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:	2019/62/90544/W
Site Address:	7, Oakfield Road, Birkby, Huddersfield, HD2 2XF
Description:	Erection of extensions and alterations (within a Conservation Area)
Recommending Officer:	Jason Hammond

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: 18-Apr-2019

Officer Report.

Reference: 2019/90544

Location: 7 Oakfield Road, Birkby, Huddersfield, HD2 2XF

Proposal: Erection of extensions and alterations (within a Conservation Area).

Site Description.

7 Oakfield Drive is a detached bungalow located in Birkby, Huddersfield. The property is constructed in irregular natural stone, with a pitched roof with a front and rear facing gabled feature constructed in concrete tiles. The property benefits from a modest driveway to the front with an internal garage on the lower ground floor of the property, with a large garden to the rear and side.

The site is located within a residential area with nearby properties varying in design, form and age although sharing a traditional aesthetic. Stone walls are prominent on this side of the highway, with trees also being a significant contribution to the streetscape. Stone is a common material on the street although with render and brick also being used. Pitched roofs and gabled features are also common in the area. In addition, the site is located within the Birkby Conservation Area.

Description of Proposal.

The application refers to extensions to the rear and front of the property, and numerous alterations to allow for a new snug room on the ground floor and a new first floor to allow for an extra bedroom and bathroom.

The rear extension is to project 3.00 metres from the rear with a length of 4.80 metres, with a maximum height of 2.40 metres and eaves of 1.30 metres with a gabled roof. The northern and western elevations of the extension are to be extensively glazed, with the southern elevation being constructed in stone with a small window. Two roof lights are proposed on both sides of the extension, with the gabled roof to be constructed in natural slate.

The front of the property is to extend slightly by infilling the existing porch overhang, which would have a length of 3.45 metres and projection of 0.65 metres. In addition, there is to be a proposed flat roof porch overhang over the entrance area.

Two front dormers are proposed, being identical in size and design. They are to have a maximum projection of 1.40 metres and length of 0.95 metres, with a maximum height of 1.20 metres and eaves of 0.75 metres with a gabled roof. The dormers are to have a pentagonal shaped window, with four roof lights proposed to the main roof. A smaller dormer is proposed to the southern side of the property.

Numerous alterations are to take place to the original dwelling, with many of these compromising of internal works that would not constitute as a material change to the property. The chimney stack is to be removed and replaced with a black flue to the south of this. The existing utility door and one of the windows on the southern end of the front elevation is to be replaced with a large window, with one of the existing windows also to be walled up. The existing window on the rear facing gable feature is to be replaced by French doors with a Juliette balcony for the master bedroom.

History of Negotiations.

No known changes for this scheme, although this is a resubmission of a previously approved application with the inclusion of a side dormer. This would have been a material change to the proposal that would not have constituted as a non-material amendment and as such it was advised for a full application to be submitted.

Relevant Planning History.

A similar application has already been approved for this site:

2018/93777 - Erection of extensions and alterations (within a Conservation Area).

Granted in January 2019.

Representations.

The application was advertised by a press notice, site notice and neighbour letters which expired on 16/04/2019. No representations were received from this publicity.

Consultation Responses.

No consultations were deemed necessary for this proposal.

Policy/Legislation.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan although is designated as being set within the Birkby Conservation Area.

Kirklees Local Plan:

- **PLP 1** – Achieving Sustainable Development
- **PLP 2** – Place Shaping
- **PLP 24** – Design
- **PLP 35** – Heritage

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published February 2019, 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
- **Chapter 16** – Conserving and enhancing the historic environment

Assessment.

The following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

1) Principle of development
1) Impact on visual amenity, including designated heritage assets
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Conclusion

Principle of development:

The site is unallocated within the Kirklees Local Plan but is set within the Birkby Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities shall

pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area.

Development in the Conservation Area requires Policy PLP 35 of the Local Plan and Chapter 16 of the National Planning Policy Framework to be considered regarding the historic environment. Policy PLP 35 (as modified) states “development proposals affecting a designated heritage asset…should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm”. This harm will be assessed and discussed later in the report.

In terms of extending and making alterations to a property Policy PLP 24 of the Kirklees Local Plan (as modified) will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In this case, the principle of development on the application site is acceptable and shall be assessed against other material planning considerations below.

Impact on visual amenity, including designated heritage assets:

The proposal is located on Oakfield Road, a traditional residential street with properties on the street varying in design, form and age showing there is variety in the street scape. Trees and stone walls are prominent features along the highway, with gabled roof forms and stone being commonly used for the properties.

This property was a later addition to the street built in the 1980s, with the majority being built in the first half of the 20th century. This therefore shows that the property holds little historic importance to the street and the wider area, meaning that extending and altering the property could be appropriate as long as it is sympathetic to the character of the area and is in matching of the host property. The proposal refers to the erection of a rear extension, two front dormers and various alterations to the property.

Single storey rear extension:
The rear extension would be adding massing to the rear of the property, being considered to have been designed sympathetic to the host property. The gabled feature will be adding symmetry to the rear of the property, with the glazing used being a modern addition that would not be of any harm to the host building, and alongside the lower height of the existing rear extending gable would ensure the extension remains visually subservient. The use of a Juliette balcony on the existing gabled feature is considered to be a matching

continuation of the glazing used with the French doors of the lounge and the windows in the snug.

Dormers:
The front dormers would be changing the roof scape of the front of the property and would have the potential to change the appearance of the host property due to its prominence on the roof. The dormers are of a sympathetic and traditional design that would not dominate the host building. The property is set back from the highway with sufficient screening lessening any impact from the dormers.

A side facing dormer is also proposed that is to be set to the rear of the property, and would have minimal harm upon the visual amenity of the area when considering the unobtrusive location and lack of prominence in the area and on the Conservation Area.

Alterations:
The front extension is considered to have very little visual impact due to its small scale and would be a visual improvement as it is infilling the existing porch overhang. The proposed flat roof porch overhang is to be increased in size but would be of no harm to the property.

The replacement of the utility door for a new window will be considered a visual improvement to the building as it results in the front elevation having one main front door with the proposed windows being in matching with the existing windows of the property.

Impact upon the Birkby Conservation Area:
The property is set away from the highway and is screened by mature trees and tall stone walling meaning the various alterations and extensions to the property would not be impacting upon the Birkby Conservation Area. The design of the proposals will be in keeping of the host property and would not be impacting the character of neither the property nor local area and have been designed sympathetic to a traditional aesthetic.

Therefore, the proposal is in accordance of Policy PLP 24 of the Kirklees Local Plan (as modified) that states “extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details” and “the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape”. The proposal also accords to Policy PLP 35 ensuring minimal harm upon the Birkby Conservation Area.

Therefore, the proposal is regarded as acceptable for permission in this regard as it would not harm the visual amenity nor the historic environment of the area.

Impact on residential amenity:

The site shares its boundary to properties to the north and south, with properties from the east and west also having visibility of the proposal. Therefore, development at this site has the potential to have some form of impact upon these neighbours.

It is considered that the detached nature of the properties ensure an adequate distance is set between the properties. There is considerable screening on all elevations provided by mature trees and stone walling meaning any alterations would not be visible and thus not be of any significant harm upon the residential amenity.

In addition the proposed rear extension is set within the property and the front dormers are of a proportionate size meaning the development is of a small scale and would be of any considerable impact. The front dormers have potential to increase any out looking from the property although this would be of no harm when considering the screening present and the distance of over 30.00 metres across the highway. The side dormer is to be south facing and would only face toward the proposed extension with no potential of overlooking any neighbours ensuring there is no concerns over privacy.

The proposal therefore accords with Policy PLP 24 (as modified) of the Kirklees Local Plan which states “extensions…minimise impact on residential amenity of future and neighbouring occupiers.” Having considered the above factors affecting neighbouring properties and relevant policies, the proposed rear extension is not deemed to result in any significant harm upon the residential amenity.

Impact on highway safety:

The extensions and alterations would result in two extra bedrooms which could result in the need of an increase of car usage. However, the proposal includes an internal garage for one space as well as the driveway which is deemed to be more than sufficient for the three bedroom property. Therefore, the proposal is considered to have no impact on highway safety and as such complies with Policies PLP22 and PLP24 of the Local Plan (as modified).

Other matters:

Bats – the site is located within the bat alert layer, whilst the development would impact on the roof it is well sealed and therefore it is unlikely to house bats. However a precautionary note will be attached to the decision.

Representations:

No public representations were received for this proposal.

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, including the potential harm upon the Birkby Conservation Area. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers.

Application Number: 2019/90544

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 Policy PLP24 of the Kirklees Local Plan.

3. The external stonework and roofing tiles of the rear extension hereby approved shall in all respects match those used in the construction of the existing dwelling.
Reason: In the interests of visual amenity and preserve the character of the Birkby Conservation Area and to accord with Policies PLP24 and PLP35 of the Kirklees Local Plan and the National Planning Policy Framework.

NOTE: The Council's Environment Officer has commented that 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: 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 - 18.30 hours (Mondays to Fridays), 08.00 - 13.00 hours (Saturdays) with no work carried out on 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
Block Plan	18/456/02		25/02/2019
Existing Floor Plans and Elevations	18/456/03		25/02/2019
Proposed Ground Floor Plans	18/456/04	B	25/02/2019
Proposed First Floor Plans	18/456/05	B	25/02/2019
Proposed Elevations	18/456/06	A	25/02/2019
Proposed Block Plan	18/456/07		25/02/2019
Design and Access Statement			25/02/2019

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: 17/04/2019