

**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: 2019/62/91317/W
Site Address: 29, Carr View Road, Hepworth, Holmfirth, HD9 1HX
Description: Erection of single storey rear extension
Recommending Officer: Ellie Worth

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 10-Jun-2019

Officer report

Site description

29 Carr View Road is a detached two storey property constructed from coursed sand stone with a concrete tiled roof. To the rear, the property benefits from existing single storey rear extensions, which will be demolished as part of this proposal. Pedestrian and vehicular access can be taken from the front boundary at the application site onto Carr View Street. To the rear, the property benefits from a large garden and patio area. Boundary treatment also consists of medium sized fencing.

The site and the wider area comprises of residential properties. Alongside this, land levels fall within the wider area from West to East.

Description of proposal

The applicant is seeking permissions for the erection of a single storey rear extension. The measurements of the proposal are as follows:

- 4m projection from the rear elevation at the dwelling house
- 7.5m in width
- 2.9m in height to the eaves; 3.9m in maximum height

The proposed extension would be constructed from sandstone with a concrete tiled roof to match the host property. The proposed sliding doors will be constructed from powder coated aluminium. Internally the extension will serve an extension to a kitchen/dining room.

History of negotiations/amendments received

No negotiations or amendments have been received during the course of the application.

Relevant Planning History

2002/91466 Erection of 3 detached dwellings with integral garage (amended house types) – Granted (29 Carr View Road)

2019/90268 HHPD Extension – Permitted Development (29 Carr View Road)

Representations

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

Final publicity expires: 06.06.19

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

Holme Valley Parish Council – support the application

Consultation responses

None necessary

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 – Conservation 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 PLP1 (as modified) 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 PLP24 (as modified) of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

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

Furthermore, the previous application for the prior notification for a single storey extension (2019/90268) is considered as a material consideration and will be assessed below. This is considered to establish the principle of having a single storey extension with a 4m projection on the site.

2. Impact on visual amenity

It has been considered that the proposed extension would appear subservient to the host property. Nonetheless, there would be additional amenity space developed under this proposal. However, this would not result in the

overdevelopment of the site as the existing rear extensions will be demolished as part of this application.

The design of the extension is considered acceptable in terms of visual amenity. It is a simple form with a hipped roof. The construction materials would match those that exist on the host property.

In regards to the proposed bi-fold door it has been assessed that there would be some impact on the amenity of the site as this is large in the context of other openings. However, any impacts would not be detrimental and would not affect the wider visual amenity of the area and therefore can be supported. Alongside this, no additional windows will be inserted into the side elevations of the extension.

The maximum projection of the rear extension will be 4m from the original rear elevation at the host property. The previous application (2019/90268) establishes the principle of having a projection of this size on the application site. As such this is considered to comply with LP24 of the KLP.

The proposed materials of the extension, as stated within the application will match those that exist on the host property. These materials would allow the extension to harmonise well with the host property and will be conditioned to ensure visual amenity is protected.

As part of this application, the submitted plans show steps to be included onto the patio area. This has not been included in the description as it has been noted that this element would have a maximum height of 0.3m and therefore could be constructed under permitted development. Nonetheless, this element has been considered acceptable from a visual perspective.

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

27 Carr View Road is the neighbouring property to the east of the application site. It has been noted that these neighbours are on a lower level to the application site.

Nonetheless, it has been acknowledged that there would be minimal impact in regards to overbearing and overshadowing, as the proposal is for a single storey rear extension. As well as this, the extension would be significant inset from the boundary at these neighbours.

The submitted plans show no additional openings to be inserted into the eastern facing elevation of the extension. This will mitigate against any undue harm on overlooking. Nonetheless, there is existing boundary treatment in the form of fencing which will be retained as part of this application. All in all, the impact on these neighbours is acceptable.

31 Carr View Road is the neighbouring property to the west of the application site. It has been noted that these neighbours are on a higher level than the application site. Given the existing relationship and the fact that the extension would be single storey in height, there would be minimal impact on overbearing and overshadowing as a result.

The submitted plans also show no additional openings to be inserted into the west facing elevation which will mitigate against any harm on overlooking. The existing boundary treatment will also be retained as part of this proposal.

To the rear of the application site is Green Belt Land.

4. Impact on highway safety

It has been assessed that there would be no undue impact on the existing parking arrangement at the application site, nor would the application increase the residential use. For these reasons, the application is considered to comply with LP21 and LP22 of the KLP.

5. Other matters

Bats

All of 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 and Policy LP30 of the KLP.

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: 2019/91317

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 Policy LP21, LP22 and LP24 of the Kirklees Local Plan and 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, 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 Plan and Elevations	18.046(2-)001	A	17.04.19

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.

10.06.19

Report Dated: dsffsdf