

**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: 2019/62/92322/E

Site Address: 13a, Northfield Road, Dewsbury, WF13 2JX

Description: Erection of side extension and front and rear dormer windows (within a Conservation Area)

Recommending Officer: Jennifer Booth

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: 18-Sep-2019

OFFICER REPORT

Site Description

13a Northfield Road is a detached bungalow with a dormer in the front roof plane, off to side. The property has a garden to the front, drive to the side leading to a detached garage at the rear and an enclosed rear garden.

The property is located on a residential street with a mix of ages of property although there are more traditional older dwellings.

Description of Proposal

The applicant is seeking permission for the erection of a side extension with dormer windows in the front and rear and a rear dormer in the original roof.

The side extension is proposed to project 3.7m from the original side wall of the dwelling and would lie flush with the front and rear elevations of the property. The roof form would be a continuation of the main roof.

The walls of the extension are proposed to be constructed using stone with tiles for the roof covering.

The front dormer would be set up 1.5m from the eaves of the dwelling, set down 1.8m from the ridge of the dwelling, would have a width of 2.5m and a height of 1.2m.

The rear dormer of the extension would be set up 1m from the eaves of the dwelling, set down 1.8m from the ridge of the property and would have a width of 2.5m and a height of 2m.

The rear dormer proposed for the original roof would be set up 1m from the eaves, set down 1.8m from the ridge and would have a width of 3.2m with a height of 2m.

The dormers would be clad with brown composite cladding.

Relevant Planning History

None

Representations

The application was advertised by site notice, press notice and neighbour letters, which expired on 31/08/2019

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

Consultation Responses

KC Conservation and Design (Informal): No objections

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. However the property is sited within the Northfields Conservation Area

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP 30** – Biodiversity
- **LP 35** - Historic Environment

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 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Negotiations
- 7) Conditions

8) 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.

However, the property is located within the Northfield Conservation Area which is characterised by larger Victorian style properties with ornate stone detailing to the both the buildings and where retained, the boundary treatments. As such, consideration is to be given to the current proposals in terms of the relationship formed between the proposals and the Conservation Area with regards to policy LP35 of the Kirklees Local Plan and chapter 16 of the National Planning Policy Framework.

In this instance, the host property is a modern addition within the Conservation Area, which does not include the character features found in the older traditional buildings. The design and scale of the proposal is in keeping with the stylings of the host property and would not be considered to be harmful in terms of the character of the conservation area.

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

2 –Impact on visual amenity:

Northfield Road is a residential street, most of the properties are older with detailing, hence the conservation status. However, there are one or two modern additions to the road. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

The proposal under consideration consists of two discernible elements which shall be addressed below.

Side extension with front and rear dormers

The host property and its associated curtilage are of a sufficient size to support the proposed side extension whilst retaining a satisfactory amenity space. The scale of the side extension is in keeping with the main house and the wider area. The materials proposed would match the main house and the existing dormer. The use of dormers for the extension would mimic detail on the existing dwelling and would therefore not be out of character with the host property, which is not characteristic of the Conservation Area and a later addition. Whilst the use of UPVC cladding on the new front and rear dormers

is not considered to be ideal, these circumstances are noted (dormers would not be highly visible being located to rear. As such, the proposed side extension with front and rear dormers is considered to be acceptable in terms of visual amenity.

Rear dormer

The rear dormer proposed would be similar in appearance although slightly larger in terms of scale to the dormer proposed within the roof over the proposed side extension. The design would be in keeping with the host property for the reasons set out above, having a neutral impact on the character and appearance of the Conservation Area and as such this element of the scheme can be considered to be acceptable in terms of visual amenity.

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 13 Northfield Road

The proposed side extension would reduce the space between the host property and the adjacent neighbour to the north east. However, there is a reasonable space left in terms of the neighbour's drive and the side elevation of the host property aligns with a blank section of the side elevation of the neighbouring property. Furthermore, the land to the side of the neighbouring property forms the driveway. As such, I am satisfied that the proposed side extension and dormers would not cause any harm to the amenities of the occupiers of the adjacent 13 Northfield Road.

Impact on 15 Northfield Road

The bulk of the works proposed would be located on the opposite side of the dwelling to the adjacent 15 Northfield Road. Although one of the dormers proposed within the rear roof space would be closer to the adjacent neighbour's boundary, this is set up within the existing roof plane. I am satisfied that there would be no harmful impact upon the amenities of the occupiers of the adjacent 15 Northfield Road.

Impact on 29 Moorlands Avenue North

The works proposed would not reduce the space between the host property and the neighbour opposite. Given the scale of development proposed together with the spatial relationship between the dwellings, I am of the opinion that there would be no harm caused to the amenities of the occupiers of the neighbouring 29 Moorlands Avenue North.

Impact on 19 Oxford Road

The neighbouring property to the rear occupies an elevated position some 35m from the host property. The works proposed would not reduce this separation and given the relationship between the dwellings, I am not concerned in terms of the impact on the amenities of the occupiers of the neighbouring 19 Oxford Road.

Having considered the above factors, the proposals are 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 proposals will result in some intensification of the residential use and the loss of the existing parking area to the side along with access to the garage at the rear. However the parking area to the front of the property would be enlarged which would allow for parking for at least two vehicles off road and this is considered to represent a sufficient provision. 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:

Biodiversity

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development then work must cease immediately and the advice of a licensed bat worker sought.

There are no other matters for consideration.

6 – Representations:

None

7 – Negotiations:

None

8 – Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

9 – Conclusion:

This application to erect a side extension with dormer windows in the front and rear and a rear dormer in the original roof of 13a Northfield Road has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

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.

As set out above, 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: 2019/92322

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 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: 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.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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	Web ID	Date Received
Location plan	001	760142	25/07/2019
Existing site plan	002	760143	25/07/2019
Existing elevations	005	761325	25/07/2019
Existing elevations	004	760145	25/07/2019
Existing floor plans	003	760146	25/07/2019
Proposed site plan	006	760151	25/07/2019
Proposed elevations	008	760149	25/07/2019
Proposed elevations	009	760148	25/07/2019
Proposed floor plans	007	760144	25/07/2019
Illustrative plan	010-3d	760150	25/07/2019

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 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 16/09/2019

