

**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: 2018/62/93785/W

Site Address: 46, Liphill Bank Road, Holmfirth, HD9 2LQ

Description: Removal of existing open porch and erection of single storey porch extension

Recommending Officer: Callum Harrison

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: 10-Jan-2019

Officer Report

Site Description

46 Liphill Bank Road is a terrace property faced in natural stone with a stone slate roof. The property is set within a terrace of approx. 5 dwellings with Liphill Bank Road bounding the terrace and their gardens on both sides. The property benefits from a garden to the rear and currently has an open porch to the front. Dwellings on Liphill Bank Road are mixed in style, however the properties within a close vicinity to no.46 are all faced in stone.

Description of Proposal

The application is seeking permission for the construction of a porch to the front. This would see the exiting open porch replaced with a closed porch. The proposal has a projection of 1.84m, a length of 4.15m and a maximum height of 3.5m with the eaves at 2.7m. The materials proposed are to somewhat match the host dwelling. The walls will be constructed natural stone which is identical the host property, however the roof will be tiles with imitation stone slate and the windows upvc.

Relevant Planning History

2005/93808 – Change of use and conversion of existing dwelling to form 2no. dwellings was refused

2005/90163 – Erection of extension was granted conditional full permission.

History of Negotiations

An amended plan was requested to address an inaccuracy between the floor plan and elevation in relation to the proposed window.

Representations

The application was advertised by a site notice and neighbour notification letters.

Final publicity date expired: 26/12/18.

No representations have been received.

Consultation Responses

Holme Valley Parish Council support the application subject to the materials being in keeping.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007). 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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). 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 48 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 (2018), 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 PLP Policies Map.

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

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP24** – 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 July 2018, 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 12:** Achieving well-designed places

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]'

PLP1 of the PDLP states:

'Is that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.'

Therefore providing the plan passes the following assessments, the principle of development for the proposal is acceptable.

2) Impact on visual amenity

BE13 of the Unitary Development Plan (UDP) states that "extensions to building should respect the design features of the existing house..." and in this case it can be assessed the development fulfils the intention of BE13 as the dimensions of all parts of the proposed developments are modest, and note features of the host property's design. Policy BE14 advises that extensions to the front should be of a small scale and it is considered that this proposal would meet that criteria.

Whilst the proposed projection and height is larger than the existing open porch, the projection increase is a mere 0.4cm and the height increase a minor 0.3m meaning these aspects of the development are only minor increase. The proposed width is great than the existing porch however its design with match materials ensures it harmonises with the host dwelling and effectively maximises the development potential on the front of the property. The use of natural stone creates a more cohesive and aesthetically pleasing design than the existing porch has.

PLP24 states 'extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details'. Whilst the roof tiles are not slate stone, the use of artificial slate still ensures the roof matches that of the existing dwelling.

For the reasons above, it can be considered the development is in keeping and acceptable regarding conserving the visual amenity of the location and

therefore comply with the aims of Policies BE1, BE2, BE13 and BE14 of the UDP and Policy PLP24 of the PDLP.

3) Impact on residential amenity

The National Planning Policy Framework seeks high quality design and a good standard of amenity for all existing and future occupiers of land and buildings though chapter 12. Policy BE14 of the Unitary Development Plan reiterates the intentions of the NPPF and states that extensions to dwellings should not have a detrimental impact on 'adjoining dwellings or any occupier of adjacent land', in this case it can be stated the proposal will not have any detrimental impact on any neighbours due to the porch being on the front elevation of terraced property where the dwellings have no front gardens. This means the ability to overlook and impact upon the privacy of either adjoining neighbour is not possible. The single storey nature of the porch also ensures it is not overbearing nor has a detrimental overshadowing impact.

Due to the reasons above, it can be considered the development is in keeping and acceptable regarding conserving the residential amenity of the location and therefore comply with the aims of Policies D2, BE1, BE2, BE13 and BE14 of the UDP and Policy PLP24 of the PDLP.

4) Impact on highway amenity

The development not seek to intensify any trips to or from the dwelling therefore it can be stated there will be no impact on the amenity of the highway.

5) Other Matters

There are no other matters for consideration.

6) Representations

Holme Valley Parish Council – the Parish council support the application as long as the materials match the existing dwelling. However it is noted that the roof would be covered in artificial slate. The use of artificial slates are considered to be acceptable as they represent a good quality alternative to natural stone and would be keeping with the appearance of the host property. The walls of the extension would be natural stone to match existing.

7) Conclusions

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:** 2018/93653**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 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 T19 of the Kirklees Unitary Development Plan; PLP1 PLP2, PLP24 of the Publication Draft Local Plan and Chapter 12 of the National Planning Policy Framework.

3. The external walls 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 BE2 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	AMLB/2018/01 - Existing	1	15/11/18
Grouped Plans and Elevations	AMLB/2018/02 Rev E - Proposed	1	10/1/19
Location Plan		`1	19/11/18

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. An amended plan was requested to address an inaccuracy between the floor plan and elevation in relation to the proposed window.

Report Dated: 09/01/19

