10.48 Officers consider that the proposed development complies with LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

10.49 Representations

- Six properties to the west of the application site have thoughtfully erected single storey extensions to minimise impact on neighbours
Officer comment: this is noted. To the east of the site, there is a property with a two storey extension facing the rear of the site. There is also planning history on the estate for first floor extensions (see planning history section of this report).
- Unprecedented two storey extension will impact on occupiers of adjacent properties
Officer comment: see visual amenity and residential amenity section of this report
- Affecting privacy and daylight
Officer comment: see residential amenity section of this report.
- Not in keeping with existing buildings in terms of scale
Officer comment: see visual amenity section of this report. The extension is considered to be of an appropriate scale and design.
- Block considerable amount of daylight especially in the morning
Officer comment: see residential amenity section of this report.
- Would not comply with LP24
Officer comment: see officer report. Officers consider that for the reasons set out in the residential amenity and visual amenity section of this report, the proposed development is acceptable.
- Integrity of rooflines for other extensions been maintained, this ignores that
Officer comment: it is noted that the immediate adjacent properties have single storey extensions. However, the 2 storey extension is of an appropriate design and will not be visible from public vantage points
- Proposed extension is a dramatic change that will dominate
Officer comment: this comment is noted. See visual amenity section of this report for an assessment of the extensions in terms of visual amenity.
- Will not keep style of estate in tact
Officer comment: the extension is to the rear and of an appropriate design. The character of the area/ the estate is not considered to be significantly altered by the proposed 2 storey extension
- Will radically cut out sunlight and sky from conservatory, kitchen and bedroom
Officer comment: see residential amenity section of this report.
- Would be grateful for an inspector to come to site to understand distress this is causing
Officer comment: the case officer has been to the site and assessed the proposed development from the application site, as well as from the gardens of two immediate neighbours. The assessment of the impact on these properties has been assessed in the report. The distress the application is causing is not a material planning consideration and is not given weight in the decision making.

- Houses staggered to allow for privacy, this extension not fair
Officer comment: this is noted. See residential amenity section for comments on privacy and residential amenity.
- Changes made are negligible
Officer comment: amended plans address officer concerns and reduce the extent of the extensions. See officer report.
- 2 storey extension will dominate and overshadow Woodside Lodge, in particular the two adjoining neighbours
Officer comment: see officer report residential amenity and visual amenity section of this report.
- Being double height is ruthless aggressive design
Officer comment: this opinion is noted. See visual amenity section for comments on design and the impact on the Green Belt and wider character of the area.
- Totally inappropriate for its location
Officer comment: see principle of development section of this report
- Extend time for making objections given unprecedented situation
Officer comment: the application has been publicised for the statutory publicity period by site notice and neighbour letter. The amended plans have also been publicised by neighbour letter. This is sufficient to allow members of the public to comment and Officers do not consider that members of the public have been prejudiced by this publicity. Amended plans do not have to advertised as a statutory duty but in this case, the Case Officer allowed additional comments to be made.
- In support of application – nearly all properties on this estate have extensions
Officer comment: this is noted.
- No. 11 one of the smallest footprints and the extension is in keeping with the house 2 doors down on Storthes Hall Lane
Officer comment: this is noted.
- Design is in character with the house
Officer comment: this is noted. See visual amenity section of this report.
- No impact on privacy, other houses have been extended and project further than this would
Officer comment: this is noted. See residential amenity section of this report.
- All extensions project at different eye lines
Officer comment: see visual amenity section of this report.
- Some houses have extensions to the front - could argue that these cause issues of privacy of gardens at the front
Officer comment: this is noted. The impact of other extensions to the front will not be assessed in this report as it is not relevant to the determination of this application.

- House will benefit from modernisation
Officer comment: this is noted
- Houses generally well-spaced and no dwellings to the rear that will be affected
Officer comment: this is noted
- No surrounding wildlife and nature
Officer comment: the site is in the bat alert layer and this has been addressed in the officer report.
- Only visible from the site
Officer comment: the extension is not visible from the street scene of Woodside Lodge given its location to the rear
- Providing materials in keeping with house will improve overall aesthetic
Officer comment: this is noted and could be controlled by condition if the application was to be approved.
- Green Belt disproportionate addition 38% volume increase (more than rule of thumb 1/3 increase)
Officer comment: see principle of development section.
- All six properties on the street have similar single storey extensions, apart from 100 Storthes Hall Lane which is set back – the proposed extension does not fit with the 'overall appearance' of the site
Officer comment: see visual amenity section of this report. The impact on visual amenity and the Green Belt is acceptable in the opinion of Officers.
- Planning history in the area noted and comparison made to the proposed development
Officer comment: relevant planning history has been considered and noted in the planning history section of the officer report.
- Size of extensions would be disproportionate in terms of floor space
Officer comment: see principle of development section of this report for calculations and assessment.
- Lack of consistency with row of dwellings and green belt, especially given rear of houses face onto open land
Officer comment: this is noted. The extension would face onto open land and would not be visible from the streetscene.
- disproportionate in that their over-dominance in relation to the appearance of the host dwelling
Officer comment: see principle of development section of this report.
- no very special circumstances submitted
Officer comment: this is noted. In this instance, it is not considered that this is required as the proposed development is considered to be appropriate development in the Green Belt.

- no permitted development fall back position as permitted development rights removed
Officer comment: this is noted. PD rights for extensions have been removed. The application is therefore being assessed in an application for planning permission and there is no reference to a PD fall back position as justification for the development.
- extent of these extensions may not be entirely necessary and could be scaled back
Officer comment: this is noted. The scale of the extensions as proposed are considered to be acceptable and have been scaled back from what was originally proposed.
- internal layout of the proposals could be designed more efficiently, negating the need for such large extensions to the rear
Officer comment: this is noted
- need a balance between needs of occupiers of no. 11 and the neighbouring properties
Officer comment: this is noted.
- reference to UDP policy BE14 which stated 3 metres was acceptable.
Officer comment: this is not the up to date local development plan for Kirklees. The Kirklees Local Plan does not stipulate distances.
- loss of direct sunlight
Officer comment: see residential amenity section of this report.
- massing and close proximity would be overbearing
officer comment: see residential amenity section of this report.
- habitable room window proposed in eastern elevation
Officer comment: this is noted and assessed in residential amenity section of this report.
- new windows would require planning permission as a result of being associated with extension
Officer comments: the windows are being installed as permitted development as seen in this report. Conditions are recommended to secure this.
- orientation of properties means there would be loss of ambient daylight
Officer comment: see residential amenity section of this report.
- close overlooking of dining room/home office and front garden areas would occur as a result of enlarged window
Officer comment: see residential amenity section of this report. This window would be obscurely glazed, with only the existing clear glazed element providing an outlook from the window – because this is existing, there is no additional harm.

- The use of artificial stone would create material harm to the appearance of the host building and would be out-of-keeping and detrimental to the character of the surrounding development
Officer comment: If the application is approved, a condition would be recommended to ensure that the extension is constructed from materials to match the main dwelling, in this case, natural stone.
- proposed extensions would be two storeys high and cover virtually the entire width of the dwelling. It is difficult to see how this could be judged as being subservient to the host property
Officer comment: see visual amenity section of the officer report. The extension is set down from the ridge of the host dwelling and is set in from the boundaries.
- other planning applications on Woodside lodge state that proposals for single storey are subservient, inferring that 2 storey extensions would not be
Officer comment: these reports are assessing different proposals, in this case, for single storey extensions. The proposed development has been assessed on its own merits and is considered by Officers to be acceptable in this context.
- dual projecting sub-gables proposed as part of this application are out-of-keeping with the established character of the dwellings at Woodside Lodge
Officer comment: design is acceptable. see visual amenity section of this report.
- neither respect nor enhance the character of the surrounding development and would fail to acknowledge the previous 'neighbourliness' of all other residents in this row
Officer comment: the character of the overall development is not considered to be significantly harmed as a result of the proposed development. 'neighbourliness' of other residents is not a material planning consideration.
- such design elements were simply never intended on the rear elevations of the southernmost plots when this rural, high quality development was first conceived and built
Officer comment: the planning application process has assessed whether the proposed development is acceptable in this context. see above report.
- result in a poor quality and visually unattractive development, lacking sympathy with (and detracting from) the established appearance and character of Woodside Lodge as a whole
Officer comment: see visual amenity section of this report. For the reasons in the report, it is not considered that the extension would not harm the overall character of the area

10.50 Cllr Armer's comments are as follows:

The extensions are too large and the original building would not remain dominant, contrary to Local Plan Policy LP57.

Officer comment: see principle of development section of this report. The extensions are proportionate to the main dwelling and the original dwelling would remain the dominant element.

All six properties to the west of the application site have had similar single storey lean-to extensions on their rear elevations, not two storey extensions.

Officer comment: see visual amenity section of this report.

In their assessment of two of these single storey extensions, officers have commented that such extensions "would not significantly alter the character or style of the property" - the inference being that a two- storey extension would not be acceptable.

Officer comment: this is noted. In this case, the applications that are being referred to have been assessed on their own merits, as has this application.

The extension would project 4 metres from the original rear elevation at ground floor level and between 3 and 4 metres at first floor level (noting the old maximum 3m rule under UDP Policy BE14).

Officer comment: the UDP is no longer the up to date development plan for Kirklees. The proposal has been assessed under Kirklees Local Plan policies and the NPPF, both of which set out that a high standard of amenity for neighbouring properties is required. In this case, an acceptable standard of amenity for neighbouring properties is achieved.

For the neighbouring property no. 9 which is set back 1.4m from the rear wall of no.11, this would mean the extension would project up to 5.4m beyond the rear elevation of the neighbouring property no. 9. As such, the impact on outlook and ambient daylight would be significantly detrimental.

Officer comment: see residential amenity section of this report.

New side windows serving bedrooms would result in close overlooking of existing habitable rooms and garden areas of both no. 9 and no. 15, detrimentally affecting their privacy. No. 15 would suffer from direct sunlight loss as a result of the extensions.

Officer comment: see residential amenity section of this report. There would be no harmful overlooking or a loss of sunlight or privacy.

The development would be constructed of artificial stone, whereas the host building and all others at Woodside Lodge are constructed of natural stone. This would be out-of-keeping with the character of all other properties at Woodside Lodge.

Officer comment: it is noted that the application form refers to artificial stone. However, if the application is to be approved, a condition has been recommended to ensure that the materials of the extension match that of the host dwelling, in this case, natural stone. This is ensure that the extension would be in keeping with the character of the other properties on Woodside Lodge.

The size of the extensions (two storeys high and virtually the full width of the house) together with the dual projecting gables would not preserve the

established roofline of this row of houses and would again be out-of-keeping. The proposals would fail to acknowledge the previous 'neighbourliness' of all other residents in this row, who have thought carefully about the scale and design of their extensions in relation to neighbouring properties.

Officer comment: see visual amenity section of this report.

The proposals would therefore be contrary to Local Plan Policy LP24 – which seeks to ensure that “extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details....”

Officer comment: see visual amenity section of this report.

11.0 CONCLUSION

11.1 To conclude, it is considered that, with the inclusion of the suggested conditions set out in section 12.0 below, the proposal would have an acceptable impact with regards to visual amenity, residential amenity and highway safety as discussed in the above report.

11.2 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.

11.3 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.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Standard timeframe for implementation (3 years).
2. Development in accordance with plans.
- 3 Materials to match and thereafter be retained
4. Obscure glazing to en-suite window
5. New part of window serving 'bedroom 2' to be non-opening and obscurely glazed
6. 'Guest bedroom' opening obscurely glazed and non-opening
7. Remove permitted development rights for new openings at ground floor facing no. 9

NOTE: relating to Ecology, as referred to in the main assessment above

Background Papers:

Application documents can be viewed using the link below:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020/90588>

Certificate B signed and dated 04.03.2020