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: 2019/62/91892/E

Site Address: 48, Castle Mount, Thornhill, Dewsbury, WF12 0DW

Description: Erection of two storey side extension

Recommending Officer: Olivia Roberts

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: 23-Aug-2019

Officer Report

Site Description

48 Castle Mount is a two storey semi-detached property in Dewsbury. It is constructed in brick at ground floor level and render at first floor level and is designed with a hipped roof form which is finished in interlocking terracotta roof tiles. The dwelling benefits from a conservatory and a garage which are located to the rear of the site. The dwelling is set back from the access road with a driveway to the front, a paved area to the side and large garden to the rear.

The site is located in a residential area that comprises properties of a range of styles and designs. The predominant materials of construction are brick and render.

Description of Proposal

The application seeks planning permission for the erection of a two storey side extension. The extension would project 2.00 metres from the side elevation of the dwelling to the front and 3.60 metres to the rear to extend along the boundary of the site which is sloped in natured. The extension would be set back from the front elevation of the property by 0.20 metres and set in from the rear elevation by 0.30 metres. It would be designed with a gable roof form which would have an eaves height to match existing. The ridge height of the extension would be set down from that of the host dwelling by 0.30 metres. Openings are proposed for the front and rear elevations of the extension.

The extension would be finished in brick at ground floor level and render at first floor level to match existing. It would be finished in terracotta interlocking roof tiles.

History of negotiations/amendments received

It was considered that the proposed gable roof form of the extension would be out of keeping with the host dwelling and the surrounding area with Castle Mount comprising properties that are designed with a hipped roof form. Amendments were sought from the applicant to introduce a hipped roof form to the extension. The sought plans were received on 15/08/2019 and considered to be acceptable.

Due to the amended plans resulting in only a change to the roof form of the extension, it was not considered necessary to re publicise in this instance.

Relevant Planning History

No relevant planning history at the site.

Representations

The application was publicised by site notice and neighbour letters which expired on 20th July 2019.

As a result of the above publicity, one comment in support was received. The comment raised the following:

- I have seen the plans and am happy for them to proceed.

Officer comments will be made in section 6 of this report.

Parish/Town Council comments: not applicable.

Consultation Responses

No consultations were considered necessary as part 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):

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 22 - Parking
- LP 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, and 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
- Chapter 15 – Conserving 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 highway safety
5) Other matters
6) Representations
7) Conclusion

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. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

The proposed extension would be two storey in scale and would be located to the side of the property. Given the size of the curtilage of the site, it is considered that the dwelling could accommodate the proposed extension without it amounting to an overdevelopment. The extension, by virtue of its design and projection, is considered to be subordinate to host dwelling, which would remain the dominant feature following development. The extension would be finished in brick at ground floor level and render at first floor level to match existing. It is considered that the revised hipped roof form would be in keeping with both the host property and the properties within the street scene. It is therefore not considered that the development would look out of place either in relation to the host property or the surrounding area. Due to the angled nature of the application site in relation to the adjacent terraced properties, it is not considered that the proposed extension would result in a terracing effect. It is also noted that the extension would be set in from the front elevation of the property and down from the existing ridge height which would further limit the potential for the development to cause a terracing effect.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Impact on 50 Castle Mount

The proposal would extend the property up to the boundary shared with the neighbouring property, no. 50 Castle Mount at a two storey level. The proposal could therefore have an overbearing and overshadowing impact on the property. However, it is noted the property is set back from the shared boundary with a driveway to the side which would reduce this impact. This is furthered by the angled positioning of the property in relation to the application site which would further reduce the potential overbearing and overshadowing impact. Whilst the property benefits from openings on the side elevation, it does not appear that these serve habitable rooms. The site is located to the north west of the property which, along with the fact that extension would not project beyond the front and rear elevations of the dwelling, would limit the potential for the development to have an overbearing impact. No openings are proposed for the side elevation of the extension which would prevent overlooking.

Impact on 46 Castle Mount

The proposed extension would not project beyond the front or rear elevations of the property. It is therefore not considered that the development would have an impact on the residential amenity of the adjoining property.

Due to the distance that would be retained between the proposed extension and the properties to the rear, it is not considered that the development would have a significant impact on the residential amenity of the occupiers of the property.

Having considered the above factors, the proposal is not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan and Paragraph 127 (f) of the National Planning Policy Framework.

4 – Impact on highway safety:

The proposed two storey extension would introduce a fourth bedroom to the property which would result in some intensification in the domestic use of the dwelling and would increase parking requirements. Although the proposal would prevent access to the existing garage, it is noted on the submitted plans that it is not currently used to accommodate an off-road parking space due to an insufficient access width down the side of the property. The driveway which is located to the front of the property would not be effected by the proposal and is considered to offer sufficient parking provision to accommodate the increased parking requirements of the site. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan.

5 – Other matters:

No other matters were considered relevant as part of the application.

6 – Representations:

As a result of the above publicity, one comment in support was received. The comment raised the following:

- I have seen the plans and am happy for them to proceed.

Response – The proposal has been assessed in the sections above.

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: 2019/91892

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 Policies LP1, LP2, 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.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

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 and 18.30 hours, Mondays to Fridays 08.00 and 13.00hours, Saturdays

With no working 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
Location Plan			06/06/2019
Existing Elevations & Floor Plans			06/06/2019
Proposed Elevations and Floor Plans			15/08/2019

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.

It was considered that the proposed gable roof form of the extension would be out of keeping with the host dwelling and the surrounding area with Castle Mount comprises properties that are designed with a hipped roof form. Amendments were sought from the applicant to introduce a hipped roof form to the extension. The sought plans were received on 15/08/2019 and considered to be acceptable.

Report Dated: 22/08/2019