

**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: 2018/62/90135/E

Site Address: 12, Lodge Farm Close, Thornhill, Dewsbury, WF12 0DG

Description: Erection of extension to attached garden store to form attached garage

Recommending Officer: Olivia Roberts

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.

Julia Steadman

AUTHORISED OFFICER

Date: 22-Feb-2018

Officer Report

Site Description

The application relates to a two storey detached dwelling in Thornhill, 12 Lodge Farm Close. It is constructed in coursed stone and is designed with gable roof forms which are finished in roof tiles. The dwelling benefits from an integral garage which is located to the north of the dwelling and is accessed via a driveway that leads off Lodge Farm Close. A garden store is attached to the north elevation of the integral garage. The front of the dwelling is set back from the access road with a small garden to the front and a larger garden and amenity space to the rear. Boundary treatment on site comprises of a block wall which is located to the rear of the site on the rear, northern and southern boundaries. To the front of the dwelling, a stone wall forms the boundary to the north of the site whilst a stone wall topped with fencing forms the boundary to the south.

The site is located in a residential area with the vicinity comprising of properties of similar character to the application site. Although Lodge Farm Close features properties of a range of styles and designs, the two properties located to the south of the application site on the east side of Lodge Farm Close are similar in appearance to the application site. The application site benefited from planning permission for the erection of two storey extensions on the front, side and rear (ref: 2013/91116). However it was noted whilst on site that the development has not been carried out.

Description of Proposal

The application seeks planning permission for the erection of an extension to the attached garden store to form a second attached garage. The rear of the existing garden store will be extended by 1.80 metres to sit in line with the rear elevation of the original dwelling. It will be constructed in coursed stone to match existing. The front of the additional garage will be finished with a gable roof which will form an extension of the roof form of the existing garage. The section of the proposed garage which will project beyond the rear elevation of the existing garage will be finished with a gable roof form which will run perpendicular to the existing roof form. Both will be finished in roof tiles to match the roof form of the host dwelling. A roller shutter door is proposed for the front elevation of the garage. The door which currently serves the garden store to the rear of the dwelling will be retained. No other openings are proposed for the new garage.

History of negotiations/amendments received

No amendments were sought or received during the process of the application.

Relevant Planning History

2013/91116: Erection of two storey extension on the front, side and rear. Conditional Full Permission. Not constructed.

Representations

Final publicity date Expires: 14 February 2018.

A site notice was posted and neighbours were notified.

No representations were received.

Parish/Town Council comments: not applicable.

Consultation Responses

No consultations required.

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 Unallocated on the UDP Proposals Map and on the Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **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
- **Chapter 11** – Conserving and enhancing the natural environment

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 without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states “planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”. All these considerations are addressed later in this assessment.

The general principle of extending and making alterations to a property are assessed against Policies BE1, BE2, BE13 and BE14 of the UDP and advice within Chapter 7 of the National Planning Policy Framework regarding design. These require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations.

2 –Impact on visual amenity:

The proposed development will have some impact on the visual amenity of the property. The proposed extension will introduce a small addition to the rear of the existing garden store to create a second garage to the north of the site. The extension will be constructed in materials to match existing and will be designed with roof forms which will correspond satisfactorily with the roof form of the host dwelling. The proposed garage will be similar in appearance to the existing garage in terms of its style and design. It is therefore not deemed that the development will have a significant impact on the appearance of the dwelling nor will it have a detrimental impact on the character of the street scene. Furthermore, although the extension would be located to the side of the property, it would not result in a terracing effect being created because of its single storey nature along with the position of the dwelling, being at the head of the cul-de-sac. The proposal is considered acceptable from a visual amenity perspective and is considered to be in line with Policies BE1, BE2, BE13, BE14 and D2 of the UDP, Policy PLP24 of the PDLP, and Chapter 7 of the NPPF.

3 – Impact on residential amenity:

The development, due to the nature of the proposal and its location both in relation to the host dwelling and the surrounding properties, is unlikely to have a significant impact on residential amenity. Although the extension will project 1.80 metres from the rear of the existing garden store, the development, as a

result of the proposed extension, will not be located any closer to no. 16 Thornhill Park Avenue than the existing dwelling. No openings are proposed for the rear elevation of the extension which, along with the fact that the proposal will serve a garage, and given the distance retained between the proposed garage and the aforementioned property, will prevent overlooking into the rear amenity space.

No properties are located to the front of the dwelling which will be affected by the development.

To summarise, the proposal is considered acceptable from a residential amenity perspective and would accord with the aims of policies D2 and BE14 of the UDP, as well as policy PLP24 of the PDLP.

4 – Impact on highway safety:

The proposed extension does not give rise to the requirement for additional parking and would not affect the existing parking and access arrangements on site as the development will introduce an additional parking space to the property in the form of the additional integral garage. Accordingly, it would not raise any highway safety issues and thus complies with Policies D2 and T10 of the UDP, as well as policies PLP21 and PLP22 of the PDLP.

5 – Other matters:

5.1 Ecology -

The site is located within the Council's GIS bat alert layer however, it is not identified on the map as having bat roots and is not within 200 metres of woodland. In addition, the dwelling is well sealed and unlikely to have any significant bat roost potential. However, a note recommending the advice of licensed bat work to be sought if any bats are found during the development will be relayed on the applicant in the interest of biodiversity and for the proposal to comply with the aims of chapter 11 of the NPPF.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations 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.

Recommendation: **Approve**

Decision Authorisation - Delegated Powers

Application Number: 2018/90135

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 D2, BE1, BE2, BE13, BE14, and T10 of the Kirklees Unitary Development Plan, Policies PLP21 and PLP24 of the Kirklees Publication Draft Local Plan, as well as the aims of the National Planning Policy Framework.

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, Policy PLP24 of the Kirklees Publication Draft Local Plan, as well as the aims of chapter 7 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.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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 13.00hours, Saturdays

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	PL04		12/01/2018
Existing Plans and Elevations	PL03		12/01/2018
Proposed Plans and Elevations	PL06	A	12/01/2018

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.

As submitted plans were considered to be acceptable, no changes were sought.

Report Dated:

16/02/2018