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:	2019/62/91185/W
Site Address:	1, Crodingley, Thongsbridge, Holmfirth, HD9 3TZ
Description:	Erection of single storey rear extension incorporating existing detached garage
Recommending Officer:	Ellie Worth

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: 07-Jun-2019

Officer report

Site description

1 Crodingley, Thongsbridge is a two storey detached property constructed from sandstone with a tiled roof. The property benefits from a small garden and area of hardstanding to the front and private amenity space to the rear. Pedestrian and vehicular access can be taken from the front boundary at the application site onto Cordingley. Boundary treatment consists of dry stone walling. There is also a detached large garage to the rear of the host dwelling which will be retained as part of this application.

The site and the wider area is predominantly dominated by residential buildings, most of which vary in design and form. At the time in which the site visit was undertaken it was evident that the extension had started to be constructed.

Description of proposal

The applicant is seeking permission for a single storey rear extension incorporating the existing detached garage. The measurements of the proposal are as follows:

- 3.4m in maximum projection from the rear elevation at the host property
- 11.6m in maximum length
- 2.5m in height to the eaves; 3.8m in maximum height

The proposed extension has been constructed from sandstone to keep in with the host property. The proposed fenestration and doors shall be constructed from powder coated aluminium. Internally the extension will provide an extension to the existing kitchen/dining room.

History of negotiations/amendments received

No negotiations or amendments have been sought throughout the course of the application.

Relevant Planning History

2019/90376 Certificate of lawfulness for proposed erection of single storey rear extension – Certificate Refused (1 Crodingley)

Various applications submitted at 3 Crodingley for the erection of extensions

Various applications submitted at 7 Crodingley Farm Court for the erection of a detached dwelling and extensions

Representations

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

Final publicity expires: 24.05.19

As a result of the above publicity, no representations have been received.

Holme Valley Parish Council: In support of the 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 Kirklees Local Plan

Kirklees Local Plan:

LP 1 – Achieving sustainable development

LP 2 – Place shaping

LP21 – Highway safety

LP22 – Parking

LP24 – Design

LP30 - Biodiversity

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 12 – Achieving well design places

Chapter 15 – Protecting 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 highways
5. Other matters
6. Representations
7. Conclusions

1. Principle of development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

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

2. Impact on visual amenity

It has been considered that the proposed extension would appear subservient to the host property, as it would also adjoin the existing detached garage. Nonetheless, there would be additional amenity space developed under this proposal. However, given the size of the plot it would not result in overdevelopment of the site.

The design of the extension is considered acceptable in terms of visual amenity, as the construction materials match the existing host property.

In regards to the proposed sliding door, it has been assessed that there would be some impact on the amenity of the site. However, any impact would not be detrimental and can therefore be supported.
Alongside this, two roof lights will be inserted into the lean-to pitch. An additional opening will also be inserted into the north eastern facing side elevation of the extension. Nonetheless, it has been considered that any additional harm can be supported.

The maximum projection of the extension is 3.4m, whilst this is larger than what is normally permitted any impacts can be supported. As the proposed extension will adjoin the existing detached garage.

The materials of the extension, as stated within the application form will match those that exist on the host property.

In summary, the proposed extension would be of a satisfactory design quality for the reasons set out above and would keep in with the character of the area. Therefore the proposal would accord with LP24 of the KLP and Chapter 12 of the NPPF.

3. Impact on residential amenity
3 Crodingley is the neighbouring property to the north east of the application site. It has been considered that there would be minimal impact on these neighbours amenity as a result of the proposal. This is due to the fact that that the proposal is for a single storey rear extension. As such there would be no undue harm on overbearing and overshadowing.

More specifically in regards to overlooking, an additional opening will be inserted into the north eastern facing side elevation. This has the potential to increase impact on overlooking, however, it has been noted that there are

existing openings within the side elevation of the host property and therefore any harm would not be over and above the existing situation.

All in all, the impact on these neighbours amenity can be supported.

4 and 7 Crodingley Farm Court are the neighbouring properties to the north west of the application site. It has been assessed that there would be minimal impact on these neighbours as part of the application. This is due to the fact that the extension proposed would be single storey and there is existing boundary treatment in place, which would mitigate against any undue harm on overbearing and overshadowing. The submitted plans also show no additional openings to be inserted into the north western facing side elevation which will mitigate against any impacts on overlooking.
As such the application is considered acceptable as there would be minimal impact on the amenity of these neighbours.

2 Crodingley is the neighbouring property to the east of the application site. Given the nature of the proposal and the orientation of these neighbours, there would be minimal harm on overbearing, overshadowing and overlooking.

In summary the application is considered to have an acceptable impact on residential amenity and therefore complies with LP24 of the KLP from this perspective.

4. Impact on highway safety

There would be no changes to the highway arrangement as part of this proposal, as the existing garage will be retained. As such, it has been considered that the proposal complies with Policy LP21 of the KLP.

5. Other matters

Bats

The application site lies within the bat alert layer on the Council's GIS system. As such, careful attention was paid when undertaking the site visit to look to

evidence of bat roost potential. In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats. Even so, as a cautionary measure, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a licenced bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

Conditions

It is noted that work on the development has already commenced, therefore it is not considered necessary to attached a condition requiring the implementation of the works. Conditions requiring the development to be carried out in accordance with the plans and of matching materials will however be attached to ensure that the development is in keeping with the host property.

6. Representations

None 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 materials considerations. It is considered that the development would constitute to sustainable development and is therefore recommended for approval.

Recommendation **Approve**

Decision Authorisation - Delegated Powers
Application Number: 2019/91185
Officer Recommendation: Approve

Conditions and Reasons

1. 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 Policy LP21, LP22 and LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

2. 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, in accordance with the details shown on the approved plan.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the aims 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.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location plan, existing and proposed floor plans and elevations	18.04(2-)1	B	08.05.19
Planning Statement			08.05.19

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

Report Dated: 07.06.19