

**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: 2019/62/90584/E

Site Address: 14, Kirk Close, Chickenley, Dewsbury, WF12 8RJ

Description: Erection of two storey side and single story front and rear extension

Recommending Officer: Josh Kwok

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 15-May-2019

Officer Report

Site Description

The application site is no.14 Kirk Close. It consists of a two storey brick built detached property, a rendered porch and lawn to the front, a driveway and a detached garage to the side and a garden to the rear. The boundary treatment comprises a mix of vegetation and timber fencing. The site and its surrounding area are purely residential, characterised by two storey brick built detached and semi-detached properties with various extensions. The properties in this area are fairly uniform in design, with all having a small porch to the front. This contributes to the existing character of the street scene.

Description of Proposal

This development proposal is for the erection of extensions. The details of proposal are as follows:

- 2.48m wide x 8.77m high x 11.40m (side and rear extension)
- Facing material to be brickwork
- Roofing material to be the same as existing

History of negotiations/amendments received

The red line boundary has been changed to include a shared driveway. As a result of the change in red line boundary, a land ownership certificate B has been submitted in accordance with the DMPO. Further to the above, the applicant has submitted a set of amended drawings that show the extensions to be faced in brickwork to match the host property. The dimensions of the extensions has also been amended modestly. These drawings were not re-advertised as the differences between the original proposal and the amended proposal were insignificant. There were no representations received in relation to the initial publicity. Therefore, it was not considered necessary to re-advertise the amended drawings.

Relevant Planning History

2019/20038 – Pre-application enquiry for erection of extensions (14, Kirk Close)

Representations

This application was advertised by site notices and neighbour letters, which expired on 31-Mar-2019. As a result of the above publicity, no representations were received from the occupants of the neighbouring properties.

Consultation Responses

No consultations required for this application.

Policy

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 Policies Map of the Kirklees Local Plan.

Kirklees Local Plan (LP) (as modified):

- **PLP 01** – Achieving sustainable development
- **PLP 02** – Place shaping
- **PLP 21** – Highway safety and access
- **PLP 22** – Parking
- **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 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- 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:

Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is enshrined in policy PLP1 (as modified) of the Kirklees Local Plan. This policy stipulates that proposals that accord with policies in the Kirklees Local Plan will be approved without delay, unless material considerations indicate otherwise. Policy PLP24 (as modified) of the LP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development of the

surrounding area as well as to preserve the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability. These considerations are addressed in turn in the following sections in this report.

2 – Impact on visual amenity:

The proposal would consist of a single storey front extension, a single storey rear extension as well as a two storey side extension. It would appear less than half the width of the existing property and as such would be acceptable in respect of its scale. The extension whilst being positioned to the side of the host property is not considered to result in any unacceptable terracing effect as there are no properties immediately adjacent to north of the application site.

The materials of construction are brick and concrete interlocking tiles. These materials are already evident at the application site and its immediate surroundings. They would give the extensions a similar appearance as host property. Hence, they would be appropriate from a visual amenity perspective. It is noted that the neighbouring properties e.g. nos. 3 and 11 already have extensions of a similar form. To permit the extensions as proposed would not therefore harm the prevailing character of the surrounding area. The overall design of the extensions would be in keeping with the host property as well as the neighbouring properties. There would be no undue detrimental impact on the amenity of the street scene either.

In summary, the proposed development would be acceptable in terms of scale, design and materials. It would not adversely affect the appearance of the host property, the character of the surrounding area and the amenity of the street scene. For these reasons, officers consider the proposal to be compliant with the aims of policy PLP24 (as modified) of the KLP and chapter 12 of the NPPF.

3 – Impact on residential amenity:

There would be no issues arising in relation to the amenity of neighbouring properties as the proposed extensions would be situated to the north of the application site with no residential properties in close proximity. There would be at least 14.0m between the external front wall of the proposed extensions and the external side wall of no.15 Kirk Close, which would further reduce the likelihood of residential amenity issues. Accordingly, the proposal could be appropriate from a residential amenity perspective, complying with policy PLP24 (as modified) of the KLP.

4 – Impact on highway safety:

The proposal would intensify the residential use of the enquiry property but it would not affect the parking arrangement of the site. The property as extended would have four bedrooms in total. For a residential property with more than three bedrooms, three off street parking spaces would be required in accordance with the KC Highways Design Guide and policy PLP22 (as modified) of the KLP.

Based on the site visit observations as well as the submitted site plan, officers are satisfied that there would be adequate parking provision for the existing and future occupants of the application property in accordance with the KC Highways Design Guide and policy PLP22 (as modified) of the KLP. There would be no unacceptable parking issues as a result of the proposed extensions.

Due to the nature of the proposal comprising extensions to an existing dwelling, it is not expected to cause a marked increase in traffic generation, and could be acceptable in highway safety terms. The proposal would not conflict with policy PLP21 (as modified) of the KLP in this respect.

5 – Other matters:

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

6 – Representations:

No representations received as a result of the statutory publicity.

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:** 2019/90584**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 Policies PLP21 (as modified) and PLP24 (as modified) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the host building at the application site.

Reason: In the interests of visual amenity and to accord with Policy PLP24 (as modified) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	000		25-Feb-2019
Proposed elevation	002	B	13-May-2019
Existing elevation	001		25-Feb-2019
Site plan	008		25-Feb-2019
Proposed ground floor plan	004	A	13-May-2019
Proposed first floor plan	003	A	13-May-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. In this case, the application has submitted a set of amended plans and drawings. These amendments have adequately addressed the visual amenity concern with regard to the original proposal. The amended proposal was considered to be acceptable and hence no further amendments were sought thereafter.

13-May-2019

Report Dated: dsfffsdf