

**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:** 2017/62/94243/W  
**Site Address:** 19, Carr View Road, Hepworth, Holmfirth, HD9 1HX  
**Description:** Erection of single storey rear extension  
**Recommending Officer:** Aimee Procter

**DECISION – Full Conditional Permission**

**I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Neil Bearcroft

***AUTHORISED OFFICER***

**Date: 05-Feb-2018**

## Officer Report

Application: 2017/62/94243/W

**Site:** 19 Carr View Road, Hepworth, Holmfirth, Huddersfield, HD9 1HX

**Proposal:** Erection of single storey rear extension

### Site Description

The site consists of a single detached dwelling built in stone and concrete tiles. The dwelling is single storey at the front, and two storey at the rear due to change in levels. The dwelling features a small lean-to extension and a conservatory to the rear, with a good sized garden with patio and lawn that falls away towards the rear boundary. There is a Tree Protection Order towards the rear boundary which protects an Ash tree. To the front of the dwelling is an integral garage and driveway suitable for off-road parking.

The area surrounding the site is residential in nature. The neighbouring dwellings are of a similar style, age and architectural design as the applicant dwelling. The rear boundary borders with a large woodland area.

### Description of Proposal

The proposal seeks planning permission for the erection of a single storey rear extension, following the demolition of the existing small lean-to extension and conservatory.

The proposed extension will project out from the rear of the dwelling by approx. 3.25m and extend in width to approx. 7.1m. The extension will have a lean-to roof reaching a height of approx. 2.75m to the eaves and 3.9m to the ridge. The proposed extension will have bi-folding doors to the rear elevation and 3no. roof lights.

The proposed extension would be constructed using natural local coursed stone and concrete interlocking roof tiles to match the existing dwelling, with the bi-folding doors being constructed out of grey aluminium.

### Relevant Planning History

2000/90551 Erection of 30 no. detached houses with garages and formation of roads – Section 106 Full Permission

2010/93549 Erection of two storey rear extension – Conditional full permission

### Consultation Responses

No consultations were deemed necessary to this application.

### Representations

The final publicity date expired on the 30th January 2018.

No public representations have been received.

Holme Valley Parish Council – support the application.

### Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is allocated as Housing on the UDP Proposals Map and is Unallocated on the Kirklees Publication Draft Local Plan.

**Kirklees Unitary Development Plan:**

- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)

**Kirklees Publication Draft Local Plan (PDLP):**

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 24** – Design

**National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, 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 7** – Requiring good design

**Assessment**

The following matters are considered in the assessment below –

- 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 allocated as Housing on the Unitary Development Plan Proposals Map, however since the allocation the site has been developed under planning application 2000/90551. Therefore it is considered that this allocation is spent and the site represent unallocated land.

Furthermore the site is without notation on the Publication Draft Local Plan. Policy PLP1 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. The assessment below takes into account the aims of PLP1.

#### 2 –Impact on visual amenity:

The proposal seeks planning permission for the erection of a single storey rear extension. The proposal will allow the occupiers more habitable space including a large open-plan kitchen and dining space. The extension will be constructed using natural local coursed stone and concrete roof tiles to match the existing dwelling, which is acceptable in appearance terms.

In the context of the site and its surrounding area, the proposed works would not create a visually intrusive feature in the local area in terms of its size and design, given the works are to match the existing dwelling in terms of construction materials, and given that the proposal is a minimal extension to what is already on site. The extension is to the rear of the dwelling therefore will have no impact on the street scene, and would remain subservient to the existing dwelling.

Given the above, the proposal complies with policies BE1, BE2, BE13 and BE14 of the Unitary Development Plan, policies PLP1, PLP2 and PLP24 of the Publication Draft Local Plan, and chapter 7 of the NPPF.

#### 3 – Impact on residential amenity:

The impact of the development on residential amenity needs to be considered in relation to policies D2 and BE14 of the Unitary Development Plan. The host dwelling is surrounded by a number of dwellings, the closest of which being nos. 17 and 21 Carr View Road.

The proposed extension would project approx. 3.25m and extend in width approx. 7.1m, the addition to volume and floor space is minimal when considering the existing single storey lean-to and conservatory on site. It is considered that due to the distance between the applicant site and its immediate neighbours, the considerable boundary features consisting of timber fence panels approx. 2.5m in height, and given the extension is single

storey, no unacceptable overbearing, overshadowing or loss of outlook would occur through this proposal.

As such, the proposal complies with the requirements of policies BE13 and BE14 of the Unitary Development Plan, policies PLP1, PLP2, and PLP24 of the Publication Draft Local Plan, and core planning principles of the NPPF.

#### 4 – Impact on highway safety:

The proposed works would impact upon the site capability to host off-road parking therefore it is considered that there will be no impact upon the highway safety for the site.

#### 5 – Other matters:

##### Bats

The Council's GIS system indicates that the property is within a Bat Alert Area. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. The proposed development would result in the demolition of the existing single storey lean to and conservatory. It was noted during site visit that there were no visible cracks or crevices around the roof and its eaves. It is considered that given the structures to be demolished have little to no roof space, it is unlikely that this is a bat roost. However, as a precaution an advisory note will be added to the decision notice to the effect that if bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

#### 6 – Representations:

The final publicity date expired on the 30th January 2018.  
No public representations have been received.

Holme Valley Parish Council – support the application.

#### 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.

**Recommendation**

**Approve**

## Decision Authorisation - Delegated Powers

**Application Number:** 2017/62/94243/W

**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 with Policies BE13 and BE14 of the Kirklees Unitary Development Plan and Policies PLP1, PLP2 and PLP24 of the Kirklees Publication Draft Local Plan.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

**Reason:** In the interests of visual amenity and to accord with Policy BE13 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

**NOTE:** There is potential for a bat roost to 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
Grouped plans and elevations	2017/051/03		13/12/2017
Location Plan			13/12/2017

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.

**Report Dated:**

02/02/2018